LORNAY
ENVIRONMENTAL CONSULTING

NEMA SECTION 24G APPLICATION

Retrospective Environmental Authorisation Application
Portion 1 of the Farm Wortelgat No. 723, Stanford, Caledon RD

20 August 2025

Prepared for:
Coot Club (Pty) Ltd

Consultant:

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Lornay Environmental Consulting Pty Ltd| Reg 2015/445417/07

EXECUTIVE SUMMARY

This Section 24G Environmental Impact Assessment (EIA) Report has been prepared on behalf of Coot Club (Pty) Ltd for submission to the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) Directorate Rectification. The report supports a voluntary Retrospective Environmental Authorisation application for the use of five (5) boathouses for tourism accommodation purposes on Portion 1 of Farm No. 723, located adjacent to the Klein River Estuary in Stanford, Western Cape.

Background

In 2019, an Applicability Checklist was submitted to the DEA&DP Directorate Land Use, to determine the Applicability of the NEMA EIA Regulations for the proposed development of the following:

- → Five additional units of 250 m² each will be developed for the personal use of the shareholders (not tourism overnight)
- → The units will be developed on stilts, reducing the total footprint to 13.2 m² and will be located more than 32 m from the wetland and more than 100 m inland of the high-water mark of the estuary.
- → One of the units will be designed so that it could also be utilized as a hospitality facility and will not accommodate more than 14 people.
- → An existing dwelling will be converted into a gift shop, farm shop and wellness centre.
- → A structure for a communal eating and relaxation area and swimming pool for the use of the shareholders will be developed.
- → The roads to be developed will not be wider than 4 m.

Based on the information provided, DEA&DP confirmed on the 07/05/2019, (Ref. No. 16/3/3/6/1/E4/5/1003/19) that the proposal **did not** trigger any listed activities in terms of NEMA and therefore **did not require Environmental Authorisation.**

The boathouses and the associated infrastructure were constructed and completed between 2022 and 2024. However, as the demand for tourism opportunities evolved, it became evident that Coot Club required more tourism overnight opportunities and not only for private use of the shareholders.

Coot Club (Pty) Ltd operates a tourism-based property offering nature-focused experiences to both local and international visitors. Due to increasing demand from international tourists seeking tranquil, nature-based accommodation, the need for increasing the tourism overnight offerings on the property become evident. To meet this demand, the Coot Club embarked on an expansion application and the required application for Environmental Authorisation (EA). A Notice of Intent (NOI) was therefore submitted to the DEA&DP Directorate Land Use on the 26 August 2024, as the Pre-Application notice of their intention to apply for Environmental Authorisation for the proposed expansion of activities at Coot Club. DEA&DP Directorate Land Use issued a response on the 17 October 2024, (Ref: 16/3/3/6/7/1/E2/37/1490/24). This correspondence indicated that the applicant appeared to have commenced with listed activities already, without the necessary Environmental Authorisation as follows:

- → Four boathouses were built between 2022 and 2023 and were used for tourism purposes
- → That all the boathouses are currently being used for tourism accommodation, contrary to the scope of the original Applicability Checklist submission
- → That the access roads constructed to service these boathouses **may** exceed 4 m
- → Additional units (e.g. Leeward, Leeward Large, Lawns) appear to be present on site, but there is no record of prior Environmental Authorisation for these and / or the use for tourism overnight

The 5th intended Boathouse was completed towards the end of 2024 and it was confirmed that all units were being used for tourism overnight purposes. As a result of this change, it was confirmed that Listing Notice 3, Activity 17 of NEMA was triggered (possibly amongst others) and that a Retrospective Environmental Authorisation is required.

Application for Retrospective Environmental Authorisation

As a result of the findings above, a meeting was held with DEA&DP Land Use and Rectification on the 11 March 2025, to determine the way forward in order to regularise the unauthorised activities and continue to apply for Environmental Authorisation for the proposed new expansion activities. It was agreed in that meeting that two separate applications are required, one for Rectification and one for the new proposed expansion managed by DEA&DP Rectification and DEA&DP Land Use, respectively. Where items can overlap, i.e. Public Participation, this will be allowed.

This report forms part of the Application for Retrospective Environmental Authorisation in terms of Section 24G of NEMA.

Listed Activities

The original Applicability Checklist submitted in 2019 for the 5 boathouses, and DEA&DP's letter dated 07 May 2025, confirmed that there was no need to apply for Environmental Authorisation. This decision was based on the following motivation included in the 2019 Applicability Checklist:

Activity No(s):	Provide the relevant **Basic Assessment Listed Activity(ies)** as set out in the **EIA Regulations Listing Notice 1 of 2014** (GN No. R. 983 as amended)
27	The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation ***This listed activity is NOT triggered as the proposed development will not result in the clearing of more than 1 ha of indigenous vegetation***
Activity No(s):	Provide the relevant **Basic Assessment Listed Activity(ies)** as set out in the **EIA Regulations Listing Notice 3 of 2014** (GN No. R. 985 as amended)
6	The development of resorts, lodges, hotels, tourism or hospitality facilities that sleep 15 people or more. i. Western Cape i. Inside a protected area identified in terms of NEMPAA; ii. Outside urban areas; (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve ***This listed activity is not applicable as the units will be used for shareholders and not tourism overnight***
12	The clearance of an area of 300 square metres or more of indigenous vegetation i. Western Cape 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; ***This listed activity is not applicable as the vegetation that will be removed is not Critically endangered or endangered*** .

In terms of the applicable Listed Activities to the Retrospective Environmental Authorisation, please note:

- → The applicant is applying for the Retrospective EA for the expansion overnight tourism accommodation, as contemplated in Listing Notice 3; Activity 17.
- → The access road constructed to service the boathouses, remains within the originally communicated specifications. The road covers an area of approximately 2,900 m², with a width of approximately 3.8 m.
- → The vegetation clearance triggers are also not considered applicable because at the time of the construction of the road and 4 of the 5 boathouses, the vegetation on site was not listed at Endangered or Critically Endangered. However, in November 2022, the threat status was increased after commencement.
- → Regarding the Leeward, Leeward Large, and Lawns accommodation units - it is noted that the Leeward and Leeward Large units were reportedly constructed prior to 2003, under the ownership of a previous landowner. The units were constructed on historically disturbed and lawned areas and did not constitute any vegetation clearance requirements.

Cumulatively they also do not trigger any listed activities relating to tourism overnight. In 2024, minor alterations were made to both units, which included modifications as well as the renaming of the units. The Lawns unit was constructed in 2003 and has also consistently been utilised for tourism-related purposes. Similar to the Leeward units, alterations were undertaken in 2024, accompanied by a renaming of the unit. It is important to note that no additional vegetation clearance was required or undertaken during the course of these alterations. The original development footprints of all three units have been maintained without any expansion into undisturbed or natural areas. The buildings continue to operate within the confines of the existing structural layout, and no new roads, parking areas, or service infrastructure have been introduced.

Final considerations

Given the information above, it is concluded that only the tourism overnight listed activities are applicable to the application. This means that as outlined in the original Applicability Checklist, there were originally no listed activities relating to physical actions (i.e. vegetation clearance and road construction) and that the listed activity in question relates to use of the units only.

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. **(Note: Failure to meet the Regulation 8 will result in rejection of the application)**	X
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.	N/A
	2.2. A list of all **similarly listed** activities in terms of the current EIA regulations (if applicable).	X
	2.3. A description of the receiving environment **before** commences of the activity(ies).	X
	2.4. A description of the receiving environment **after** commences of the activity(ies).	X
	2.5. All appendices and annexures:	
	2.5.1. Locality map	X
	2.5.2. Site plans or/and Layout plan	X
	2.5.3. Building plans (if applicable)	
	2.5.4. Colour photographs	X
	2.5.5. Biodiversity overlay map	X
	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	
	2.5.8. Environmental Management Programme	X
	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)	X
	2.6. Signed declaration forms.	
3.	Are any specialist assessments required: e.g. Botanical, Hydro-geological, soil, socio-economic?	Y X N
	3.1. If yes, has the specialist assessment report been attached to the application?	YES
4.	An assessment of the impacts of the activity or activities in terms of the following categories:	
	• Socio-economic	X
	• Biodiversity	X
	• Sense of place &/or Heritage/ Cultural	X
	• Any pollution or environmental degradation which has been, is being, is being or may be caused	
5.	A methodology of how the investigation into the impacts associated with the unlawful activity was undertaken.	X
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.	
	10.1 Proof of Consultation with relevant State departments, including, *inter alia*, 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)* **(if conducted/undertaken)**	

Western Cape Government

Department of Environmental Affairs and Development Planning

NEMA 24G APPLICATION AND ASSESSMENT REPORT

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

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

OCTOBER 2022

Form Number S24GAF/10/2022

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 and Registered Environmental Assessment Practitioner ("EAP").

3. This Application Form is current as of 10 October 2022. 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 10 October 2022.

4. **<u>The contents of this Application Form include the following:</u>**

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 and Registered 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. **Copies of the EAPS and Specialists Registration Certificates be submitted with this application.**

6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must be submitted. Email copies to 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. 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.

10. 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 of 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 of the NEMA (as amended).
e) After submission of the application, **consultation with organs of state in terms of section 24O of the NEMA** will be required and public participation with interested and affected parties to inform the application. Any comments received must be compiled in a Comments and Response Report.
f) 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.
g) 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.
h) 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.
i) **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.

CIRCULARS, GUIDELINES AND TOOLS:

1. The Department's latest Circulars pertaining to the "One Environmental Management System" and the EIA Regulations and guidelines must be taken into account when completing this Application Form.
2. The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link https://screening.environment.gov.za/screeningtool to generate the Screening Report. The Screening Report must be attached to this Application Form as an Appendix.

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:
     - 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
     - fails, in terms of Regulation 8(2), to comply with the advertisement requirements set out in Annexure A, section D or
     - fails, in terms of Regulation 8(3), to open and maintain a register of interested and affected parties)); or
     - 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.

DISCLAIMER

With regards to the Protection of Personal Information Act, 2013 (Act 4 of 2013) (POPIA), please note that all personal information is being voluntarily submitted for the purposes of your participation in this environmental application process. The information will be held by EAP on behalf of the Applicant and will be submitted to the Competent Authority for the decision on the application. Personal information may also be made available to the Appellant/s so that they may participate in the appeal process in the event that the decision on the application is appealed. Personal information may also be made available to third-party auditors so that you can be notified of future audits of the environmental decision.

DEPARTMENTAL DETAILS

The Application Form must be sent to the following details:

Western Cape Government
Department of Environmental Affairs and Development Planning
Attention: Directorate: Environmental Governance
Private Bag X 9086
Cape Town,
8000

Registry Office
1st 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	
File reference number (EIA), if applicable:	
File reference number (Waste), if applicable:	
File reference number (Other (specify)):	

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

PART 1

PROJECT TITLE AND GENERAL DESCRIPTION OF THE DEVELOPMENT

Retrospective Environmental Authorisation for the use of five boathouses for tourism purposes on Portion 1 of the Farm Wortelgat No. 723, Stanford

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	REGION 2 Cape Winelands District and Overberg District	REGION 3 Central Karoo District and Eden District
	X	

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)	x
1.2.1	If a firm, please tick the relevant box below:	

	Body Corporate	Partnership	Trust	Parastatal	Organ of State	
	Directors of a Company x	Members of a Board	Other, please specify			

Applicant's details (duplicate this section where there is more than one applicant)	Coot Club (Pty) Ltd
Applicant Name:	Chris Greathead (MD Coot Club)
Name of Firm (if applicable):	Coot Club (Pty) Ltd
Firm Registration Number:	2019/087678/07
Contact Person at the Firm:	Richard Murton
List of all (as applicable at the relevant time):	Please insert the names and RSA ID numbers of the relevant persons below – **(In the list below, delete the firms that are not applicable to this application)**
● Directors of a company; or ● Members of the board; or ● Executive committee or other managing body of a corporate body or parastatal; or ● Members of close corporation; or ● Partners of a partnership; or ● Trustees of a trust	Name: Bastiaan Joris Hochstenbach Name: Jonathan William Lewis, Sinfield Name: Name: Name: Name:
Postal address:	Farm 723, Wortelgat Road, Klein River Lagoon,

	Stanford, Western Cape	Postal code:	7210
Telephone:	+27(0) 21 201 1650	Cell:	27(0) 72 866 2991
E-mail:	jo@cootclub.com	Fax:	( )
Project Consultant	N/A		
~~Contact person:~~			
~~Postal address:~~			
		~~Postal code:~~	
~~Telephone:~~	~~( )~~	~~Cell:~~	
~~E-mail:~~		~~Fax:~~	~~( )~~
Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:	Michelle Naylor		
Company name (if any):	Lornay Environmental Consulting		
Postal address:	Unit 5/1F, Hemel and Aarde Wine Village,		
	Hermanus	Postal code:	7200
Telephone:	N/A	Cell:	(+27) 83 245 6556
E-mail:	michelle@lornay.co.za	Fax:	N/A
EAP Qualifications	Master of Science (Rhodes University)		
EAP Registrations/Associations and registration number/s	EAPASA 2019/698		
Name of the Landowner:	Coot Club Pty Ltd		
Name of the contact person for the land owner (if other):	As above		
Postal address:	Farm 723, Wortelgat Road, Klein River Lagoon,		
	Stanford	Postal code:	7210
Telephone:	(0) 21 201 1650	Cell:	
E-mail:	bas@cootclub.com	Fax:	( )

Person in control of land:	Chris Greathead		
Contact person:			
Postal address:	Farm 723, Wortelgat Road, Klein River Lagoon,		
	Stanford	Postal code:	7210
Telephone:	(0) 21 201 1650	Cell:	
E-mail:	bas@cootclub.com	Fax:	( )

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.

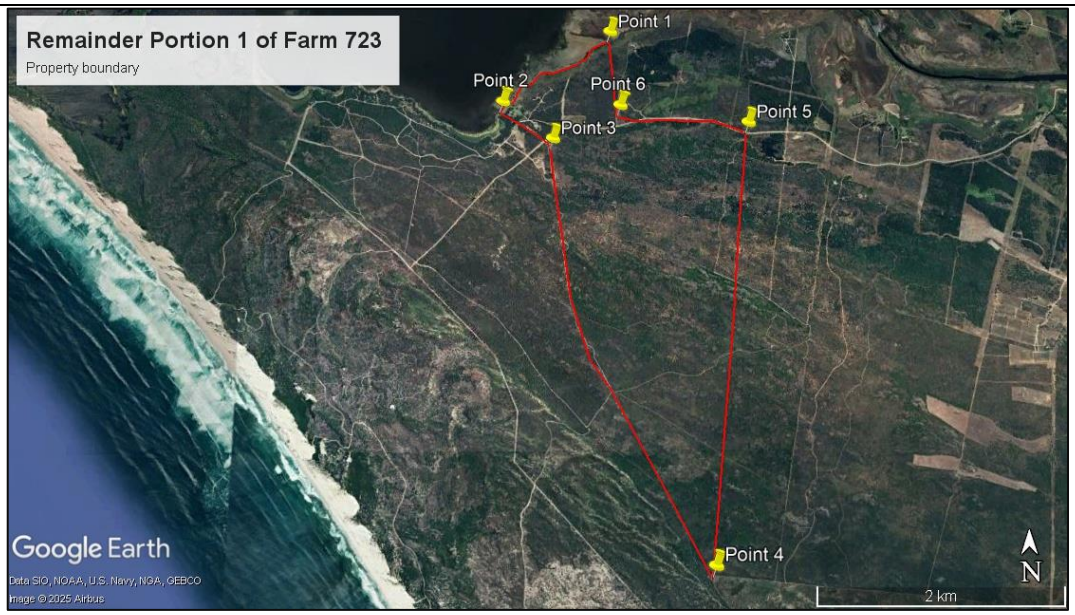
Municipality in whose area of jurisdiction the activity falls:	Overstrand Municipality		
Contact person, if known:	Chester Arendse		
Postal address:	PO Box 20		
	Hermanus	Postal code:	7200
Telephone	+27 (0) 28 384 8320	Cell:	
E-mail:	carendse@overstrand.gov.za	Fax:	

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):	Stanford
Farm/Erf name(s) & number(s) including portion(s)	Reminder Portion 1 of the Farm Wortel Gat No. 723
Property size(s) (m^2)	4 637 900 m^2
Development footprint size(s) (m^2)	3216 m^2
SG21 Digit code(s)	C01300000000072300001

Property boundary:



Point	Latitude (S)				Longitude (E)			
1	34°	25′	15.45″	South	19°	21′	48.13″	East
2	34°	25′	36.15″	South	19°	21′	10.63″	East
3	34°	25′	47.18″	South	19°	21′	27.71″	East
4	34°	27′	44.82″	South	19°	22′	18.52″	East
5	34°	25′	42.92″	South	19°	22′	35.03″	East
6	34°	25′	37.51″	South	19°	21′	51.09″	East

The co-ordinates for the site boundary are:

The coordinates provided refer specifically to the site boundary demarcated for the areas that were cleared to allow for the construction of the boathouses and the associated access road. It is important to note that the clearing activities were limited to the areas required for the boathouses and access road only the entire site boundary was not cleared.

Point	Latitude (S)			Longitude (E)		
A	34°	25’	27.97” South	19°	21’	27.97” East
B	34°	25’	29.66” South	19°	21’	29.09” East
C	34°	25’	33.17” South	19°	21’	25.77” East
D	34°	25’	35.39” South	19°	21’	22.87” East
E	34°	25’	36.85” South	19°	21’	21.21” East
F	34°	25’	32.01” South	19°	21’	20.58” East

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:	Farm 723, Wortelgat Road, Klein River Lagoon,		
Magisterial District or Town:	Caledon RD		
Closest City/Town:	Stanford	Distance	±9 (km)
Zoning of Property:	Agricultural Zone 1		

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	NO x
If yes, what was the previous zoning?		
N/A		
Is a rezoning application required?	YES	NO X
Is a consent use application required?	YES X	NO

Locality map:	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: • an accurate indication of the project site position as well as the positions of the alternative sites, if any; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; • the prevailing wind direction; and • 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)
Landowner(s) Consent:	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. **Note:** 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 *Infrastructure Development Act, 2014 (Act No. 23 of 2014)*.

2. APPLICATION HISTORY

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

Has any national, provincial or local authority considered any development applications on the property previously?	Yes x	No
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)		

In 2019, an Applicability Checklist was submitted to the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) to determine whether the proposed construction of five (5) boathouses and associated access roads would trigger any listed activities in terms of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998), as amended, and Environmental Impact Assessment (EIA) Regulations (2014), as amended. The development was intended to support tourism-related infrastructure and activities associated with the existing Coot Club operation.

This application was evaluated under DEADP Reference Number: 16/3/3/6/1/E4/5/1003/19. Based on the information provided at the time, the DEADP confirmed that no listed activities would be triggered, subject to the following key conditions:

→ The five boathouses would be constructed for the personal use of shareholders.

- → One of the units could also be utilized as a hospitality facility, provided it did not accommodate more than 14 people.
- → The structures would be built on stilts, limiting their ground-level footprint to approximately 13.2 m² each.
- → The units would be situated more than 32 m from the wetland and over 100 m from the high-water mark of the adjacent estuary.
- → An existing structure would be converted into a gift shop, farm shop, and wellness centre.
- → Communal facilities including a relaxation area and swimming pool would be constructed for shareholders' use.
- → Access roads to the boathouses would be limited to a width of no more than 4 metres.

In 2024 Lornay Environmental Consulting submitted a Notice of Intent (NOI) for the proposed expansion of the offerings at Coot Club. DEA&DP Land Use issued a response on the 17/10/2024 outlining concerns relating to the commencement of activities without Environmental Authorisation. The comments noted the following:

- → The five boathouses, constructed between 2022 and 2023, are currently being used for tourism accommodation, contrary to the proposed use as outlined in the 2019 Applicability Checklist.
- → The access roads to the boathouses appeared to be wider than the approved 4 m.
- → Units Leeward, Leeward Large, Lawns appear to be present on site, but there is no record of prior Environmental approvals for their construction or for their use as tourism accommodation units.
- → The site currently accommodates up to 46 guests, based on the sleeping capacity of the developed units and as offered on the Coot Club website.

As a result, DEA&DP determined that the landowner commenced with listed activities without the necessary Environmental Authorisation, thereby triggering the need for a Section 24G application to rectify the unlawful commencement of these activities and apply for Retrospective Environmental Authorisation.

The above is outlined in the Department's letter dated 17 October 2024, under Reference Number 16/3/3/6/7/1/E2/37/1490/24.

This Section 24G Report is now underway to regularise the activities that have been undertaken in contravention of the NEMA EIA Regulations (2014), as amended. It includes a full retrospective assessment of impacts associated with the expansion of overnight tourism accommodation facilities in the form of the five boathouses, access roads, and their related associated uses.

Which authority considered the application:		
Western Cape: Department of Environmental Affairs and Development Planning.		
Has <u>any</u> one of the previous application/s on the property been approved **or** refused? <u>If so provide a list of the successful and unsuccessful application/s and the reasons for decision(s).</u>	Yes	No x
Provide detail on the period of validity of decision and expiry dates of the above applications/ permits etc.		

The Applicability Checklist Response, as referred to above, is not an Authorisation but rather an agreement that the listed activities were not applicable at that time and as how they were proposed.

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): Jo Sinfield **Signature:** 

Place: Franschhoek **Date:** 17 July, 2025

EAP (Full names): Michelle Naylor **Signature:** 

Place: HERMANUS **Date:** 24 July 2025

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
~~**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,**~~			
~~**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
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
~~**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
GN No. R. 545 Activity No(s): **(Listing Notice 2 of 2010)**	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
GN No. R. 546 Activity No(s): **(Listing Notice 3 of 2010)**	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

It is important to note the change in Threat Status of the vegetation on site as per the National Environmental Management Biodiversity Act, Act 10 of 2004 - Revised List of Terrestrial Ecosystems that are Threatened and in need of protection, No. 2747, 18 November 2022. The construction of boathouses 1 to 4 and the extension of the internal access road, commenced before this change. Originally the vegetation was classified a Vulnerable Agulhas Limestone Fynbos which was upgraded in November 2022 to Critically Endangered. Therefore, works commenced before the change of vegetation status. Boathouse 5 commenced in 2024 however it did not exceed the threshold for LN 3, Activity 12.			
NEMA EIA Contraventions: on or after 08 December 2014			
Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 983 Activity No(s): **(Listing Notice 1 of 2014)**	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
	N/A		
GN No. R. 984 Activity No(s): **(Listing Notice 2 of 2014)**	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
	N/A		
GN No. R. 985 Activity No(s): **(Listing Notice 3 of 2014)**	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.	State the date of commencement of each activity
17	The expansion of a resort, lodge, hotel, [and] tourism or hospitality facilities where the development footprint will be expanded and the expanded facility can accommodate an additional 15 people or more. **i. Western Cape** i. Inside a protected area identified in terms of NEMPAA; ii. Outside urban areas: (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; - excluding the conversion of existing buildings where the development footprint will not be increased.	In 2019, an Applicability Checklist was submitted for the development of five (5) accommodation units on the property, with the understanding at the time that only one unit would be used for tourism-related accommodation, and the remainder would be for private use. Based on the information provided in the checklist and the nature of the proposed use, no listed activities under the NEMA EIA Regulations were triggered at that time, and no environmental authorisation was pursued. However, following construction, all five (5) units were ultimately used for tourism-related overnight accommodation, with the cumulative capacity exceeding 15 people. The development occurred outside of an urban area, within an area mapped as a Critical Biodiversity Area (CBA) in the	2022-2023

		Western Cape Biodiversity Spatial Plan. The construction of the five units	

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:

~~**Waste Management Activity Contraventions: On or after 03 July 2007 up to end of 28 November 2013**~~			
~~**Activities unlawfully commenced with in terms of GNR 718 of 03 July 2009 under the National Environmental Management Waste Act, Act 59 of 2008**~~			
~~GN No. 718 – Category A Activity No(s):~~	~~Describe the relevant Category A 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~~
~~GN No. 718 – Category B Activity No(s):~~	~~Describe the relevant Category B 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~~

~~**Waste Management Activity Contraventions: On or after 29 November 2013**~~			
~~**Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 under the National Environmental Management Waste Act, Act 59 of 2008,**~~			
~~GN No. 921 – Category A Activity No(s):~~	~~Describe the relevant Category A 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~~
~~GN No. 921 – Category B Activity No(s):~~	~~Describe the relevant Category B 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~~

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):~~ **~~(Listing Notice 1 of 2014)~~**	~~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.~~
~~GN No. R. 325 Activity No(s):~~ **~~(Listing Notice 2 of 2014)~~**	~~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.~~
GN No. R. 324 Activity No(s): **(Listing Notice 3 of 2014)**	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.
17	The expansion of a resort, lodge, hotel, [and] tourism or hospitality facilities where the development footprint will be expanded and the expanded facility can accommodate an additional 15 people or more. **i. Western Cape** i. Inside a protected area identified in terms of NEMPAA; ii. Outside urban areas: (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or (bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; - excluding the conversion of existing buildings where the development footprint will not be increased.	In 2019, an Applicability Checklist was submitted for the development of five (5) accommodation units on the property, with the understanding at the time that only one unit would be used for tourism-related accommodation, and the remainder would be for private use. Based on the information provided in the checklist and the nature of the proposed use, no listed activities under the NEMA EIA Regulations were triggered at that time, and no environmental authorisation was pursued. However, following construction, all five (5) units were ultimately used for tourism-related overnight accommodation, with the cumulative capacity exceeding 15 people. The development occurred outside of an urban area, within an area mapped as a Critical Biodiversity Area (CBA) in the Western Cape Biodiversity Spatial Plan. The construction of the five units constituted a physical expansion of the tourism facility.

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 x	Incomplete
(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 as well as the original date of commencement if the application is an upgrade.	New	Upgrade X

The project can be regarded as an expansion of existing tourism-related activities. The activity did not constitute a new land use but rather an expansion of the existing approved Consent Use for Tourism purposes on land zoned Agricultural Zone 1.

The construction of four of the five boathouses commenced in 2022 and were completed in 2023 (refer to **Figure 1** below). The fifth and final boathouse was constructed in 2024, employing the same construction methods as the previous units, thereby marking the final phase of the developed described herein.

The development comprised the establishment of five (5) accommodation units (boathouses), surrounding lawned areas, and an internal access road to service the units. These components were strategically integrated into the existing operational layout of the property and remain consistent with the broader low-impact tourism character of the site. Importantly, the natural vegetation is providing visual screening of all boathouses which helps to maintain the sense of place and reduce visual intrusion in the surrounding landscape. These activities were developed in line with the Applicability Checklist undertaken in 2019, which only approved the use of the boathouses for personal use. However, following the completion of construction, all five units were made available for tourism overnight purposes, which constituted a functional change in land use intensity and formed part of the broader tourism offering on site. As a result, Listing Notice 3, Activity 17 of the NEMA EIA Regulations, 2014 (as amended) became applicable, for which Coot Club did not have authorisation for.

This Section 24G application is therefore submitted to initiate the retrospective rectification process for the unauthorised use of tourism facilities.

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

The activity pertains to the expansion of existing overnight tourist accommodation facilities in the form of five (5) boathouses, and associated uses, along with the development of associated internal access roads and lawn areas surrounding each unit. Four of these structures were constructed between 2022 and completed in 2023, whereas boathouse 5 construction commenced and completed in 2024, following the submission of an Applicability Checklist in 2019, which at the time did not identify any listed activities triggered under the NEMA EIA Regulations.

Each boathouse has a reduced floor area of approximately 104 m² to 154 m² and was constructed on stilts, thereby reducing the direct ground footprint to approximately 13.2 m² per unit. A structure for communal eating and relaxation was not constructed. Access to each boathouse is provided via a raised boardwalk, which, along with the stilted structures, required limited clearance of indigenous vegetation beneath and around the footprint. Additional clearance was undertaken for landscaping purposes, including the establishment of lawn areas (approximately 50 m² per unit). Collectively, these activities resulted in a total vegetation clearance footprint of approximately 3216 m² within an area historically mapped as supporting Agulhas Limestone Fynbos, which was listed as a Vulnerable ecosystem at the time of construction. Four of the units were completed between 2022 and 2023, while the fifth unit was constructed during the 2024 period, following the same design approach and construction methodology as the previous units. It is important to note that all clearance activities occurred outside the delineated wetland area and beyond the non-development/no-go zone recommended by the freshwater specialist in 2018.

All five boathouses and the associated infrastructure including the internal access roads have been fully constructed and completed. The boathouses were initially intended for private recreational use, with one unit allocated for hospitality purposes. However, all units are currently being utilised for tourism accommodation, thereby exceeding the threshold of 15 people and triggering Listing Notice 3, Activity 17.

There are no further construction or vegetation clearance activities outstanding, and all phases of the development were concluded during the 2023 to 2024 period. This Section 24G application seeks to rectify the procedural non-compliance arising from the change in land use and associated listed activities.

Figure 1: NGI Aerial imagery (2022) showing the commencement of construction activities for the 5 boathouses on the subject site.

(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
Provide brief description:		

Boathouses

Four (4) of the five (5) boathouses were constructed between 2022 and 2023 and have been completed, refer to **Figure 2** below. Construction of the fifth boathouse commenced in 2024 and has since also been completed. Collectively, the boathouses have a total floor area of approximately 706 m². Each unit is elevated on stilts, significantly reducing the actual ground-level footprint to approximately 13.2 m² per unit, resulting in a combined ground-level spatial footprint of approximately 66 m².

Lawn area

Each of the five (5) boathouses includes a lawn area of approximately 50 m² situated in front of each unit. This results in a combined total footprint of approximately 250 m² for all lawn areas associated with the boathouses. The lawn areas are maintained as part of the immediate outdoor space for each unit.

Access Roads

The development included the construction of internal access roads leading to the boathouses, with each road not exceeding 4 m in width. These roads facilitate access to and from the boathouses and form part of the broader infrastructure network within the property. Vegetation clearance associated with the road construction contributed to a total cleared area of approximately 2900 m², corresponding to a combined road length of 580 m and an average width of 3.8 m. The roads are gravel, farm style roads with no paving or curbs.

In 2024, during the construction of the fifth boathouse, a minor extension of the access road was required to facilitate direct access to it. This extension was minimal and did not significantly increase the overall footprint. The overall additional vegetation clearance associated with the fifth unit (including the boathouse, boardwalk, lawn area and minor road extension) remained below 300 m². It is important to note that during the construction period, the vegetation type at the location of the fifth unit was listed as Critically Endangered, a change from the Vulnerable status identified in earlier phases. Nonetheless, care was taken to ensure that the total disturbance remained minimal and confined within already disturbed or degraded areas, with the footprint of the boathouses strictly limited to the footprint proposed.

NOTE:

Initially, four (4) of the five (5) boathouses were intended for private use, with only one (1) unit designated for tourism purposes, accommodating less than 14 people, as indicated in the 2019, Applicability Checklist. As such, the proposed use at the time did not trigger Listing Notice 3, Activity 17 of the Environmental Impact Assessment (EIA) Regulations, 2014 (as amended). However, contrary to the original intent and land use indication, all five (5) boathouses are currently being utilised for tourism accommodation. Collectively, these units now accommodate approximately 26 guests, exceeding the thresholds originally specified in the Applicability Checklist.

Figure 2: Google Earth image showing 4 boathouses constructed between 2021 and 2022.

Table 1: Existing boathouses as well as their floor sizes.

Units	Spatial size in (m^2)	Construction period
Boathouse 1	13.2	2022 -2023
Boathouse 2	13.2	2022 -2023
Boathouse 3	13.2	2022 -2023
Boathouse 4	13.2	2022 -2023
Boathouse 5	13.2	2024
Lawn area (5 units)	250	2021-2024
Access roads	2900	2021-2024
Total	**3216**	

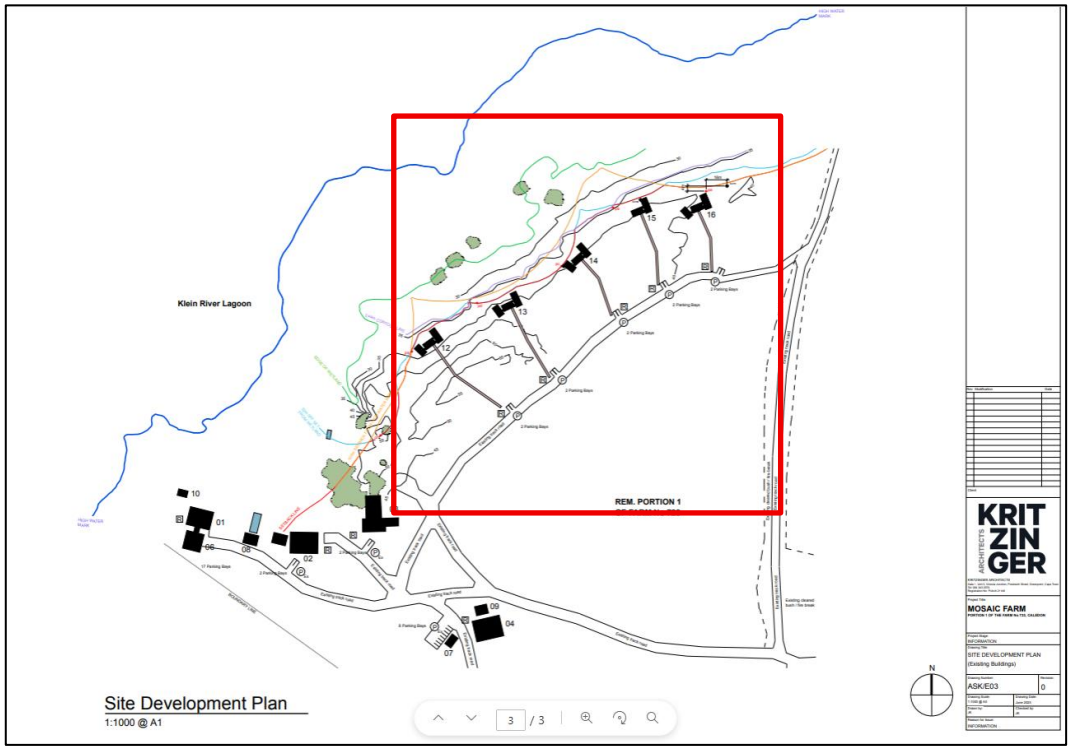


Figure 3: Site development plan indicating 5 boathouses and the starting point of the access road that was constructed in the property.

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

Access roads measuring approximately 560 m in length and 3.8 m in width were constructed between 2021 and 2023 to provide vehicle and pedestrian access to the five boathouse units. These roads link the units to the existing internal road network within the property. The construction of the access roads was undertaken concurrently with the development of the boathouses.

In 2024, during the construction of the fifth boathouse, a minor extension of the existing access road was required to provide direct access to the unit. This extension was minimal and followed the same specifications as the original road.

Processing activities (e.g. manufacturing, storage, distribution)	YES	NO x
Provide brief description:		

N/A

Storage facilities for raw materials and products (e.g. volume and substances to be stored)		
Provide brief description	YES	NO x
N/A		

Storage and treatment facilities for solid waste and effluent generated by the project	YES x	NO
Provide brief description		
Each boathouse is equipped with a conservancy tank installed in close proximity to the unit. These tanks are situated more than 32 m from the delineated wetland edge and more than 100 m from the high-water mark of the estuary. All tanks are connected to the Kaackai S-Series Wastewater Treatment System, which facilitates the appropriate treatment of effluent in accordance with acceptable environmental standards.		

(d) Other activities (e.g. water abstraction activities, crop planting activities)	YES	NO x
Provide brief description		
N/A		

3. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	Access roads: 2900 m^2 5 boathouses x 13.2m^2 : 66 m^2 Lawn area: 250 m^2 **Total spatial size: 3216m^2**
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	3216 m^2
Total area:	3216 m^2

4. SITE ACCESS

Was there an existing access road?	YES x	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. Access to the farm is existing. There were existing internal roads within the property which was then needed to be extended to the 5 boathouses in question.	(Length) 580	m
	(width) 3.8 m	

Describe the type of access road constructed:
Informal gravel tracks.

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 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):
NEMA (Act 107 of 1998)	DEADP: Land Use	Retrospective Authorization	Pending
Integrated Coastal Management Act (ICMA) (Act 24 of 2008)	DEA & DP Coastal Management	Compliance with Coastal Management	Pending
National Water Act (NWA) (Act 36 of 1998)	BOCMA	Comment	Pending

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
EIA Regulations (2014) as amended	DEADP
Overstrand Spatial Development Framework (2020)	Overstrand Municipality
Overstrand Municipal Growth Management Strategy (2010)	Overstrand Municipality
Overstrand Municipality By-Law on Municipal Land Use Planning, 2020	Overstrand Municipality
EIA Guideline and Information Document series dated March 2013: Applied to various components in the Basic Assessment Process. The following Guidelines were considered throughout the Basic Assessment Process: - Guideline for Environmental Management Plans (June 2005) - Guidelines on Alternatives (March 2013) - Guidelines on Need and Desirability - Guidelines on Specialists Assessment	DEADP

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 license in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)?	YES	NO X
If yes, has an application been submitted to the licensing authority? N/A	YES	NO X
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)?	YES	NO X
If yes, has an application been submitted to the licensing authority? N/A	YES	NO X
If no, please provide evidence of existing water use rights (if applicable) with this application form. See **Appendix I.**	YES	NO
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	NO X
If yes, has an application been submitted to the licensing authority?	YES	NO X
Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act ("NEM: ICMA")?	YES	NO X
If yes, has an application been submitted to the relevant competent authority?	YES	NO X
If yes, provide more details of the application submitted/to be submitted in terms of the NEM: ICMA		
N/A		

8. APPLICATIONS IN TERMS OF OTHER LEGISLATION

Is any permission, licence or other approval required in terms of any other legislation? (Please tick)	YES	NO x

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	
SHALE		DOLOMITE	
SANDSTONE		DOLERITE	
OTHER (specify) x	Calcarenite and calcareous sandstone with gravel, pebble and coquinite layers, calcareous aeolianite, dunes of sand and calcareous sand, calcrete		

2. GRADIENT OF THE SITE

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

Flat x	Flatter than 1:10	1:10 – 1:5	Steeper than 1:5

3. LOCATION IN LANDSCAPE

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

Ridgeline	Plateau	Side slope of hill/mountain	Closed valley	Open valley	Plain x	Undulating plain/low hills	Dune	Sea-front	Other
If other, please describe									
N/A									

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 ("☒") the appropriate boxes)?

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

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

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

An area sensitive to erosion	YES	NO X	UNSURE

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

2.1 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	NO X	UNSURE
Non-Perennial River	YES	NO X	UNSURE
Permanent Wetland Development has been setback more than 32m away from the wetland edge as per the attached Wetland Report – See **Appendix F**	YES X	NO	UNSURE
Seasonal Wetland	YES X	NO	UNSURE
Artificial Wetland	YES	NO X	UNSURE
Estuarine / Lagoonal wetland (Development is situated more than 100 m from the highwater mark of Kleinrivier Estuary).	YES X	NO	UNSURE

2.2 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	NO X	UNSURE
Non-Perennial River	YES	NO X	UNSURE
Permanent Wetland Development has been setback more than 32m away from the wetland edge – See Appendix F for Wetland Delineation Report	YES X	NO	UNSURE
Seasonal Wetland Development has been setback more than 32m away from the wetland edge	YES X	NO	UNSURE
Artificial Wetland	YES	NO X	UNSURE
Estuarine / Lagoonal wetland (Development is situated more than 100m from the highwater mark of Kleinrivier Estuary).	YES X	NO	UNSURE

3. 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. 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.

It is important to note the change in Threat Status of the vegetation on site as per the National Environmental Management Biodiversity Act, Act 10 of 2004 - Revised List of Terrestrial Ecosystems that are Threatened and in need of protection, No. 2747, 18 November 2022. The construction of boathouses 1 to 4 and the extension of the internal access road, commenced before this change. Originally the vegetation was classified a Vulnerable Agulhas Limestone Fynbos which was upgraded in November 2022 to Critically Endangered. Therefore, works commenced before the change of vegetation status.

Indigenous Vegetation - good condition	X	Indigenous Vegetation with scattered aliens		Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above: Agulhas Limestone Fynbos		Describe the vegetation type above:		Describe the vegetation type above:	
Provide ecosystem status for above: Vulnerable - pre November 2022 change in threat status. CR - After construction commenced		Provide ecosystem status for above:		Provide Ecosystem status for above:	
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface x		Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe	
Bare soil		Building or other structure		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
Critical Biodiversity Area (CBA)	Ecological Support Area (ESA)	Other Natural Area (ONA)	No Natural Area Remaining (NNR)	According to BSP (2017) prior to construction of the units and the access roads, the area was mapped as Critical Biodiversity Area (CBA).
x				

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

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	80 %	The condition of the vegetation cover prior to the commencement of the activity was largely natural, with intact indigenous vegetation characteristic of Agulhas Limestone Fynbos. Minor disturbances were observed, primarily in the form of informal footpaths, but no significant degradation or transformation had occurred at the time.
Near Natural (includes areas with low to moderate level of alien invasive plants)	20 %	Some sections were subject to low to moderate levels of alien invasive species, including *Acacia saligna*, indicating minor encroachment.
Degraded (includes areas heavily invaded by alien plants)	%	
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	%	

(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	Wetland (including rivers, depressions, channelled and un-channelled wetlands, flats, seeps pans, and artificial wetlands)			Estuary		Coastline	
	Endangered							
	Vulnerable x							
	Least Threatened	YES	NO x	UNSURE	YES	NO x	YES	NO

It is important to note the change in Threat Status of the vegetation on site as per the National Environmental Management Biodiversity Act, Act 10 of 2004 - Revised List of Terrestrial Ecosystems that are Threatened and in need of protection, No. 2747, 18 November 2022. The construction of boathouses 1 to 4 and the extension of the internal access road, commenced before this change. Originally the vegetation was classified a Vulnerable Agulhas Limestone Fynbos which was upgraded in November 2022 to Critically Endangered. Therefore works commenced before the change of vegetation status.

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)

The South African Vegetation Map (2018) classifies the entire site as Agulhas Limestone Fynbos, a vegetation type that was listed as Vulnerable in terms of the National List of Ecosystems that are Threatened and in Need of Protection (2011). This vegetation type forms part of the Fynbos Biome, globally recognised for its exceptional biodiversity value and high levels of endemism.

However, a site-specific Botanical Assessment conducted by Privett in 2020, before commencement and as part of the Landscape Plan identified the vegetation on site as more representative of Overberg Dune Strandveld, with some elements of thicket vegetation present. This indicates a post-disturbance recovery phase type vegetation, likely influenced by historic agricultural clearing and alien plant invasions. Despite previous disturbances, the presence of indigenous species and structural vegetation layers confirms that the site retains significant ecological value (Privett, 2020).

No freshwater or aquatic ecosystems were delineated within the immediate development footprint. However, the property is located in proximity to the Kleinrivier Estuary, a sensitive estuarine system. In response to this, the design of the proposed development ensures that boathouses are elevated on stilts and located more than 100 m from the high-water mark and more than 32 m from the delineated wetland edge. This design approach minimizes the risk of direct disturbance to estuarine habitats and contributes to maintaining the ecological integrity of the adjacent wetland system.

Figure 4: Results of the wetland delineation on site.

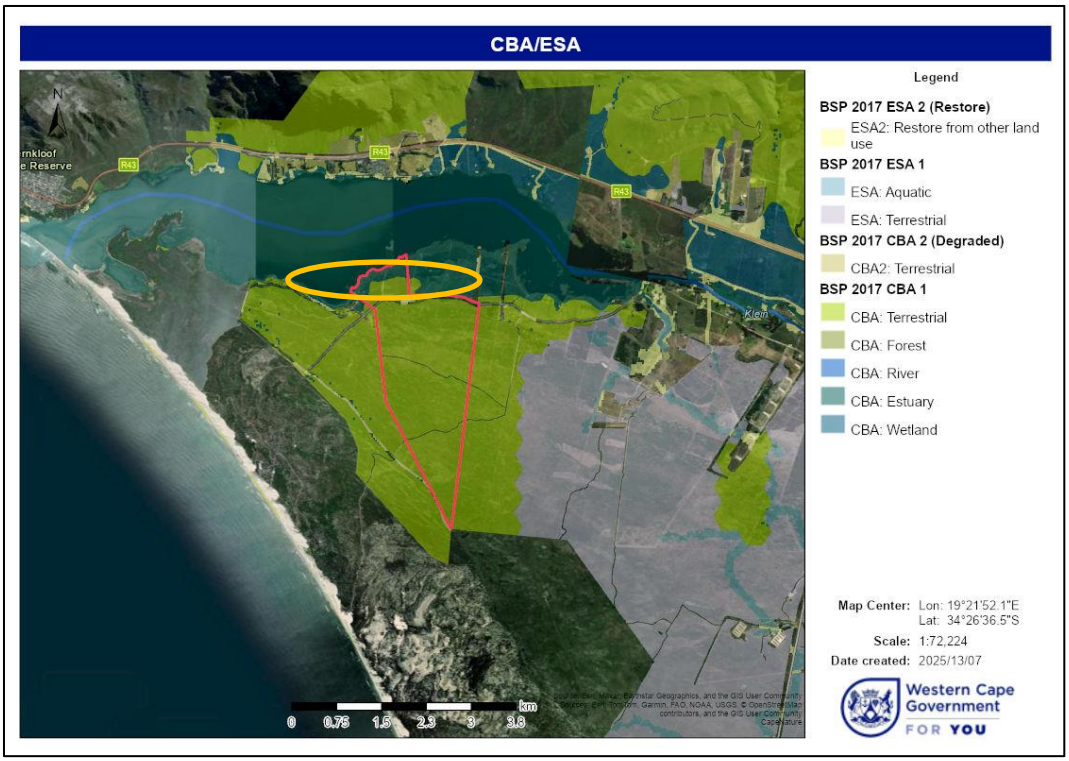


Figure 5: Cape Farm Mapper shows that the subject site was mapped as CBA1.

6.2 VEGETATION AND/OR GROUNDCOVER (POST-COMMENCEMENT)

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

Indigenous Vegetation - good condition	x	Indigenous Vegetation with scattered aliens		Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above: Agulhas Limestone Fynbos		Describe the vegetation type above:		Describe the vegetation type above:	
Provide ecosystem status for above: Vulnerable and Critically Endangered as described above and as per the change in threat status of November 2022.		Provide ecosystem status for above:		Provide Ecosystem status for above:	
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface x		Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe	

Bare soil	Building or other structure	Sport field
Other (describe below)	Cultivated land	Paved surface

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

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	85 %	The majority of the vegetation cover remains in a natural state. The boathouses were constructed on stilts, which significantly reduced ground disturbance. Since construction, indigenous vegetation has successfully re-established beneath the units, contributing to the recovery and maintenance of ecological integrity.
Near Natural (includes areas with low to moderate level of alien invasive plants)	15 %	Low levels of invasive aliens, *Stenotaphrum secondatum* (buffalo grass) are evident within the delineated wetland area.
Degraded (includes areas heavily invaded by alien plants)	%	
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	%	

(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)?

Prior to the commencement of the activities, the site was predominantly vegetated with Agulhas Limestone Fynbos, a vegetation type classified as Vulnerable (pre-November 2022). In addition, the area to the north of the units, adjacent to the Klein River Estuary, supports seasonally inundated wetland areas and seep zones that host a mosaic of wetland vegetation, including *Ficinia nodosa*, *Juncus kraussii*, and *Imperata cylindrica*. These ecosystems contribute to the ecological functioning of the estuary, which has been ranked among the top five estuaries in South Africa in terms of conservation importance.

According to the 2019 Applicability Checklist, four (4) of the five (5) boathouses were originally intended for private residential use, with only one (1) unit designated for tourism purposes, accommodating fewer than 15 people. As such, the proposed land use at the time did not trigger any listed activities under the Environmental Impact Assessment (EIA) Regulations, 2014 (as amended), including Listing Notice 3, Activity 17. This assessment was based on the intended scale and nature of the development at that stage.

However, following the commencement and completion of the development, a change in demand became evident. All five boathouses are now being utilised for tourism accommodation, collectively offering approximately 26 overnight opportunities. This exceeds the thresholds indicated in the original Applicability Checklist and now constitutes a listed activity requiring Environmental Authorisation.

Despite the shift in use, the physical development was carefully designed to minimise ecological impact. All boathouses are elevated on stilts, which significantly reduced the disturbance footprint, and were positioned more than 100 m from the estuarine high-water mark. According to the 2018 Wetland Delineation Report (Freshwater Consulting Group), no infrastructure encroaches upon the delineated wetland edge or its 32m setback. Vegetation under the units has naturally re-established, and the post-construction habitat condition is classified as largely natural, with some areas exhibiting near-natural conditions due to minor disturbance from access roads and footpaths. In additional to this, Coot Club works on rehabilitating and improving the site in line with the landscape plan.

6.3 VEGETATION / GROUNDCOVER MANAGEMENT

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

Wetland Delineation

Mitigation measures

- → No hardened development including boardwalks, jetties, slipways should be created within the delineated wetland (or any other wetland) without further specific considerations for authorisation. Such activities would compromise definite and potentially significant Sections 21c and i water uses;
- → New development should not include lawns and landscaping that utilises fertilisers;
- → Discharges from the proposed pool (near the historical footprint) must be dissipated into a soakaway located on the dunes and fully located outside of the no-development area. A saltwater pool should not be used, as this will add to soil salinity in discharge areas;
- → Hardened areas of the development (roof areas, paving, parking areas) should be minimised, and where possible porous material should be used for paving and parking to improve infiltration and decrease runoff; roofs should discharge onto the ground as close to the building as possible without risk of structural damage, to minimise concentrated runoff during storms;
- → No pathways down steep areas of the dune should be permitted, where these would create erosion into the wetland below or degrade the buffer areas;

→ Conservancy tanks rather than septic tanks should be used note that Anchor (2015) recommends that sewage infrastructure should be used instead of conservancy tanks along the estuary shoreline – in the present case it is arguable that the wetland disturbance likely, and the risk of leakage along sewage pipelines from Stanford to the site would far exceed any risk attached to the use of conservancy tanks on-site and their periodic emptying by truck. This said, the following measures must be applied:
  - Sewage pipelines connecting conservancy tanks associated with individual buildings to a main conservancy tank (as proposed) should all be located outside of the no-development line;
  - Conservancy tanks must be bunded, so that pollution can be contained in the event of overflows;

→ Landscaped or open space areas around new buildings should be planted with locally indigenous plants only and lawns, which should be minimised, should be planted with buffalo grass only, which is prevalent in the wetland already;

→ During the construction phases of the development, the no-development zone should be treated strictly as a no-go zone and the disturbance footprint of each unit should extend a maximum of 15 m towards the no-development edge;

→ Construction phase disturbance such as wind- or water borne conveyance of litter, sand, or other construction material towards the wetland area is minimised with dust and erosion control measures.

Landscape Plan

Mitigation measures

The assessment highlights that the intention of the landscaping guidelines is to ensure any planting enhances the existing natural habitat on site and retains habitat for birds, insects and small fauna. Continuity of fynbos, with tourism infrastructure forming islands within the landscape will allow the least disruption of the natural habitat and can preserve much of the biodiversity attributes the area currently offers (e.g. bird and small mammal viewing and a sense of being in nature) (Privett, 2020).

→ Given the location and sensitive nature of the vegetation on site it is important that all landscaping related to this development complements and enhances the natural biodiversity on site.

→ The landscape planting theme should complement the existing wilderness appeal and dune Strandveld / milkwood forest characteristics of the site. Future landscaping should steer clear of any formalized avenues, mass planting etc and be focused on enhancing and supplementing the existing natural feel and diversity of the site.

→ Only plant species found on the site or in nearby Overberg Dune Strandveld or Southern coastal forest should be used for future landscaping. A planting palette of appropriate local indigenous species has been drawn up as part of this landscaping plan (see 6. below).

→ Post construction rehabilitation areas should be planted using only plants from the approved planting list, and should be installed in an informal, natural manner and at a density of at least 4 plants per m^2. Use of any plants which are not on the approved list should be strictly prohibited.

→ The owners are encouraged to purchase plants from a local source to reduce genetic contamination.

→ The landscaping should include visual screening of buildings. Figure 3 of the Landscape Plan includes the planting of thicket species between the units to provide screening. It is proposed that *Sideroxylon inerme* (white milkwood) be the dominant species used in this screening as it is a characteristic flagship species of the site. Other thicket/tree species that can be interplanted with the milkwood's include *Ostespermum moniliferum* (bietou), *Cassine peragua* (bastard saffronwood), *Chionanthus foveolatus* (fine leaf ironwood), *Euclea racemosa* (sea guarrie), *Olea capensis ssp capensis* (iron wood), *Olea exasperata, Olea europea ssp africana* (wild olive), *Pterocelastrus tricuspidatus* (candle wood), *Searsia glauca* (Blue kuni), *Searsia lucida* (blink taaibos) and *Searsia laevigata*.

→ Only buffalo lawn (*Stenotaphrum secundatum*) or kweek (*Cynodon dactylon*) may be used for lawns.

- → The used of herbicides and insecticides should be kept to a minimum and all compost/organic fertiliser should be organically certified (e.g. Biogrow, Reliance or Seagro products).
- → All construction footprints should be kept to a minimum and wherever possible the natural vegetation must be maintained.
- → Prior to construction commencing a construction zone must be clearly demarcated and fenced off with temporary fencing. All construction materials and activities must be contained within the construction area (e.g. use of future parking and access roads for material storage and construction activities).
- → Prior to disturbance of natural vegetation, a search and rescue operation should be undertaken within the demarcated construction zones (including new access roads and parking). All translocatable species (geophytes, graminoids and succulents) should be removed and planted in suitable nearby habitat on the property. Ideally search and rescue should take place during spring when seasonally visible geophytes can be located.
- → Any topsoil removed during site construction should be stockpiled and available for post construction rehabilitation.
- → All planted areas should be mulched to reduce water loss and weed growth. An automatic irrigation system should be installed with rain sensors to ensure optimal watering while minimising water usage. Once established the irrigation can be reduced or potentially switched off in the rehabilitation areas. Where Possible water from rain tanks should be used for irrigation.
- → Newly planted areas will require active maintenance and care including initial weeding (this should reduce with time as the natural vegetation establishes), watering and pruning/cutting back.

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	Low density residential	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 x
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 x	River, stream or wetland	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site

Other land uses (describe):	

(a) Please provide a description.

The subject property is situated adjacent to the Klein River Estuary and is zoned under Agricultural Zone 1 land use, with consent use for tourism facilities. Prior to commencement of the activities the property was utilised for tourism facilities. No active agriculture takes place.

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

Cross out ("☒") 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	Low density residential	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 x
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 x	River, stream or wetland x	Nature conservation area x
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

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

Cross out ("☒") 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	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 x
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 x	River, stream or wetland x	Nature conservation area x
Mountain, koppie or ridge	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.

Prior to the commencement of the listed activities, the subject property was zoned Agricultural Zone 1, with limited tourism and no agricultural activities. The property forms part of a former tourism enterprise known as Mosaic Farm, which is now known as Coot Club and is a well-established and popular destination offering a variety of accommodation types, a restaurant, and nature-based recreational experiences.

The property is located adjacent to the Klein River Estuary, an ecologically significant feature that enhances the tourism appeal of the area. The surrounding land uses are primarily agricultural, with some areas zoned for resort development to the west of the property. The region is characterised by a rural economy that relies on a combination of agriculture and tourism, both of which contribute to local employment and economic activity.

At the time, the development proposal sought to align with the existing tourism character of the area while utilising the natural landscape in a manner consistent with the eco-tourism objectives of the farm. As such, the pre-commencement socio-economic context reflected a small scale, small impact tourism-based land use with existing infrastructure and a steady flow of local and international visitors contributing to the rural economy.

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.

Since commencement of the activity, the utilisation of the five units for overnight tourism accommodation has contributed positively to the local socio-economic environment. Notably, the development has led to the creation of employment opportunities, particularly within the hospitality and tourism sector. This includes the appointment of on-site maintenance staff, housekeeping personnel, and support roles such as gardeners, cleaners, and security services—most of whom are sourced from surrounding local communities as well as restaurant and front of house staff.

In addition to direct employment, the operational phase has indirectly benefited local suppliers and service providers, including catering, laundry services, local artisans, and tourism-related vendors, thereby stimulating local economic activity.

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 m² 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 m² 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 X	NO
		UNCERTAIN	
If YES, explain:	A Section 38 Application was lodged and subsequently approved for the 5 boathouses and associated infrastructure – see HWC permit November 2019. See **Appendix F.** A Visual Impact Assessment was also undertaken in 2019 – See **Appendix F4.**		
Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		YES	NO x
		UNCERTAIN	

If YES, explain:	N/A			
Was any building or structure older than 60 years affected in any way?		YES	NO x	UNCERTAIN
If YES, explain:	N/A			

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	NO x	UNSURE	
An area within 100m of the high water mark of an estuary/lagoon	YES	NO x	UNSURE	
An area within the littoral active zone	YES	NO x	UNSURE	
An area in the coastal public property	YES	NO x	UNSURE	
Major anthropogenic structures	YES	NO x	UNSURE	
An area within a Coastal Protection Zone	YES x	NO	UNSURE	Within the CPZ
An area seaward of the coastal management line	YES	NO x	UNSURE	
An area within the high risk zone (20 years)	YES	NO x	UNSURE	
An area within the medium risk zone (50 years)	YES	NO x	UNSURE	
An area within the low risk zone (100 years)	YES	NO x	UNSURE	
An area below the 5m contour	YES x	NO	UNSURE	The development area was surveyed, and development was placed on the 3,44 m contour as per the Klein River Flood Report and berm height calculation – See Appendix F

An area within 1km from the high water mark of the sea	YES x	NO	UNSURE	The development is located more than 100 m from the HWM of the estuary but within 1 km
A rocky beach	YES	NO x	UNSURE	
A sandy beach	YES	NO x	UNSURE	

(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?	YES x	NO	Please explain

The activity in question involves the utilisation of five (5) accommodation units, of which four (4) were originally intended for private use and one (1) for tourism purposes. However, all five units are now being used as tourism facilities, collectively accommodating more than 15 guests and thereby triggering NEMA listed activities relating to tourism overnight.

The property is zoned Agricultural Zone 1, with Consent Use granted for tourism-related activities. While the current use aligns with the broader tourism character and purpose of the farm, the intensity and scale of the current use specifically, the number of units and overnight guests exceeds the thresholds that were originally contemplated in the 2019 Applicability Checklist. In particular, the triggering of Listing Notice 3, Activity 17, due to the increased number of beds and the location of the units within 5 km of the surrounding nature reserves, was not previously accounted for. As a result, the activity now constitutes a listed activity requiring environmental authorisation. Accordingly, a retrospective environmental authorisation process (in terms of Section 24G of NEMA) is being undertaken through this application to regularise the activity and allow for the continued use of the units for tourism accommodation in compliance with environmental legislation.

Will the activity be in line with the following?			
Provincial Spatial Development Framework (PSDF)	YES x	NO	Please explain

The Western Cape Provincial Spatial Development Framework (PSDF, 2014) promotes the diversification of the rural economy, with an emphasis on eco-and agri-tourism as sustainable development pathways. The farm in question is already a well-established tourism destination offering nature-based and low-density tourism offerings, which is consistent with PSDF objectives to strengthen the rural space-economy and enhance the tourism potential of scenic and environmentally sensitive areas such as the Klein River estuary region.

The new units have been built on stilts, set back more than 100 m from the estuarine high-water mark, with minimal vegetation clearance. This is in line with the PSDF's resource management objectives, which call for development to be environmentally sensitive, avoid transformation of critical biodiversity areas, and promote resilience and stewardship of ecological assets such as estuaries and wetlands.

The development avoids urban sprawl and is located within a consolidated tourism node on an existing farm with infrastructure. It makes efficient use of land within an already designated tourism precinct, contributing to the spatial compaction and multi-functional use of rural land, which are strongly encouraged by the PSDF.

The PSDF references One Cape 2040's vision for a resilient, inclusive and competitive region. The use of these units for sustainable tourism supports local employment, small business activity, and ecosystem appreciation contributing to regional resilience and ecologically responsible economic growth.

Although the current intensity of tourism use exceeds what was originally indicated in the 2019 Applicability Checklist, the activity is being addressed through a Section 24G application for retrospective environmental authorisation. This demonstrates a commitment to bringing the land use into alignment with the principles of cooperative spatial governance and compliance as envisioned in the PSDF's implementation agenda.

Urban edge / Edge of Built environment for the area	YES	NO x	Please explain

The subject property is outside of an urban edge.

Integrated Development Plan of the Local Municipality	YES x	NO	Please explain

The Overstrand Integrated Development Plan objective:

- The promotion of tourism, economic and social development.

Tourism Marketing Strategy

The domestic market accounted for the largest share of visitors to Hangklip-Kleinmond, Hermanus, Gansbaai and Stanford compared to overseas visitors in 2024.

These statistics show that most visitors to the Overstrand come from the Western Cape followed by Germany, the UK, Netherlands, India, and Italy. Visitors from 20 different countries including South Africa were recorded. In 2024, the United Kingdom (UK)emerged as the top overseas market for tourist arrivals to Stanford, highlighting the town's appeal among British travellers.

The 2024 Southern Right Whale count, conducted by the University of Pretoria's Mammal Research Institute Whale Unit, revealed a total of 414 whales, comprised of 199 mothers with calves (398 whales) and 16 adults without calves. This starkly contrasts with the 2023 count of 1136 whales, highlighting a dramatic decline, potentially attributed to the increasing frequency and intensity of extreme weather cycles. Cape Town Air Access recorded a record-breaking 3 million two-way international passengers in 2024 which marked a 10% increase compared to 2023. In December 2024 specifically, 1 million two-way passengers were recorded at Cape Town International Airport, reflecting a 3% year-on-year increase. Overstrand benefited from this record arrival.

Expanding beyond major ports, 2024 witnessed vessels like the SH DIANA and Le Dumont d'Urville making stops at smaller locales such as Hermanus' New Harbour, further distributing the economic benefits. A substantial portion of cruise passengers engages in shore excursions facilitated by local providers, directly injecting revenue into the local economy. This economic impact is clearly demonstrated by the 2023-2024 season's contribution of R1.32 billion to the regional economy, a notable increase from the previous year's R1.2 billion, solidifying cruise tourism's status as a vital economic driver.

Spatial Development Framework of the Local Municipality	YES x	NO	Please explain

The activity is broadly in line with the strategic intent of the Overstrand Municipality's Spatial Development Framework (SDF, 2020), although it is located outside the designated Urban Edge. The property is situated within an area mapped in the Overstrand SDF and the Environmental Management Overlay Zone (EMOZ) as part of an Urban Conservation Area, where low-impact, conservation-compatible tourism and rural accommodation activities are supported provided

they are sensitively designed, appropriately located, and do not compromise the ecological integrity of the receiving environment.

The development of the five (5) boathouses was undertaken in a manner that aligns with these spatial planning principles. The use of elevated stilted structures, the retention of natural vegetation buffers, and the positioning of the development outside delineated wetland and estuarine buffers demonstrate that the activity has been sited and designed with due regard for the natural landscape, as encouraged by the SDF. Furthermore, the development promotes eco-tourism and nature-based economic activities, which are listed as desirable land uses in rural and conservation-priority areas within the municipal spatial vision.

Although the site falls outside the urban edge, the development does not constitute urban sprawl and has not introduced high-density or service-intensive infrastructure. Instead, it maintains a low development intensity, is entirely off-grid, and integrates with the broader tourism function of Mosaic Farm a recognised and established rural tourism node.

Approved Structure Plan of the Municipality	YES	NO	Please explain

N/A

An Environmental Management Framework (EMF) adopted by the Department	YES x	NO	Please explain

The area in which the boathouses, internal access roads, and associated lawn areas are located is mapped as an Urban Conservation Area and falls within Category D: Urban Areas in terms of the Environmental Management Overlay Zone (EMOZ), as defined in the Overstrand Municipality SDF (2020). Category D areas are typically designated for current and future urban use, where development is generally permissible, subject to environmental best practice and appropriate mitigation measures.

It is important to note that the development site is not located within urban area nor a conservation-worthy area as identified in the Overstrand Spatial Development Framework (2020); EMOZ. Furthermore, no ecological corridors have been mapped in or adjacent to the development footprint. Although the site falls within the Coastal Protection Zone (CPZ) as defined under the Integrated Coastal Management Act (ICMA, Act 24 of 2008), the development has been set back more than 100 m from the high-water mark of the Kleinriver Estuary. This setback aligns with ICMA principles, ensuring the protection of sensitive estuarine habitats and minimising potential environmental impacts in the coastal zone. The design of the boathouses on stilts and the exclusion of infrastructure from the delineated wetland area further reflect adherence to the precautionary principle and the EMF's environmental safeguards.

As such, the siting of the boathouses outside of delineated wetland areas, combined with the use of stilted structures and limited vegetation clearance can be considered compatible with the spatial planning and environmental management objectives of the Overstrand Municipality Spatial Development Framework (2020), provided that retrospective environmental authorisation addresses any procedural non-compliance and mitigation measures are implemented to protect the remaining natural features.

Any other Plans	YES	NO x	Please explain

N/A

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 (**https://www.westerncape.gov.za/dept/eadp/services**).

1. Was the activity permitted in terms of the property's land use rights at the time of commencement?	YES x	NO	Please explain

The subject property is zoned Agricultural Zone 1 and holds an approved consent use authorising the establishment and operation of tourism facilities, although the consent use may require amendment to bring it in line with the full tourism use of the boathouses. This will be via a Municipal Planning Application or Amendment Application with the Overstrand Municipality.

In terms of NEMA and in accordance with the 2019 Applicability Checklist, four (4) of the five (5) units were originally intended for private residential use, and one (1) unit was designated for tourism accommodation. As such, the initial land use proposal did not exceed thresholds that would have triggered listed activities under the NEMA Environmental Impact Assessment (EIA) Regulations, 2014 (as amended), and was therefore considered exempt from the requirement for Environmental Authorisation at that stage.

Subsequent to the commencement and completion of the development, all five (5) units have been advertised as and used for overnight tourism accommodation, collectively accommodating more than 15 guests. This expanded intensity of use exceeds the thresholds originally presented in the Applicability Checklist and now trigger a listed activity in terms of the Environmental Impact Assessment (EIA) Regulations, 2014 (as amended). In particular, Listing Notice 3, Activity 17 is applicable, as the tourism facility accommodates more than 15 people and is located within 5 km of several formally protected areas and Nature Reserves.

While the Consent Use does allow for tourism overnight, the current scale and use of the units were not authorised through an Environmental Authorisation process, as required in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as amended. Accordingly, this Section 24G application seeks to obtain Retrospective Environmental Authorisation for the listed activity associated with the use of the five units as a tourism facility.

2. Was the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YES x	NO	Please explain

The activity is in line with the Western Cape Provincial Spatial Development Framework (PSDF, 2014). The PSDF promotes sustainable rural development and the diversification of rural economies, with a specific focus on eco- and agri-tourism as key contributors to socio-economic growth in rural areas. The use of the five (5) accommodation units for overnight tourism purposes on land zoned Agricultural Zone 1 with consent use for tourism facilities aligns with this strategic objective.

The PSDF also emphasises environmental sustainability, appropriate land use, and spatial efficiency. The boathouses have been designed to minimise environmental impact constructed on stilts, set back over 100 m from the estuarine high-water mark, and located outside delineated wetlands thereby supporting the PSDF's environmental and biodiversity protection principles.

→ Furthermore, the activity is consistent with the PSDF's broader goals of:

→ Supporting rural livelihoods and job creation through tourism,

→ Promoting low-impact development in ecologically sensitive areas, and

→ Ensuring development is aligned with land use planning and spatial governance.

Although the intensity of use (more than 15 overnight guests) now exceeds what was initially anticipated, the retrospective Environmental Authorisation process currently underway seeks to ensure that the activity remains aligned with the PSDF's spatial and environmental objectives, while bringing the land use into full compliance with applicable legislation.

(b) Urban edge / Edge of Built environment for the area	YES	NO x	Please explain

The activity is located outside the designated urban edge. The subject property is situated in a rural setting on land zoned Agricultural Zone 1.

(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 activity is located outside the urban edge as defined in the Overstrand Municipality Spatial Development Framework (OMSDF, 2020). While this generally implies a presumption against urban-type development, the Spatial Development Framework does provide for context-specific, low-impact, eco-sensitive tourism development in rural or conservation-compatible areas, subject to environmental assessment and approval. The site falls within an Urban Conservation area in terms of the Overstrand Environmental Management Overlay Zone (EMOZ), which allows for limited development where it is environmentally appropriate and does not compromise sensitive ecological or landscape features. The SDF recognises the potential for rural tourism development in such areas, provided that it supports the regional tourism economy, complements the character of the landscape, and avoids sensitive biodiversity and ecosystem features.

In this case, the boathouses form part of the broader tourism operations on Portion 1 of the Farm Wortelgat No. 723, which is an established tourism operation. The design of the units elevated on stilts to reduce ground disturbance, set back more than 100 m from the Klein River Estuary, and located outside delineated wetlands and mapped ecological corridors aligns with the intent of the SDF to encourage environmentally sensitive rural tourism.

Although the property is outside the urban edge, its scale, land use type, and ecological safeguards do not conflict with the broader policy direction of the OMSDF or the Overstrand Municipality Integrated Development Plan (IDP, 2025/26). The IDP supports sustainable economic development, particularly through nature-based tourism that contributes to local livelihoods without undermining environmental sustainability. Accordingly, the approval of this application would not compromise the integrity of the Overstrand Municipality's approved IDP or SDF, provided that the procedural non-compliance is rectified through this Section 24G process and that appropriate mitigation and monitoring measures are implemented to protect the surrounding environment.

(d) Approved Structure Plan of the Municipality	YES	NO	Please explain

N/A

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)?	YES x	NO	Please explain

The subject property is zoned Agricultural Zone 1 with Consent Use rights for tourism-related activities, which aligns with the Overstrand Municipal Spatial Development Framework (OMSDF, 2020) and Integrated Development Plan (IDP, 2025/26), both of which support sustainable rural development and nature-based tourism as a contributor to the local economy.

The OMSDF (2020) recognises the importance of rural tourism development outside the urban edge, especially in areas with high landscape and ecological value, provided that such developments are low-density and environmentally sensitive. The property's location adjacent to the Klein River Estuary, and its existing use as part of a well-established eco-tourism operation, supports these objectives.

While the current scale of use of the units in question (accommodating more than 15 guests) exceeds the initial intent captured in the 2019 Applicability Checklist, the land use remains spatially compatible with both the Agricultural land use zoning and the tourism-oriented character of the broader area. The activity supports local economic development, job creation, and sustainable land use, which are recognised priorities in the municipal IDP and SDF.

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?	YES X	NO	Please explain

While the development is situated outside the designated urban edge, its location within an Urban Conservation Area as per the Overstrand Environmental Management Overlay Zone (EMOZ) and its alignment with the land use character of the broader Mosaic Farm tourism node suggest that the activity could be considered appropriate for the area under certain conditions. The Overstrand Spatial Development Framework (SDF) and Integrated Development Plan (IDP) do not support general urban expansion beyond the urban edge. However, they do make provision for low-intensity, eco-sensitive tourism developments in appropriate rural and conservation-compatible areas, provided such activities are carefully designed, environmentally responsible, and contribute to sustainable local economic development. Therefore, in this case, the units are situated outside delineated wetland areas and set back more than 100 m from the estuary and 32 m from the wetland edge. Additionally, the units form part of the existing tourism operation, with a scale and form consistent with the existing land use character of the Farm.

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 x	NO	Please explain

The activity in question which includes the use of five (5) units for overnight tourism is aligned with both strategic development priorities at the National and Provincial level, as well as local socio-economic needs.

At a strategic level, tourism is recognised in the National Development Plan (NDP), the Western Cape Provincial Spatial Development Framework (PSDF, 2014), and the Overstrand Integrated Development Plan (IDP, 2025/26) as a key sector

for economic growth, rural diversification, and job creation. Eco-tourism and low-impact rural development are specifically supported in areas with high environmental value, such as the Klein River Estuary region, where this activity is located.

At a local level, the Overstrand Municipality promotes nature-based tourism as a means of stimulating sustainable rural economies, creating employment, and reducing dependence on traditional agriculture. The units which are now utilised for tourism overnight stay supports the goals of the Overstrand SDF by contributing to the viability of a well-established rural tourism node, offering overnight accommodation, and enhancing the area's attractiveness to both domestic and international visitors.

The activity also addresses the need for high-quality, low-density accommodation in close proximity to sensitive natural areas, catering to the growing demand for eco-tourism travel experiences, while supporting local livelihoods through hospitality-related employment. Therefore, the activity meets a genuine societal need in both its broader strategic context and its local setting, and contributes meaningfully to the economic and tourism development priorities of the region

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 **appendix**, where applicable.)	YES x	NO	Please explain

Electricity:

An existing electricity supply network was available on the property at the time of commencement. The infrastructure was extended to provide power to the five (5) accommodation units, and no major upgrades were required.

Sewage:

Each unit is equipped with a conservancy tank for sewage disposal. These tanks were installed during construction and are located more than 100 metres from the estuarine high-water mark, and more than 32m of the delineated wetland edge. Coot Club makes use of the eco-friendly Kaackai Sewage Treatment system.

Water

A sufficient and reliable water supply was available on the property at the time of commencement. The accommodation units are connected to an existing borehole on the property, which was in operation prior to development. Supporting documentation is provided in **Appendix I**.

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 **appendix**, where applicable.)	YES	NO x	Please explain

The activity did not impact municipal infrastructure planning.

8. Was this project part of a national programme to address an issue of national concern or importance?	YES	NO x	Please explain
The activity was not part of the National Programme.			

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.)	YES x	NO	Please explain

The location factors clearly favour the tourism-related land use associated with the activity on this site. The property is situated within a scenic and ecologically rich rural environment, directly adjacent to the Klein River Estuary, a feature of high ecological and tourism value. The setting offers a tranquil, nature-based experience, which aligns well with the intended use of the five units for overnight tourism accommodation. The setting allows for access to a unique natural resource whilst unlocking opportunities for nature focussed tourism and long-term environmental protection.

The land is zoned Agricultural Zone 1 with Consent Use for tourism and has been operating as a nature-based tourism destination, making the site a logical and contextually appropriate location for the expansion of tourism accommodation. The use of stilts for the units, their setback distance from the estuary, and the integration of the development into the existing tourism node reflect sensitivity to the local environmental context.

Furthermore, the site is accessible via internal roads and is located near other existing rural tourism and conservation areas, making it part of a functioning eco-tourism corridor in the Overstrand region. These location characteristics, including environmental quality, land use compatibility, accessibility, and existing infrastructure collectively make the site highly suitable for the tourism-related land use applied for through this retrospective rectification process.

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)?	YES	NO	Please explain

The activity has had a limited direct impact on sensitive natural areas due to the low-impact design, careful site selection, and the use of elevated structures which are setback from water resources. The five accommodation units were constructed on stilts, allowing for minimal disturbance to the ground surface and enabling natural vegetation (Agulhas Limestone Fynbos) to re-establish underneath. The development is also located more than 100 m from the estuarine high-water mark and outside the delineated wetland buffer as identified in the 2018 Wetland Delineation Report, thereby avoiding direct encroachment into sensitive aquatic or estuarine systems.

While the site is adjacent to areas of high ecological value, such as the Klein River Estuary and nearby nature reserves, the development respects the required spatial buffers and does not involve the transformation of formally protected areas. The location within an existing rural tourism node further reduces the risk of habitat fragmentation or cumulative impact on the surrounding natural environment.

From a cultural and heritage perspective, there is no known impact on formally protected heritage resources, archaeological sites, or built environment features of historical significance. The development occurred within an already modified part of the farm, and no cultural heritage constraints were identified at the time of construction. An approval for the boathouses has been used by Heritage Western Cape in November 2019.

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	Please explain

The development has had no significant negative impact on people's health and wellbeing. The accommodation units are low-density, nature-based, and constructed in a manner that is visually sympathetic to the surrounding rural and estuarine landscape. The use of natural colours and materials, as well as the placement of units on stilts to reduce physical footprint, ensures that the visual character and sense of place of the area remain intact.

Noise and odour impacts are negligible, as the use of the units is consistent with eco-tourism activities and does not involve commercial or industrial operations. Guests are typically short-stay visitors seeking a tranquil, nature-based experience, which further reduces the likelihood of disturbances to surrounding properties or land uses.

The development is located within an established tourism node and does not abut high-density residential areas, thus minimising risks of conflict with surrounding land uses. Sewage is managed via conservancy tanks, with waste regularly removed by a licensed contractor, ensuring no impact from odours or pollution.

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

N/A

13. What were the cumulative impacts (positive and negative) of the land use associated with the activity applied for?	YES	NO	Please explain

The cumulative impacts of the land use associated with the activity are considered to be limited and mostly positive:

Positive impacts

- → The use of the five units for overnight tourism accommodation contributes to the local economy by attracting visitors, supporting local employment, and strengthening the eco-tourism sector within the Overstrand region.
- → The activity aligns with strategic objectives to diversify rural land use beyond agriculture, promoting sustainable tourism in a low-impact and environmentally conscious manner.
- → The development is largely self-sufficient in terms of water, sewage, and electricity, placing no additional strain on municipal infrastructure.
- → The stilted design of the units, along with adherence to setback requirements from sensitive features like the Klein River Estuary and delineated wetlands, reduces the cumulative ecological footprint of rural tourism expansion in the area.

14. Is/was the development the best practicable environmental option for this land/site?	YES x	NO	Please explain

The development represents the best practicable environmental option for this site for the following reasons:

→ Elevating the boathouses on stilts reduced ground disturbance to a combined approx. 70 m² footprint, allowing native vegetation to re-establish beneath and around the structures.

→ All units are situated above 100 m from the estuarine high-water mark and outside the delineated buffer of the wetland edge, thereby avoiding direct impacts on aquatic ecosystems.

→ On-site conservancy tanks, a reliable farm water supply, and extension of existing electrical infrastructure eliminated the need for new municipal services, preventing additional disturbance and infrastructure expansion.

→ Building within the already operational tourism precinct leveraged existing access roads and facilities, avoiding greenfield sprawl or the creation of new service corridors.

→ The conservation of the surrounding Agulhas Limestone Fynbos and the use of permeable road surfaces have facilitated passive ecosystem recovery and maintained hydrological flows.

15. What are/were the benefits to society in general and to the local communities?	Please explain

Community development through work of Coot Club Foundation.

- Coot Club is a registered NPO established in April 2025.
- The eradication of aliens within the 465-hectare.
- To date Coot Club has cleared 68 hectares in the first block and are in the process of clearing block 2 , an area of 75 hectares that will be cleared by the end of 2025.
- The foundation employs a team of 13 women from the Stanford community that have been trained in alien clearing. In addition, they have employed a team of 4 men who work alongside the team of women who operate the electric chain saws.
- Their current monthly labour spend on alien clearing is R 37,000 and they have invested in a heavy duty chipper to compost the cleared aliens.
- The foundation has partnered with St Pauls farm school outside of Stanford. The programme has been set up to help kids whose parents cannot afford winter uniform and shoes to stay in school. In July, the foundation was able to assist 27 kids stay in school.
- The foundation ran a trial programme with Okkie Smuts primary school for the leadership team of grade 7 learners in 2025. In 2026 this programme will be rolled out to 3 different schools for their grade 7 learners and will be sponsored in full by the foundation.
- Coot Club has, over the last 12 months, been assisting Cape nature with cleaning the bins in Walker Bay reserve at both First beach and Soppiesklip.

16. Any other need and desirability considerations related to the activity?	Please explain

Alignment with Tourism Development Objectives

The activity supports the Overstrand Municipality's strategic objective to grow the local tourism economy, particularly through the promotion of nature-based and eco-sensitive tourism offerings. The boathouses form part of the broader tourism activities on site, which is an established and reputable operation contributing to job creation, local revenue generation, and sustainable land use.

Low-impact Design and Environmental Sensitivity

The boathouses were constructed on stilts, with minimal vegetation clearance and full avoidance of mapped sensitive features, including wetlands and estuarine buffers. The development was also set back more than 100 m from the Klein River Estuary and over 32 m from the delineated wetland edge, demonstrating a commitment to precautionary design and minimal environmental footprint.

Contribution to Local Economic Development

The tourism units contribute to local employment, both through construction activities (2021–2024) and ongoing operational needs such as maintenance, cleaning, and hospitality services. This is in line with the municipality's IDP goals for inclusive economic growth in rural areas.

Reinforcement of Existing Land Use Character

The development does not represent a departure from the established land use of the area but rather strengthens the existing eco-tourism land use pattern on site. It does not introduce new infrastructure unrelated to the tourism function, nor does it compromise landscape character or ecological corridors.

No Anticipated Pressure on Public Infrastructure

The development is self-contained in terms of water, wastewater, and solid waste management. Each unit is serviced by conservancy tanks connected to the Kaackai S-Series wastewater treatment system, and no connection to municipal infrastructure is required. As such, the development does not place additional demand on municipal services.

The original intent was to use four units for private purposes and one for tourism accommodation. The change in use, which resulted in triggering Listing Notice 3, Activity 17, evolved over time. This Section 24G application is submitted to rectify the procedural non-compliance and ensure legal alignment.

17. Please describe how the general objectives of Integrated Environmental Management as set out in section 23 of NEMA were taken into account:

The general objectives of Integrated Environmental Management (IEM) as outlined in Section 23 of the National Environmental Management Act (Act 107 of 1998) were taken into account through various aspects of the project's design, implementation, and retrospective environmental consideration. These objectives were addressed as follows:

Promotion of Sustainable Development

The activity promotes sustainable development by supporting low-impact, eco-sensitive tourism infrastructure that contributes to local economic development without compromising environmental integrity. The boathouses form part of a broader tourism node and do not introduce industrial or high-density urban development.

Avoidance and Minimisation of Negative Impacts

Although formal Environmental Authorisation was not initially obtained due to a procedural oversight and changes in demand, the design of the development incorporated precautionary principles from the outset, which included the Landscape Plan and the Wetland Delineation undertaken prior to commencement of these activities. The boathouses were:

→ Constructed on stilts, significantly reducing the physical footprint;

→ Set back more than 100 m from the high-water mark of the Klein River Estuary;

→ Located more than 32 metres from the delineated wetland edge;

Integration of Environmental Considerations into Decision-Making

Prior to construction, an Applicability Checklist was completed in 2019, which based on the information available at the time, did not identify any triggered listed activities. Although this was later found to be inaccurate due to the change in land use, the decision-making process did consider environmental legislation. The current Section 24G application reflects a continuation of this principle by ensuring retrospective compliance.

This rectification process includes public participation in line with NEMA requirements. The process will include Public Participation Process (PPP) to inform the relevant authorities, and comments will be incorporated after the PPP.

Protection of the Environment for Present and Future Generations

The development was implemented with minimal disturbance to the surrounding environment and uses off-grid systems (e.g., conservancy tanks and decentralised wastewater treatment) that do not place pressure on municipal infrastructure. The area's ecological functioning has been retained, and tourism-related use remains low-density and compatible with the long-term sustainability of the natural environment.

Promotion of Responsible Land Use and Environmental Governance

Although retrospective in nature, the application demonstrates a commitment to environmental governance by addressing past non-compliance, rectifying procedures, and proposing mitigation measures where necessary. It seeks to bring the activity in line with the intent and requirements of NEMA and its associated regulations.

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

The development has taken into account the principles of environmental management as set out in Section 2 of the National Environmental Management Act (Act 107 of 1998), both during the planning and implementation phases, and more recently through the initiation of the Section 24G rectification process. These principles informed the design, location, and functioning of the development, and continue to guide efforts to align with environmental legislation and best practice.

The principle of sustainable development was a central consideration in the design of the activity. The development contributes to local socio-economic upliftment through nature-based tourism while limiting its environmental footprint. The use of elevated stilted structures significantly reduced disturbance to the ground and surrounding vegetation, and the infrastructure avoids direct interference with sensitive ecological features. The project does not involve polluting or extractive uses and is consistent with long-term environmental sustainability goals.

Environmental justice was upheld throughout the development, as the activity did not result in any displacement of people or loss of access to communal resources. Rather, it supports equitable access to employment and economic opportunities through local job creation in the tourism and hospitality sector. The development contributes to the inclusive rural economy in a manner that does not burden municipal services or infrastructure.

Although the site is situated outside the designated Urban Edge, the development was planned in a manner that aligns with the broader objectives of the Overstrand EMF, SDF, and IDP. The property falls within an Urban Conservation Management Zone, where eco-tourism is permissible provided it is sensitively designed and implemented. The land use is compatible with existing rural tourism patterns in the area and contributes to the sustainable use of the natural landscape without compromising ecological integrity.

The Duty of Care and the Precautionary Principle were taken into account through various proactive design choices. The boathouses were deliberately sited more than 100 m from the high-water mark of the Klein River Estuary and more than 32 metres from the delineated wetland edge. This ensured avoidance of direct impacts on aquatic systems. The use of off-grid wastewater treatment systems further reduced the risk of pollution or degradation of water resources and allows for a more sustainable service infrastructure approach. Despite the initial procedural oversight in obtaining authorisation, the applicant has taken steps to rectify the non-compliance through this Section 24G application, in line with the principle of accountability and environmental governance.

Lastly, the development promotes the efficient use of natural resources. The sewerage infrastructure is entirely off-grid in terms of wastewater management and does not require connection to municipal waterborne services. By integrating environmental considerations into both the design and ongoing operation of the tourism units, the development reflects a commitment to responsible environmental stewardship as envisaged in Section 2 of NEMA.

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 (**https://www.westerncape.gov.za/dept/eadp/services**).

"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;
(c) the design or layout of the activity;
(d) the technology to be used in the activity;
(e) 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:

Portion 1 of the Farm 723 is situated within an existing operational tourism precinct and is zoned Agricultural Zone 1 with Consent Use rights for tourism accommodation. Given the existing land use rights, on-site infrastructure, and the property's established role as a nature-based tourism destination, this site was considered the most appropriate and logically integrated location for the establishment of the five (5) additional units, which are now utilised for tourism. No alternative properties were considered, as the intention was to expand the tourism offering within the same property where tourism activities were already legally approved and operational. Off-site alternatives were therefore not reasonable or feasible due to legal land use status of the current property and the availability of existing infrastructure such as internal roads, water supply and electricity.

(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:

The consideration of activity alternatives was constrained by the fact that Portion 1 of the Farm 723 already had an established and legally approved tourism operation at the time of the development. The property is zoned Agricultural Zone 1 with Consent Use for tourism, and the development of the five (5) units for overnight guest accommodation was an expansion of the existing tourism activities on site.

Given the site's existing infrastructure, land use rights, and tourism function, there were no other reasonable or feasible activity alternatives outside the current land use framework that would have met the same objectives with a lesser environmental impact. Additionally, the proposed activity made use of existing infrastructure and services already available on the property, including internal access roads, electricity supply, and sewage management. This significantly reduced the need for additional infrastructure development, thereby minimising environmental disturbance.

(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 five (5) units currently being used for overnight tourism accommodation were developed for private use and were not intended for tourism operations on Portion 1 of Farm 723. Although no formal environmental assessment or design alternatives were undertaken prior to construction these units for tourism, the project incorporated practical design measures aimed at minimising environmental impacts and ensuring compatibility with the surrounding natural environment. The units were constructed on stilts, which significantly reduced the ground-level disturbance footprint. This design allowed for natural vegetation regeneration underneath each unit and preserved the permeability of the site. The placement of the units was carefully considered to ensure they were located more than 100 m from the estuarine high-water mark, and outside of the delineated wetland areas and buffer zones identified in the 2018 Wetland Delineation Report.

Internal access roads were kept narrow (approximately 3.8 m), aligned with existing paths where possible, and surfaced with gravel to reduce erosion and stormwater runoff. Given the constraints of the site, the availability of existing infrastructure, and the objective of expanding a nature-based tourism offering within an already approved node, no other feasible design or layout alternatives existed that would have further reduced environmental impact while still meeting operational and planning requirements. The as-built design therefore represents the best practicable environmental option for this site.

(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:

No technology alternatives exist.

(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:

Although no formal operational alternatives were assessed during the initial planning phase, it is important to note that the five (5) units were originally intended primarily for private use, with only one unit allocated for tourism purposes. However, the change in use of all units to tourism accommodation has proven to be a more environmentally sustainable operational model.

The operation of the units as short-term tourism accommodation rather than permanent residential dwellings significantly reduces the intensity and permanence of environmental impacts. This approach minimises long-term pressure on local ecological resources, limits infrastructure expansion, and reduces the need for services such as permanent access roads, wastewater infrastructure, and garden maintenance, which are typically associated with full-time residential occupation.

In addition, servicing the units under a tourism-based model allows for better control over resource use, waste generation, and visitor management, as operations can be centralised and standardised through a tourism operator. This reduces the cumulative environmental footprint and ensures that impacts remain as minimal as possible, in line with the low-impact design and construction methods already employed.

Given these factors, the operational shift to full tourism use constitutes a practical and effective alternative that mitigates unavoidable impacts and aligns with the objective of minimising ecological disturbance within a Critical Biodiversity Area (CBA).

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

The option of ceasing the use of the five (5) units for overnight tourism accommodation and reverting to the original intended purpose where four units were to be for personal/private use and one for tourism is not considered a preferred option. The property is already fully operational as a nature-based tourism destination and has established itself as part of the broader tourism offering, which attracts both domestic and international visitors. The continued use of all five units for tourism supports the property's economic viability and aligns with local spatial development priorities that promote rural tourism as a sustainable land use.

Moreover, ceasing the tourism use would result in the loss of job opportunities created through the operation of the units, including roles in hospitality, maintenance, cleaning, and guest services many of which are sourced from the local community. This would have a negative socio-economic impact, loss of environmental and community benefits particularly in a rural context where employment opportunities are limited.

From an environmental perspective, the existing units have been developed using a low-impact design (stilts) and have been integrated sensitively into the landscape, with indigenous vegetation naturally regenerating beneath and around them. Reverting to private use or rehabilitating the site would not offer any significant environmental benefit, and in fact, may result in the underutilisation of infrastructure that was specifically designed to be environmentally responsible.

Therefore, the option of ceasing the activity is not viable, as it would result in economic loss, reduced employment, and no meaningful environmental gain. The preferred option remains to retain and regularise the current use through this Section 24G application and to ensure long-term compliance through ongoing environmental management.

(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:

No other alternatives exist.

(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.

Alternative 1 - non-preferred

This alternative involves ceasing the current use of the five (5) units for overnight tourism accommodation and reverting to the original intent as outlined in the 2019 Applicability Checklist, where four (4) units were to be for personal use and only one (1) unit designated for tourism.

This option is not preferred for the following reasons:

- → The property operates as a fully established tourism destination and the five units form an integral part of the tourism offering.
- → Ceasing tourism use would result in the loss of local employment opportunities created through hospitality, maintenance, and guest services.
- → The development has been implemented using low-impact, environmentally conscious design (elevated on stilts, within appropriate buffers), and reverting to personal use would not significantly reduce environmental impacts.
- → The demand for tourism accommodation in the area continues to grow, particularly in eco-sensitive, nature-based destinations.

Alternative 2 – Preferred

This alternative involves the retention of the five (5) units for overnight tourism accommodation and seeking retrospective environmental authorisation through this Section 24G application.

This is the preferred option, as it:

- → Aligns with the property's zoning and consent use rights for tourism under Agricultural Zone 1.
- → Utilises existing infrastructure with minimal additional environmental disturbance.
- → Supports local economic development and job creation in line with municipal and provincial spatial development goals.
- → Ensures legal compliance through retrospective authorisation and future environmental management measures.

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:

Short term disturbance of the area to establish the tourism units. The site now presents well thought out, low impact units nestled into the natural environment.

(b) Biological aspects:

Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	YES x	NO
If yes, please describe:		
The development occurred within a landscape mapped as a Critical Biodiversity Area (CBA) according to the Western Cape Biodiversity Spatial Plan (BSP, 2017), which was the applicable planning tool at the time of construction. The site is situated within a vegetation type originally classified as Agulhas Limestone Fynbos (SA Vegetation Map, 2018), which was listed as Vulnerable under the National List of Ecosystems that are Threatened and in Need of Protection (2011). However, based on a landscape plan compiled by Privett (2020) which involved botanical survey of the site, the vegetation was more accurately described as Overberg Dune Strandveld, due to the presence of dominant species associated with prior disturbance. Despite its location within a CBA, the development was consciously designed to be environmentally sensitive, thereby significantly reducing the level of ecological impact typically associated with such developments. It is important to note that all five boathouses were constructed on stilts, minimizing direct ground disturbance. The ground-level footprint per unit is approximately 13.2 m², contributing to a total vegetation clearance footprint of approximately 3216 m², which includes internal access roads and limited lawn areas. The elevation of the boathouses has allowed for the natural regeneration of indigenous vegetation beneath and around the structures. This has helped to maintain ecological functions such as groundcover re-establishment and faunal movement corridors. The internal access roads span approximately 580 m in length and average 3.8 m in width. They are gravel and, where feasible, aligned along pre-existing disturbed areas. This approach helped avoid new areas of transformation and maintain landscape connectivity. Gravel surfacing also reduces soil compaction, enhances permeability, and limits erosion.		

Although the site is mapped as a CBA, no irreversible transformation of ecological corridors, wetlands, or habitat for species of conservation concern has taken place. The development footprint was carefully located outside of delineated wetlands, more than 100 m from the high-water mark of the Klein River Estuary, and beyond the 32 m buffer from the wetland edge as recommended by the freshwater specialist in 2018.

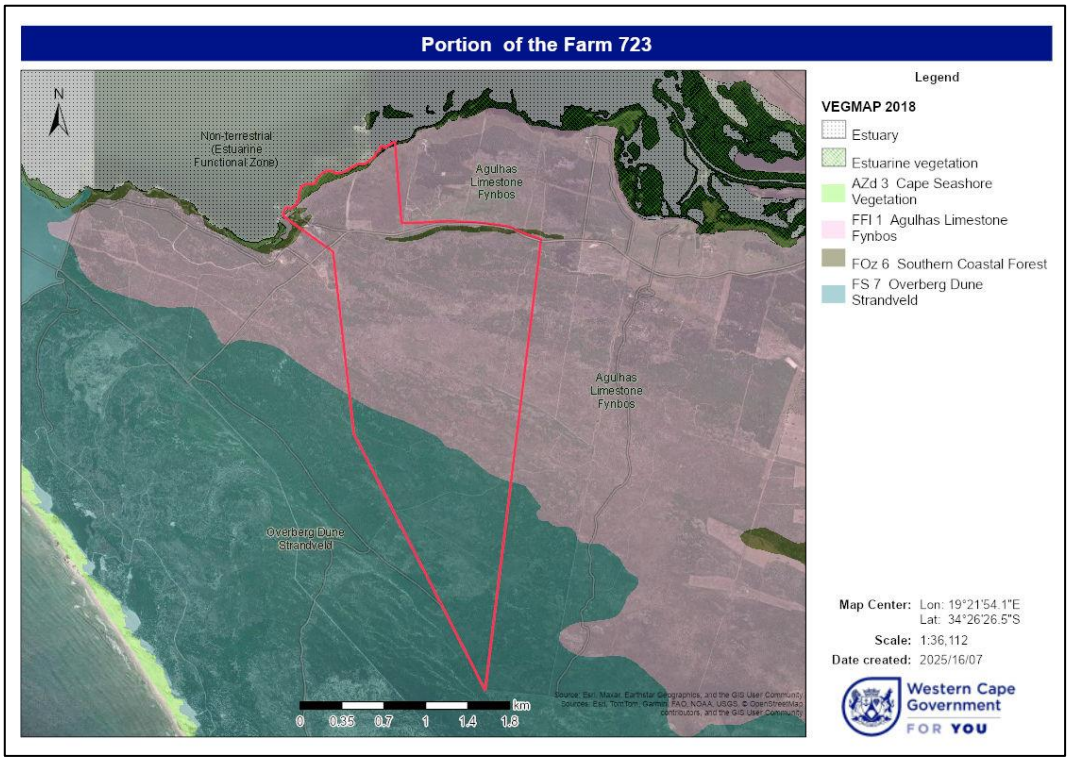


Figure 6: SA Vegetation Map (2018).

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

Botanical Input and Landscape Plan - Sean Privett

A specialist landscape assessment was conducted by Sean Privett in 2020 to inform appropriate rehabilitation and landscaping measures around the five boathouses on the farm. The assessment was based on the 2018 South African Vegetation Map, which initially classified the site as Agulhas Limestone Fynbos (Vulnerable pre Nov 2022). However, upon ground-truthing during the site visit, the specialist confirmed that the immediate development area is predominantly recovering Overberg Dune Strandveld (now referred to as Southwestern Strandveld). This transition is supported by the presence of Dune Strandveld species, with patches of thicket and Limestone Fynbos found nearby, particularly south of the main access road.

Importantly, the report notes that Overberg Dune Strandveld typically transitions into thicket in the absence of fire, suggesting a lack of recent fire events on site. The current vegetation structure and species composition reflect prior disturbance, likely from agricultural clearing and alien infestation, but the Strandveld vegetation had recovered well, supporting a diverse mix of native species.

Plant species recorded during the site investigation of the property, included *Thamnochortus erectus* (thatching reed), *Passerina corymbosa* (gonna bush), *Searsia crenata* (dune crowberry), *Chasmanthe aethiopica* (cobra lily*), Pelargonium capitatum* (coastal malva), *Leucadendron coniferum* (dune conebush – vulnerable), *Osteospermum moniliferum* (bietou), *Anthospermum aethiopicum, Leonotus leonorus* (wild dagga), Metalasia muricata (blombos), *Helichrysum dasyanthum, Helichrysum petiolare* (hottentots koeigoed) *and Stenotaphrum secundatum* (buffalo grass).

The thicket species of vegetation recorded during site survey included Sideroxylon *inerme* (white milkwood), *Searsia lucida* (blink taaibos), *Cassine peragua* (bastard saffronwood), *Searsia laevigata* (taaibos) and *Myrsine africana* (Cape myrtle).

The specialist also noted that the composition of the natural vegetation present on site indicates the previous disturbances, which could be associated with the agricultural clearing and subsequent alien plant infestation. Despite these impacts, the natural strandveld vegetation within the area where the five (5) boathouses were constructed has shown notable recovery and is currently characterised by a healthy and diverse mix of indigenous plant species, which was also confirmed by the specialist. Importantly, all five accommodation units were constructed on stilts, and the associated access road is narrow, with a limited lawn area all of which significantly reduced ground disturbance. The combined ground-level footprint of the units, access roads, and lawn area amounts to approximately 3216 m². Since construction, the surrounding indigenous vegetation has naturally re-established beneath and around the structures, further supporting ecological resilience on site.

Wetland delineation – Liz Day

With regard to aquatic ecosystems, the development is situated adjacent to the Klein River Estuary, a system of high ecological importance. However, no structures were placed within the high-water mark of the estuary, nor within delineated wetland areas or buffers, as confirmed by the 2018 Wetland Delineation and Risk Assessment Report. All units are positioned more than 100 m from the estuarine high-water mark, and the access roads were aligned to avoid encroachment into sensitive aquatic areas.

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?	YES	NO
If yes, please describe:		

The Landscape Plan compiled by Privett (2020) indicated that, contrary to the vegetation type mapped as Agulhas Limestone Fynbos in the South African Vegetation Map (2018) used at the time, the vegetation present on site is more accurately a representative of Overberg Dune Strandveld. Dominant strandveld species recorded included *Thamnochortus erectus* (thatching reed), *Passerina corymbosa* (gonna bush), *Searsia crenata* (dune crowberry), *Chasmanthe aethiopica* (cobra lily*), Pelargonium capitatum* (coastal malva), *Leucadendron coniferum* (dune conebush – vulnerable), *Osteospermum moniliferum* (bietou), *Anthospermum aethiopicum, Leonotus leonorus* (wild dagga), *Metalasia muricata* (blombos), *Helichrysum dasyanthum, Helichrysum petiolare* (hottentots koeigoed) and *Stenotaphrum secundatum* (buffalo grass).

The thicket species *Sideroxylon inerme* (white milkwood), *Searsia lucida* (blink taaibos), *Cassine peragua* (bastard saffronwood), *Searsia laevigata* (taaibos) and *Myrsine africana* (Cape myrtle) were recorded on site. The specialist also noted that the structural and species composition of the natural vegetation in the area now developed for the boathouses showed clear signs of previous disturbance at the time of assessment. These disturbances are likely to be a combination of historic agricultural clearing and subsequent alien plant infestation.

The five (5) boathouses were constructed using elevated stilts foundation, which significantly reduced the disturbance of the soil and vegetation. This design approach limited the combined ground-level footprint of all five units, lawn area as well as the access road, to approximately 3216 m^2, thereby avoiding unnecessary transformation of sensitive habitat.

Furthermore, access roads were kept to an average width of 3.8 m, surfaced with gravel, and aligned along previously disturbed areas where feasible to reduce clearance of intact vegetation. Each unit is accessed via a raised boardwalk, further limiting ground-level disruption. These measures collectively ensured that natural processes could continue on site and allowed for passive regeneration of the surrounding vegetation. Post-construction site inspections confirm that intact natural vegetation remains adjacent to the units, and indigenous plant cover has re-established beneath and between the stilted structures.

Given the limited and localised nature of the clearance (a total of approximately 3216 m^2 across all components, including road, lawns, and units), and the absence of habitat fragmentation or ecosystem connectivity disruption, it is considered that the impact on threatened plant or animal populations has been minimal. The area continues to provide habitat for fynbos species and retains ecological function. The site does not intersect with formally delineated wetland habitat or mapped ecological corridors, and the development remains more than 32 m from the wetland edge and 100 m from the estuarine high-water mark.

Photo 1. View of one of the five (5) units constructed on stilts foundation.

Photo 2: Image showing intact natural vegetation adjacent to the boathouses.

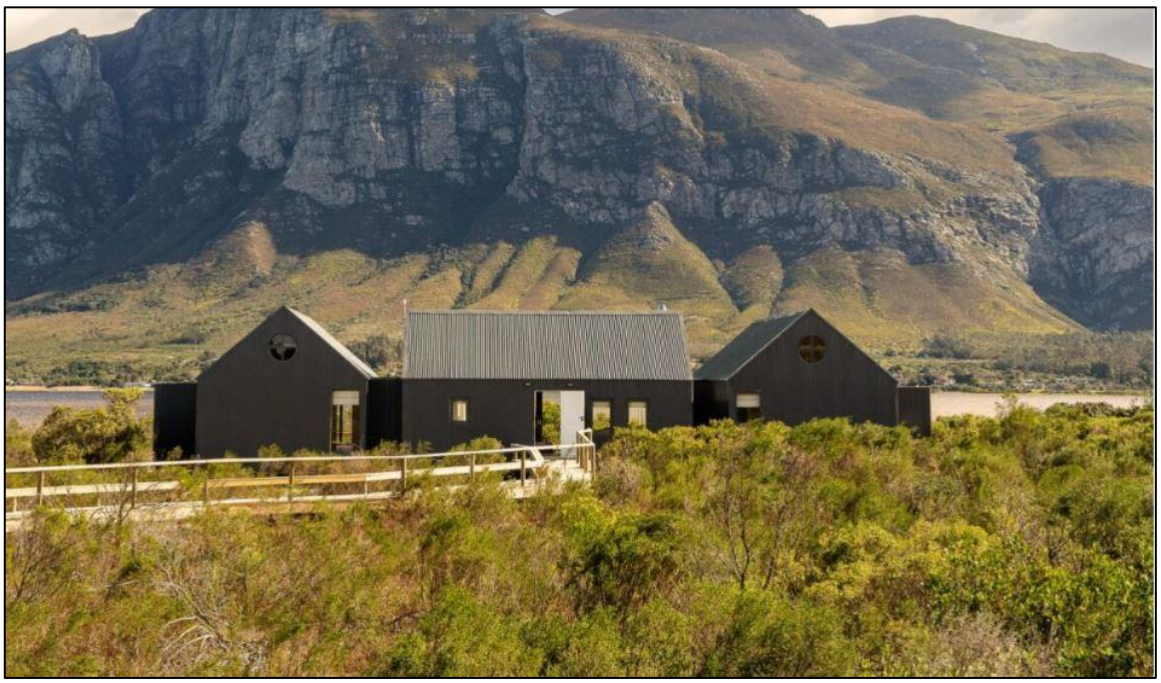


Photo 3. Image showing one of the boathouses with a raised boardwalk.

It is important to note the change in Threat Status of the vegetation on site as per the National Environmental Management Biodiversity Act, Act 10 of 2004 - Revised List of Terrestrial Ecosystems that are Threatened and in need of protection, No. 2747, 18 November 2022. The construction of boathouses 1 to 4 and the extension of the internal access road, commenced before this change. Originally the vegetation was classified a Vulnerable Agulhas Limestone Fynbos which was upgraded in November 2022 to Critically Endangered. Therefore works commenced before the change of vegetation status. Boathouse 5 commenced in 2024 however it did not exceed the threshold for LN 3, Activity 12.
Please describe the manner in which any other biological aspects were impacted:
Although no formal faunal survey was conducted prior to construction, post-construction site visits indicate that generalist and fynbos-associated species continue to occur in the area, and no significant barriers to wildlife movement have been introduced. The development does not include any artificial lighting that would disrupt nocturnal fauna, nor does it involve noise-generating activities beyond short-term tourism use. In addition, the site does not overlap with any formally delineated wetlands, estuaries, or riparian zones, and all construction remained more than 32 m from the wetland edge and more than 100 m from the high-water mark of the Klein River Estuary. As such, aquatic and semi-aquatic species have not been directly affected, and hydrological function has remained intact.

(c) Socio-Economic aspects:

What was the capital value of the activity on completion?	Original Construction: 2020 =R19.0m Boathouse 1 to 4 (original boathouses) of R17.0m Upgrades R2.0m Subsequent Construction: 2024 = R8.0 R3.5 (Boathouse 5)	
What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?	Boathouses 5 = R1.5m (2025)	
Has/will the activity have contributed to service infrastructure? Kaackai = R250k (sewerage purification)	YES	NO x
How many new employment opportunities were/will be created in the construction phase of the activity?	Period of Construction = 4 months Average between additional 18 to 24 on site during this time	
What was the value of the employment opportunities during the construction phase?	Construction crew, painters, plumbing, electrical = Roughly R2.2m	
What percentage of this accrued to previously disadvantaged individuals?	Estimated 90% (Majority of contractors were locally sourced from the community)	
How was this ensured and monitored (please explain):		
Extracted from accounting records. Policy of 'Employ Local First'. Accounting and Payroll provide all the qualitative data for employees and their payroll data		
How many permanent new employment opportunities were/will be created during the operational phase of the activity?	12	

What is the current/expected value of the employment opportunities during the first 10 years?	12 employees X R8500 per month X 10 years = R12 200 000
What percentage of this accrued/will accrue to previously disadvantaged individuals?	90 %
How was/will this be ensured and monitored (please explain):	
Policy of "Employ local first".	
Any other information related to the manner in which the socio-economic aspects was/will be impacted:	
The construction of the five (5) accommodation units has contributed positively to local economic development, both during the construction and operational phases. During the construction phase, the project generated temporary employment opportunities for local contractors, builders, and general labourers, thereby supporting short-term income generation in the surrounding community. In the operational phase, the development continues to provide longer-term job opportunities in the tourism and hospitality sector, including roles in cleaning, maintenance, guest services, training, hospitality services, alien clearing and site management. The increased visitor numbers also indirectly support surrounding small businesses, such as local restaurants, markets, and tourism service providers.	

(d) Cultural and historic aspects:

N/A

2. WASTE AND EMISSIONS

(a) Waste (including effluent) management

Did the activity produce waste (including rubble) during the construction phase?	YES x	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? General construction related waste was generated during the construction phase of the existing structures in the property.	Unknown m^3	

Does the activity produce waste during its operational phase?	YES x	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? General household sewage and solid waste is generated.	Unknown m^3	

Where and how was/will the waste be treated / disposed of (describe)?
Each residential unit is equipped with a conservancy tank located in close proximity to the unit, designated for the collection and temporary storage of domestic blackwater and greywater. These tanks are located more than 100 m from the high-water mark of the Klein River Estuary, as required by the Integrated Coastal Management Act (Act 24 of 2008), and more than 32 m from the delineated wetland, in accordance with the National Water Act (Act 36 of 1956), as amended. These conservancy tanks are connected to the Kaackai S-Series Wastewater Treatment System, a decentralised, modular treatment solution approved by the Overstrand Municipality, see **Appendix F2**. This system operates under the <50

m³/day irrigation standards and is designed to efficiently treat domestic effluent using a multi-stage process, including primary sedimentation, anaerobic and aerobic treatment, and final disinfection. In a letter dated 13 June 2025, the Overstrand Municipality confirmed that the Kaackai S-Series system consistently complies with updated effluent discharge parameters (including ≤400 mg/l COD, ≤1000 Faecal Coliforms/100ml, ≤200 mS/m conductivity, and pH between 6–9), and granted permission for on-site sewage treatment, subject to conditions that ensure environmental and public safety. Treated effluent from the system is deemed safe for discharge and is reused on-site for garden irrigation (limited to non-edible crops) and toilet re-flushing within a closed-loop system. The bio sludge generated during the treatment process is returned to the conservancy tank for further breakdown. Operation and maintenance of the system are governed by a formal contractual agreement between the property owner and the system supplier, ensuring accountability and compliance throughout the lifespan of the system. In accordance with municipal requirements, effluent samples will be tested quarterly at a SANAS-accredited laboratory, with results submitted to the Municipality for review.

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 See **Appendix F2**.	YES x	NO
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? As above	YES	NO x
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: See **Appendix F2.**	YES x	NO
Does the facility have an operating license? (If yes, please attach a copy of the license.) N/A	YES	NO

Facility name: N/A	
Contact person: N/A	
Postal address: N/A	
	Postal code: N/A
Telephone: N/A	Cell: N/A
E-mail: N/A	Fax: N/A

Describe the measures that were/will be taken to reduce, reuse or recycle waste:
At present, solid waste is collected on site and disposed of at a registered facility. Same applies to the waste generation

(b) Emissions into the atmosphere

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

N/A

3. WATER USE

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

Municipal	Water board	Groundwater	River, Stream, Dam or Lake	Other	The activity did/does/will not use water
		x			

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 farm uses groundwater from an existing borehole. Abstraction in line with the GA, see **Appendix I.**	m^3

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	NO x
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:

There is an existing borehole on the property that supplies water to the accommodation units and other operational areas of the farm. To ensure responsible water use and long-term sustainability, the following measures have been implemented and are planned:

- → All units are fitted with low-flow taps, showerheads, and dual-flush toilet systems to reduce daily water consumption without compromising user comfort.
- → Informational signage encourages guests to use water responsibly.
- → Landscaping around the units makes use of indigenous vegetation present, drought-resistant plant species that require minimal irrigation, reducing outdoor water demand.
- → Plumbing systems are routinely checked for leaks or inefficiencies to prevent unnecessary water loss.

4. POWER SUPPLY

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

Eskom

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

5. ENERGY EFFICIENCY

Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:
Mechanisms to improve energy efficiency are currently being investigated.

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

N/A

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.

SUMMARY OF THE ALTERNATIVES

This Section 24G application is submitted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") to rectify the unauthorised commencement of listed activities on Portion 1 of the Farm Wortel Gat No. 723, located near Stanford, within the jurisdiction of the Overstrand Local Municipality. The application pertains to the construction and operational use of five accommodation units and an associated access road, which were established without the necessary environmental authorisation. The Section 24 G is voluntary, and a Pre Compliance Notice and Pre Directive have not been issued as of July 2025.

According to the Applicability Checklist compiled in 2019, the proposal at the time involved the utilisation of four of the five units for private use, with only one unit intended for tourism purposes, accommodating less than 15 overnight guests. Based on this description, the proposed land use did not trigger listed activities under the EIA Regulations, and the Department of Environmental Affairs and Development Planning (DEADP) confirmed that Environmental Authorisation was not required. However, upon completion, all five units have since been utilised for commercial tourism purposes. As the property is located within 5 km of formally protected areas (Nature Reserves), the expanded tourism uses trigger listed activities in terms of the EIA Regulations, 2014 (as amended), including Activity 17 of Listing Notice 3. The use of the units for tourism purposes therefore constitutes a listed activity commenced without prior environmental authorisation, necessitating a formal post-compliance environmental assessment process in accordance with Section 24G of NEMA. In line with the requirements of the 24G process, two development alternatives have been considered to evaluate the most appropriate and sustainable long-term land use for the site:

Alternative 1

Cessation of formal tourism activities, with 4 units converted to private use and only 1 retained for tourism

This alternative proposes the downgrading of formal tourism operations on the property by retaining only one of the five existing units for tourism accommodation, with the remaining four units converted for private residential use. While this approach may be considered as a way to reduce the operational intensity and environmental footprint associated with tourism and tourism sprawl, (such as increased traffic volumes, service requirements, and general visitor impact), it would also undermine the economic value already generated by the site's tourism function. This includes the loss of employment opportunities, seasonal revenue generation, and indirect support to the local economy, particularly the hospitality sector in Stanford and the Overberg region. Furthermore, this alternative is not fully aligned with the Overstrand Spatial Development Framework (2020), which encourages low-impact, sustainable tourism in rural areas as a means of promoting economic resilience, land stewardship, and job creation in the Overberg region.

Alternative 2 (Preferred Alternative)

Formalisation of all five existing units for tourism accommodation use

The preferred alternative involves the formalisation of the existing use of all five accommodation units for tourism purposes, in line with the historical operation of the site under the Coot Club tourism enterprise. This alternative supports the legal continuation of tourism activities, while enabling the implementation of environmental compliance and operational controls in line with the applicable legislation.

Alternative 2 contributes to the socio-economic development goals of the Overstrand municipality by retaining permanent and seasonal employment opportunities, promoting rural enterprise development, and supporting the tourism value chain within the broader Overstrand area. Moreover, this option makes optimal use of existing infrastructure, avoids further transformation of the landscape, and ensures that environmental risks such as wastewater management are mitigated through approved systems, such as the Kaackai S-Series decentralised treatment systems, which have been authorised by the Overstrand Municipality. The preferred alternative aligns strongly with the Overstrand Municipal SDF (2020) and the Western Cape's growth and development priorities, which encourage sustainable tourism in environmentally sensitive but economically marginal areas.

(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.**

	Alternative 1	Alternative 2 - Preferred
Impacts on geographical and physical aspects:	**Ceasing of the tourism activity to 4 units used for private use and 1 unit used for tourism**	**All 5 units used for tourism**
Nature of impact:	Negative – Disturbance of indigenous vegetation due to site clearance for access roads and limited excavation for stilted boathouse foundations. The development lies beyond the 100 m setback from the high-water mark; therefore, no direct impact on aquatic resources is anticipated.	Negative – Site clearance and limited excavation occurred during construction. All five units are used for tourism, increasing operational intensity but not altering the physical development footprint. The development lies beyond the 100 m setback from the high-water mark; therefore, no direct impact on aquatic resources is anticipated.
Extent and duration of impact:	Local; short-term	Local; short-term
Probability of occurrence:	High (construction has already occurred).	High (construction already occurred)
Degree to which the impact can be reversed:	Reversible	Reversible
Degree to which the impact may cause irreplaceable loss of resources:	Low limited indigenous vegetation clearance: site falls outside wetland area.	
Cumulative impact prior to mitigation:	Minor – limited vegetation clearance within a broader mosaic of natural vegetation and nearby tourism development Minor – due to clearance within broader ecological matrix and outside delineated wetland/estuarine buffers	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium	Medium
Degree to which the impact can be mitigated:	High	High
Proposed mitigation:	**Wetland delineation mitigations:** → No hardened development including boardwalks, jetties, slipways should be created within the delineated wetland (or any other wetland) without further specific consideration for authorisation → New developments should not include lawns or landscaping that utilise fertilisers; → Discharges from the proposed pool should be dissipated into a soakaway located on the dunes and fully located outside of the no-development area. A saltwater pool should not be used, as this will add to soil salinity in discharge areas;	

- → Hardened areas of the development (roof areas, paving, parking areas) should be minimised, and where possible porous material should be used for paving and parking to improve infiltration and decrease runoff; roofs should discharge onto the ground as close to the building as possible without risk of structural damage, to minimise concentrated runoff during storms;
- → No pathways down steep areas of the dune should be permitted, where these would create erosion into the wetland below or degrade the buffer areas;
- → Conservancy tanks rather than septic tanks should be used – note that Anchor (2015) recommends that sewage infrastructure should be used instead of conservancy tanks along the estuary shoreline – in the present case it is arguable that the wetland disturbance likely, and the risk of leakage along sewage pipelines from Stanford to the site would far exceed any risk attached to the use of conservancy tanks on-site and their periodic emptying by truck. This said, the following measures must be applied:
    - Sewage pipelines connecting conservancy tanks associated with individual buildings to a main conservancy tank (as proposed) should all be located outside of the no-development line shown in Figure 6;
    - Conservancy tanks must be bunded, so that pollution can be contained in the event of overflows;
- → Landscaped or open space areas around new buildings should be planted with locally indigenous plants only and lawns, which should be minimised, should be planted with buffalo grass only, which is prevalent in the wetland already;
- → During the construction phases of the development, the no-development zone should be treated strictly as a no-go zone and the disturbance footprint of each unit should extend a maximum of 15 m towards the no-development edge;
- → Construction phase disturbance such as wind- or water borne conveyance of litter, sand, or other construction material towards the wetland area is minimised with dust and erosion control measures.

Landscape plan mitigations:

- → Given the location and sensitive nature of the vegetation on site it is important that all landscaping related to this development complements and enhances the natural biodiversity on site.
- → The landscape planting theme should complement the existing wilderness appeal and dune strandveld/milkwood forest characteristics of the site. Future landscaping should steer clear of any formalized avenues, mass planting etc and be focused on enhancing and supplementing the existing natural feel and diversity of the site.
- → Only plant species found on the site or in nearby Overberg dune strandveld or Southern coastal forest
- → should be used for future landscaping. A planting palette of appropriate local indigenous species has been drawn up as part of this landscaping plan (see 6. below).
- → Post construction rehabilitation areas should be planted using only plants from the approved planting list, and should be installed in an informal, natural manner and at a density of at least 4 plants per m^2. Use of any plants which are not on the approved list should be strictly prohibited.
- → The owners are encouraged to purchase plants from a local source to reduce genetic contamination.
- → The landscaping should include visual screening of buildings. Figure 3 below includes the planting of thicket species between the units to provide screening. It is proposed that *Sideroxylon inerme* (white milkwood) be the dominant species used in this screening as it is a characteristic flagship species of the site. Other thicket/tree species that can be interplanted with the milkwoods include *Ostespermum moniliferum* (bietou), *Cassine peragua* (bastard saffronwood), *Chionanthus foveolatus (*fine leaf ironwood), *Euclea racemosa* (sea guarrie), *Olea capensis ssp capensis* (iron wood), *Olea exasperata, Olea europea ssp africana* (wild olive), *Pterocelastrus tricuspidatus* (candle wood), *Searsia glauca* (Blue kuni), *Searsia lucida* (blink taaibos) and *Searsia laevigata*.
- → Only buffalo lawn (Stenotaphrum secundatum) or kweek (Cynodon dactylon) may be used for lawns.

	→ The used of herbicides and insecticides should be kept to a minimum and all compost/organic fertiliser should be organically certified (eg Biogrow, Reliance or Seagro products). → All construction footprints should be kept to a minimum and wherever possible the natural vegetation must be maintained. → Prior to construction commencing a construction zone must be clearly demarcated and fenced off with temporary fencing. All construction materials and activities must be contained within the construction area (eg. use of future parking and access roads for material storage and construction activities). → Prior to disturbance of natural vegetation, a search and rescue operation should be undertaken within the demarcated construction zones (including new access roads and parking). All translocatable species (geophytes, graminoids and succulents) should be removed and planted in suitable nearby habitat on the property. Ideally search and rescue should take place during spring when seasonally visible geophytes can be located. → Any topsoil removed during site construction should be stockpiled and available for post construction rehabilitation. → All planted areas should be mulched to reduce water loss and weed growth. An automatic irrigation system should be installed with rain sensors to ensure optimal watering while minimising water usage. Once established the irrigation can be reduced or potentially switched off in the rehabilitation areas. Where → Possible water from rain tanks should be used for irrigation. → Newly planted areas will require active maintenance and care including initial weeding (this should reduce with time as the natural vegetation establishes), watering and pruning/cutting back.	
Cumulative impact post mitigation:	Low	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Low (-)

	Alternative 1	Alternative 2 - Preferred
Impact on biological aspects:	**Ceasing of the tourism activity to 4 units used for private use and 1 unit used for tourism**	**All 5 units used for tourism**
Nature of impact:	Negative – Construction involved limited clearance of natural vegetation and topsoil, disruption of faunal habitat, and potential compaction and erosion of sensitive dune and fynbos areas adjacent to wetlands.	
Extent and duration of impact:	Localised to footprint of roads and buildings; short- to medium-term	
Probability of occurrence:	High - All vegetation disturbance and earthworks already occurred.	
Degree to which the impact can be reversed:	Partially reversible	Partially reversible
Degree to which the impact may cause irreplaceable loss of resources:	Low	Low
Cumulative impact prior to mitigation:	Adds to loss of natural habitat within a mapped CBA and adjacent to a sensitive wetland system.	

Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium	Medium
Degree to which the impact can be mitigated:	High	High
Proposed mitigation:	**Wetland delineation mitigations:** → No hardened development including boardwalks, jetties, slipways should be created within the delineated wetland (or any other wetland) without further specific consideration for authorisation → New developments should not include lawns or landscaping that utilise fertilisers; → Discharges from the proposed pool should be dissipated into a soakaway located on the dunes and fully located outside of the no-development area. A saltwater pool should not be used, as this will add to soil salinity in discharge areas; → Hardened areas of the development (roof areas, paving, parking areas) should be minimised, and where possible porous material should be used for paving and parking to improve infiltration and decrease runoff; roofs should discharge onto the ground as close to the building as possible without risk of structural damage, to minimise concentrated runoff during storms; → No pathways down steep areas of the dune should be permitted, where these would create erosion into the wetland below or degrade the buffer areas; → Conservancy tanks rather than septic tanks should be used – note that Anchor (2015) recommends that sewage infrastructure should be used instead of conservancy tanks along the estuary shoreline – in the present case it is arguable that the wetland disturbance likely, and the risk of leakage along sewage pipelines from Stanford to the site would far exceed any risk attached to the use of conservancy tanks on-site and their periodic emptying by truck. This said, the following measures must be applied: o Sewage pipelines connecting conservancy tanks associated with individual buildings to a main conservancy tank (as proposed) should all be located outside of the no-development line shown in Figure 6; o Conservancy tanks must be bunded, so that pollution can be contained in the event of overflows; → Landscaped or open space areas around new buildings should be planted with locally indigenous plants only and lawns, which should be minimised, should be planted with buffalo grass only, which is prevalent in the wetland already; → During the construction phases of the development, the no-development zone should be treated strictly as a no-go zone and the disturbance footprint of each unit should extend a maximum of 15 m towards the no-development edge; → Construction phase disturbance such as wind- or water borne conveyance of litter, sand, or other construction material towards the wetland area is minimised with dust and erosion control measures. Landscape plan mitigations: → Given the location and sensitive nature of the vegetation on site it is important that all landscaping related to this development complements and enhances the natural biodiversity on site. → The landscape planting theme should complement the existing wilderness appeal and dune strandveld/milkwood forest characteristics of the site. Future landscaping should steer clear of any formalized avenues, mass planting etc and be focused on enhancing and supplementing the existing natural feel and diversity of the site.	

	→ Only plant species found on the site or in nearby Overberg dune strandveld or Southern coastal forest → should be used for future landscaping. A planting palette of appropriate local indigenous species has been drawn up as part of this landscaping plan (see 6. below). → Post construction rehabilitation areas should be planted using only plants from the approved planting list, and should be installed in an informal, natural manner and at a density of at least 4 plants per m^2. Use of any plants which are not on the approved list should be strictly prohibited. → The owners are encouraged to purchase plants from a local source to reduce genetic contamination. → The landscaping should include visual screening of buildings. Figure 3 below includes the planting of thicket species between the units to provide screening. It is proposed that *Sideroxylon inerme* (white milkwood) be the dominant species used in this screening as it is a characteristic flagship species of the site. Other thicket/tree species that can be interplanted with the milkwoods include *Ostespermum moniliferum* (bietou), *Cassine peragua* (bastard saffronwood), *Chionanthus foveolatus (*fine leaf ironwood), *Euclea racemosa* (sea guarrie), *Olea capensis ssp capensis* (iron wood), *Olea exasperata, Olea europea ssp africana* (wild olive), *Pterocelastrus tricuspidatus* (candle wood), *Searsia glauca* (Blue kuni), *Searsia lucida* (blink taaibos) and *Searsia laevigata*. → Only buffalo lawn (Stenotaphrum secundatum) or kweek (Cynodon dactylon) may be used for lawns. → The used of herbicides and insecticides should be kept to a minimum and all compost/organic fertiliser should be organically certified (eg Biogrow, Reliance or Seagro products). → All construction footprints should be kept to a minimum and wherever possible the natural vegetation must be maintained. → Prior to construction commencing a construction zone must be clearly demarcated and fenced off with temporary fencing. All construction materials and activities must be contained within the construction area (eg. use of future parking and access roads for material storage and construction activities). → Prior to disturbance of natural vegetation, a search and rescue operation should be undertaken within the demarcated construction zones (including new access roads and parking). All translocatable species (geophytes, graminoids and succulents) should be removed and planted in suitable nearby habitat on the property. Ideally search and rescue should take place during spring when seasonally visible geophytes can be located. → Any topsoil removed during site construction should be stockpiled and available for post construction rehabilitation. → All planted areas should be mulched to reduce water loss and weed growth. An automatic irrigation system should be installed with rain sensors to ensure optimal watering while minimising water usage. Once established the irrigation can be reduced or potentially switched off in the rehabilitation areas. Where → Possible water from rain tanks should be used for irrigation. → Newly planted areas will require active maintenance and care including initial weeding (this should reduce with time as the natural vegetation establishes), watering and pruning/cutting back.	
Cumulative impact post mitigation:	Low	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Low (-)

	Alternative 1	**Alternative 2 - Preferred**
Impacts on socio-economic aspects:		

	Ceasing of the tourism activity to 4 units used for private use and 1 unit used for tourism	**All 5 units used for tourism**
Nature of impact:	Positive – Temporary job creation during construction, benefiting local contractors and labourers	
Extent and duration of impact:	Localised; short-term (duration of construction phase)	Localised; short-term (duration of construction phase)
Probability of occurrence:	High (Construction has already occurred and jobs were created).	High (Construction has already occurred and jobs were created).
Degree to which the impact can be reversed:	N/A	N/A
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	Low to Medium (Positive) – Contributed moderately to local employment	Medium (Positive) – Slightly greater contribution to cumulative local economic activity due to full tourism preparation.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium	Medium
Degree to which the impact can be mitigated:	N/A	N/A
Proposed mitigation:	→ Source labour locally → Prioritise local procurement of construction materials	
Cumulative impact post mitigation:	High	High
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	High (+)	High (+)

Impacts on cultural-historical aspects:	No cultural or historical resources were identified on the site.
Nature of impact:	-
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)	-

	Alternative 1	Alternative 2 - Preferred
Noise impacts:	**Ceasing of the tourism activity to 4 units used for private use and 1 unit used for tourism**	**All 5 units used for tourism**
Nature of impact:	Negative – Temporary increase in noise levels due to construction machinery and activities. However, the impact was minimal and confined to the immediate site.	
Extent and duration of impact:	Localised; short-term (limited to the construction phase and within site boundaries).	
Probability of occurrence:	High – Construction activities inherently generate noise, but no significant disturbances were recorded.	
Degree to which the impact can be reversed:	Fully reversible – Ceased upon completion of construction.	
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	Low – The noise was isolated and did not contribute to cumulative noise levels in the broader area.	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low	Low
Degree to which the impact can be mitigated:	High	High
Proposed mitigation:	→ Maintain construction equipment to reduce mechanical noise → Use noise-dampening techniques where feasible → Inform neighbouring property owners of construction schedules in advance → Appoint an environmental control officer (ECO) to monitor any complaints or disturbances	
Cumulative impact post mitigation:	Very – low	Very – Low
Significance rating of impact after mitigation	Very – Low (-)	Very – Low (-)

(Low, Medium, Medium-High, High, or Very-High)		

	Alternative 1	Alternative 2 - Preferred
Visual impacts / Sense of Place:	**Ceasing of the tourism activity to 4 units used for private use and 1 unit used for tourism**	**All 5 units used for tourism**
Nature of impact:	Potential visual impacts include Wind-blown sand and noise created during site preparation and construction. Potential disturbance caused by earth-moving machinery and heavy trucks using local roads. Potential loss of sense of place to Residents and users of the Wortelgat Road.	
Extent and duration of impact:	Site-specific; short-term – Only during construction. No permanent impact on the broader landscape.	
Probability of occurrence:	High – Temporary changes to visual character during construction occurred, as expected.	
Degree to which the impact can be reversed:	Fully reversible – Visual disturbances ceased post-construction; structures blend into the existing tourism setting.	
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	Low – Minimal contribution to cumulative visual change given tourism context and consistent architectural design.	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low	Low
Degree to which the impact can be mitigated:	High – Through sensitive design, screening, and construction management.	
Proposed mitigation:	→ The visual setback line from the lagoon to be the same as the estuary setback line, i.e. a minimum of 100m from the HWM. → Existing indigenous vegetation to be retained as far as possible in the vicinity of the proposed development to provide visual screening and a visual backdrop to the development. It is acknowledged that clearings for firebreaks may be necessary. → Only areas required for the actual buildings to be cleared. The remainder of the construction site be cordoned off and the natural vegetation protected. The proliferation of construction tracks to be avoided. → Additional milkwood trees to be planted between and partly in front of the units to provide visual screening for the proposed development. The milkwood's to be planted in close formation for mutual protection. → Formal landscaping to be minimal, and alien plant species avoided. Preferably local buffalo grass or kweek and local strandveld plants to be used. Specifically kikuyu grass or palm trees to be avoided.	

	→ A landscape development plan, including lists of permitted plant species, prepared by a qualified landscape architect or horticulturist to be submitted together with the Site Development Plan to the local authority. → Small articulated building forms, with a domestic scale, to be used as already indicated in the current proposals. → The maximum height of the proposed clubhouse to be 6,0m from average natural ground level to the top of the roof, and 4,8m for the accommodation units, as currently indicated in the proposals, irrespective of less stringent local authority building heights. → Fenestration of the proposed buildings to be shaded by roof overhangs or other shading devices, as currently indicated for the accommodation units, the shadows helping to make the buildings visually recede into the landscape. → No reflective glass or other reflective finishes, which could be visually intrusive, to be used on elevations facing the lagoon. Colour finishes to be dark grey or similar, as currently indicated in the proposals. → Internal roads to be as narrow as possible, and parking areas limited in size, as currently indicated, to minimise the visual intrusion of vehicles in the landscape. → Outdoor lighting to be restricted, and preferably bulkhead or bollard-type lights with a maximum height of 1.2m, used. All outdoor lighting to have reflectors to conceal the source of lighting to avoid light spillage and maintain dark skies at night. → All utility lines to be located underground. No satellite dishes or aerials to protrude above the roof line of buildings. → No flags, banners or large signs to be erected at the entrance to the property from the Wortelgat Road, in order to minimise the proliferation of signs in a natural area.			
Cumulative impact post mitigation:	Very – Low		Very – Low	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Medium (-)	Low (-)	Medium (-)

(b) **Impacts that result from the <u>operational phase</u> (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.**

	Alternative 1	**Alternative 2 - Preferred**
Impacts on the geographical and physical aspects:	**Ceasing of the tourism activity to 4 units used for private use and 1 unit used for tourism**	**All 5 units used for tourism**
Nature of impact:	Negative – Limited operational disturbance (e.g. foot traffic, vehicle movement, water use), mostly from private residential use. Lower frequency of service-related impacts	Negative – Higher intensity of use, including increased foot and vehicle traffic, greater water demand, and higher maintenance frequency associated with full tourism operation.

Extent and duration of impact:	Localised; long-term – confined to site and infrastructure over lifespan of the units.	Localised; long-term – same area, but greater intensity due to tourism turnover and servicing.
Probability of occurrence:	High – Ongoing operation of units will result in minor but sustained geographical and physical site use.	High – As tourism activity is continuous, ongoing physical site use and servicing will occur.
Degree to which the impact can be reversed:	Partially reversible – infrastructure is permanent, but some landscape changes could be restored with rehabilitation.	
Degree to which the impact may cause irreplaceable loss of resources:	Low – Site development already occurred, and operational use does not encroach beyond cleared footprint	
Cumulative impact prior to mitigation:	Low – Low frequency of use results in minor contributions to cumulative land use intensity.	Medium – Full tourism use adds incrementally to, access road use, and long-term landscape exposure.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low	Low
Degree to which the impact can be mitigated:	High	High
Proposed mitigation:	**Wetland delineation mitigations:** → No hardened development including boardwalks, jetties, slipways should be created within the delineated wetland (or any other wetland) without further specific consideration for authorisation → New developments should not include lawns or landscaping that utilise fertilisers; → Discharges from the proposed pool should be dissipated into a soakaway located on the dunes and fully located outside of the no-development area. A saltwater pool should not be used, as this will add to soil salinity in discharge areas; → Hardened areas of the development (roof areas, paving, parking areas) should be minimised, and where possible porous material should be used for paving and parking to improve infiltration and decrease runoff; roofs should discharge onto the ground as close to the building as possible without risk of structural damage, to minimise concentrated runoff during storms; → No pathways down steep areas of the dune should be permitted, where these would create erosion into the wetland below or degrade the buffer areas; → Conservancy tanks rather than septic tanks should be used – note that Anchor (2015) recommends that sewage infrastructure should be used instead of conservancy tanks along the estuary shoreline – in the present case it is arguable that the wetland disturbance likely, and the risk of leakage along sewage pipelines from Stanford to the site would far exceed any risk attached to the use of conservancy tanks on-site and their periodic emptying by truck. This said, the following measures must be applied: o Sewage pipelines connecting conservancy tanks associated with individual buildings to a main conservancy tank (as proposed) should all be located outside of the no-development line shown in Figure 6; o Conservancy tanks must be bunded, so that pollution can be contained in the event of overflows;	

- → Landscaped or open space areas around new buildings should be planted with locally indigenous plants only and lawns, which should be minimised, should be planted with buffalo grass only, which is prevalent in the wetland already;
- → During the construction phases of the development, the no-development zone should be treated strictly as a no-go zone and the disturbance footprint of each unit should extend a maximum of 15 m towards the no-development edge;
- → Construction phase disturbance such as wind- or water borne conveyance of litter, sand, or other construction material towards the wetland area is minimised with dust and erosion control measures.

Landscape plan mitigations:

- → Given the location and sensitive nature of the vegetation on site it is important that all landscaping related to this development complements and enhances the natural biodiversity on site.
- → The landscape planting theme should complement the existing wilderness appeal and dune strandveld/milkwood forest characteristics of the site. Future landscaping should steer clear of any formalized avenues, mass planting etc and be focused on enhancing and supplementing the existing natural feel and diversity of the site.
- → Only plant species found on the site or in nearby Overberg dune strandveld or Southern coastal forest
- → should be used for future landscaping. A planting palette of appropriate local indigenous species has been drawn up as part of this landscaping plan (see 6. below).
- → Post construction rehabilitation areas should be planted using only plants from the approved planting list, and should be installed in an informal, natural manner and at a density of at least 4 plants per m^2. Use of any plants which are not on the approved list should be strictly prohibited.
- → The owners are encouraged to purchase plants from a local source to reduce genetic contamination.
- → The landscaping should include visual screening of buildings. Figure 3 below includes the planting of thicket species between the units to provide screening. It is proposed that *Sideroxylon inerme* (white milkwood) be the dominant species used in this screening as it is a characteristic flagship species of the site. Other thicket/tree species that can be interplanted with the milkwoods include *Ostespermum moniliferum* (bietou), *Cassine peragua* (bastard saffronwood), *Chionanthus foveolatus (*fine leaf ironwood), *Euclea racemosa* (sea guarrie), *Olea capensis ssp capensis* (iron wood), *Olea exasperata, Olea europea ssp africana* (wild olive), *Pterocelastrus tricuspidatus* (candle wood), *Searsia glauca* (Blue kuni), *Searsia lucida* (blink taaibos) and *Searsia laevigata*.
- → Only buffalo lawn (Stenotaphrum secundatum) or kweek (Cynodon dactylon) may be used for lawns.
- → The used of herbicides and insecticides should be kept to a minimum and all compost/organic fertiliser should be organically certified (eg Biogrow, Reliance or Seagro products).
- → All construction footprints should be kept to a minimum and wherever possible the natural vegetation must be maintained.
- → Prior to construction commencing a construction zone must be clearly demarcated and fenced off with temporary fencing. All construction materials and activities must be contained within the construction area (eg. use of future parking and access roads for material storage and construction activities).
- → Prior to disturbance of natural vegetation, a search and rescue operation should be undertaken within the demarcated construction zones (including new access roads and parking). All translocatable species (geophytes, graminoids and succulents) should be removed and planted in suitable nearby habitat on the property. Ideally search and rescue should take place during spring when seasonally visible geophytes can be located.
- → Any topsoil removed during site construction should be stockpiled and available for post construction rehabilitation.

	→ All planted areas should be mulched to reduce water loss and weed growth. An automatic irrigation system should be installed with rain sensors to ensure optimal watering while minimising water usage. Once established the irrigation can be reduced or potentially switched off in the rehabilitation areas. Where → Possible water from rain tanks should be used for irrigation. → Newly planted areas will require active maintenance and care including initial weeding (this should reduce with time as the natural vegetation establishes), watering and pruning/cutting back.	
Cumulative impact post mitigation:	Low	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Low (-)

	Alternative 1	Alternative 2 - Preferred
Impact on biological aspects:	**Ceasing of the tourism activity to 4 units used for private use and 1 unit used for tourism**	**All 5 units used for tourism**
Nature of impact:	Negative – Low-intensity operational activities may lead to disturbance of small fauna, informal garden expansion, and possible trampling of surrounding vegetation. Human presence still poses a risk to ecosystem integrity.	Negative – Higher frequency of human presence and service activity (e.g. tourism turnover, landscaping, movement) increases pressure on fauna and nearby vegetation. Greater risk of trampling, litter, and informal pathways forming.
Extent and duration of impact:	Local; long – term	Local; Long – term
Probability of occurrence:	Medium to High – depending on resident activity and landscaping practices.	High – due to higher number of guests and servicing staff, increasing the risk of faunal disturbance and vegetation trampling.
Degree to which the impact can be reversed:	Partially reversible – through rehabilitation and behavioural controls (e.g. restrictions on movement).	
Degree to which the impact may cause irreplaceable loss of resources:	Low – No critical habitats will be directly lost if open space buffers are respected and alien vegetation is managed.	Low to Moderate – If not well-managed, informal expansion of tourism use could encroach into sensitive ecological buffers, affecting faunal movement and vegetation quality.
Cumulative impact prior to mitigation:	Low	Low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low – Medium	Low – Medium
Degree to which the impact can be mitigated:	High	High

Proposed mitigation:	→ Enforce stricter access controls and designated paths for tourists → Monitor trampling or disturbance within adjacent wetland buffers → Increase awareness for guests regarding sensitive species → Ensure regular alien plant clearing and site monitoring → Implement educational signage or guidelines for tourists.	
Cumulative impact post mitigation:	Very Low	Very - Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Very Low (-)	Very - Low (-)

	Alternative 1	**Alternative 2 - Preferred**
Impacts on the socio-economic aspects:	**Ceasing of the tourism activity to 4 units used for private use and 1 unit used for tourism**	**All 5 units used for tourism**
Nature of impact:	Positive – Limited tourism-related benefit due to only one unit being used for tourism. Modest economic activity and fewer permanent employment opportunities.	Positive – higher tourism-related benefits due to consistent use of all 5 units for tourism purposes, supporting local employment and services.
Extent and duration of impact:	Localised; long-term	Local to regional; long-term
Probability of occurrence:	Definite	Definite
Degree to which the impact can be reversed:	Reversible – If tourism operations are ceased or there is a decline, benefits will reduce.	
Degree to which the impact may cause irreplaceable loss of resources:	None	None
Cumulative impact prior to mitigation:	Low to Medium (Positive) – limited contributions to the local tourism economy.	Medium to High (Positive) – Strengthens cumulative local economic growth, especially in tourism and hospitality.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium (Positive)	Medium-High (Positive)
Degree to which the impact can be mitigated:	High	High
Proposed mitigation:	→ Procure cleaning, landscaping, and maintenance services locally → Encourage guests to support local tourism offerings	
Cumulative impact post mitigation:	Medium socio-economic benefits limited by restricted tourism use of one unit.	higher level of long-term economic and employment impact
Significance rating of impact after mitigation	Medium (+)	High (+)

(Low, Medium, Medium-High, High, or Very-High)		

Impacts on the cultural-historical aspects:	**N/A**
Nature of impact:	-
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)	-

Noise impacts:	**N/A**
Nature of impact:	-
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)	-

	Alternative 1	**Alternative 2 - Preferred**
Visual impacts / Sense of Place:	**Ceasing of the tourism activity to 4 units used for private use and 1 unit used for tourism**	**All 5 units used for tourism**
Nature of impact:	Visual impacts from initial built form on lagoon-front landscape and sense of place.	
Extent and duration of impact:	Localised (within 2–3 km viewshed); construction phase short-term but built form has long-term visibility.	
Probability of occurrence:	Definite	Definite
Degree to which the impact can be reversed:	Reversible by means of screen planting.	Reversible by means of screen planting.
Degree to which the impact may cause irreplaceable loss of resources:	Natural scenic resource partly altered. Could be replaced at the end of the life of the development.	
Cumulative impact prior to mitigation:	→ Spread of development generally along the southern shore of the lagoon, contributing to the change in natural / rural character of the area, and the lagoon's particular 'sense of place'. → A potential visual concern is that this type of development leads to fragmentation of the landscape and visual intrusion on a largely natural environment. On the other hand the nature of the development is relatively low-key and the property would become a private nature reserve, helping to conserve natural and cultural resources.	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium	Medium
Degree to which the impact can be mitigated:	High	High
Proposed mitigation:	→ The visual setback line from the lagoon to be the same as the estuary setback line, i.e. a minimum of 100m from the HWM. → Existing indigenous vegetation to be retained as far as possible in the vicinity of the proposed development to provide visual screening and a visual backdrop to the development. It is acknowledged that clearings for firebreaks may be necessary. → Only areas required for the actual buildings to be cleared. The remainder of the construction site be cordoned off and the natural vegetation protected. The proliferation of construction tracks to be avoided. → Additional milkwood trees to be planted between and partly in front of the units to provide visual screening for the proposed development. The milkwood's to be planted in close formation for mutual protection. → Formal landscaping to be minimal, and alien plant species avoided. Preferably local buffalo grass or kweek and local strandveld plants to be used. Specifically kikuyu grass or palm trees to be avoided.	

	→ A landscape development plan, including lists of permitted plant species, prepared by a qualified landscape architect or horticulturist to be submitted together with the Site Development Plan to the local authority. → Small articulated building forms, with a domestic scale, to be used as already indicated in the current proposals. → The maximum height of the proposed clubhouse to be 6,0m from average natural ground level to the top of the roof, and 4,8m for the accommodation units, as currently indicated in the proposals, irrespective of less stringent local authority building heights. → Fenestration of the proposed buildings to be shaded by roof overhangs or other shading devices, as currently indicated for the accommodation units, the shadows helping to make the buildings visually recede into the landscape. → No reflective glass or other reflective finishes, which could be visually intrusive, to be used on elevations facing the lagoon. Colour finishes to be dark grey or similar, as currently indicated in the proposals. → Internal roads to be as narrow as possible, and parking areas limited in size, as currently indicated, to minimise the visual intrusion of vehicles in the landscape. → Outdoor lighting to be restricted, and preferably bulkhead or bollard-type lights with a maximum height of 1.2m, used. All outdoor lighting to have reflectors to conceal the source of lighting to avoid light spillage and maintain dark skies at night. → All utility lines to be located underground. No satellite dishes or aerials to protrude above the roof line of buildings. → No flags, banners or large signs to be erected at the entrance to the property from the Wortelgat Road, in order to minimise the proliferation of signs in a natural area.			
Cumulative impact post mitigation:	Low -Medium		Low-Medium	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Medium (-)	Low (-)	Medium (-)

(c) Impacts that may result from the <u>decommissioning and closure phase</u> (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.

Decommissioning not applicable to the case.

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 (**https://www.westerncape.gov.za/dept/eadp/services**). A summary of all the specialist inputs/studies must be provided with the additional information.

Specialist inputs/studies and recommendations:

Aquatic Assessment and Wetland Delineation Report

The five (5) units are situated between the top of the dune and the estuary as assessed by the freshwater specialist through wetland delineation study onsite, refer to **Figure 7** below. During the time of assessment, the area inland of the assessed wetland was much invaded by alien vegetation with alien removal being undertaken.

A Wetland delineation study conducted by the Freshwater specialist characterised the area south of the Klein River Estuary's high-water mark as a complex mosaic of wetland habitat types. The zone includes a broad band of brackish to slightly saline estuarine marsh, primarily dominated by Phragmites australis reedbeds, which transitions into extensive seasonally inundated saltmarsh and wetland flats. These flats are characterised by species such as *Juncus kraussii* (in wetter zones), *Ficinia nodosa* (on higher ground), and salt-tolerant species like *Sarcocornia sp., Cottula sp.,* and *Centella sp, refer to* **Figure 8** *below.* This vegetation zonation, as assessed by the freshwater specialist reflects variations in hydroperiod and salinity, contributing to a broad and ecologically important wetland buffer along the estuarine edge. This area also includes interspersed terrestrial 'islands', featuring species such as milkwood trees, which enhance overall habitat heterogeneity and ecological value.

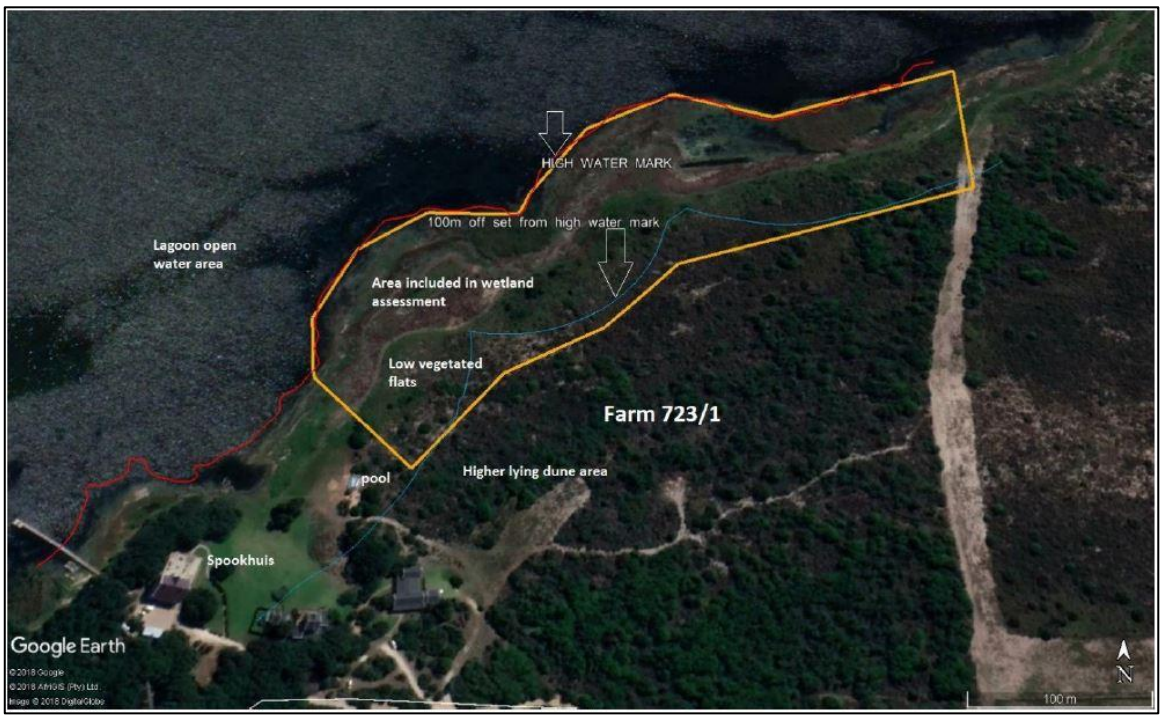


Figure 7: Image showing the applicable area of Farm 723/1 in which wetlands were delineated in this assessment (orange polygon) as well as the high water mark and 100m setback from the highwater mark as surveyed by Geomatics Africa. *Source:* (Day, 2018).

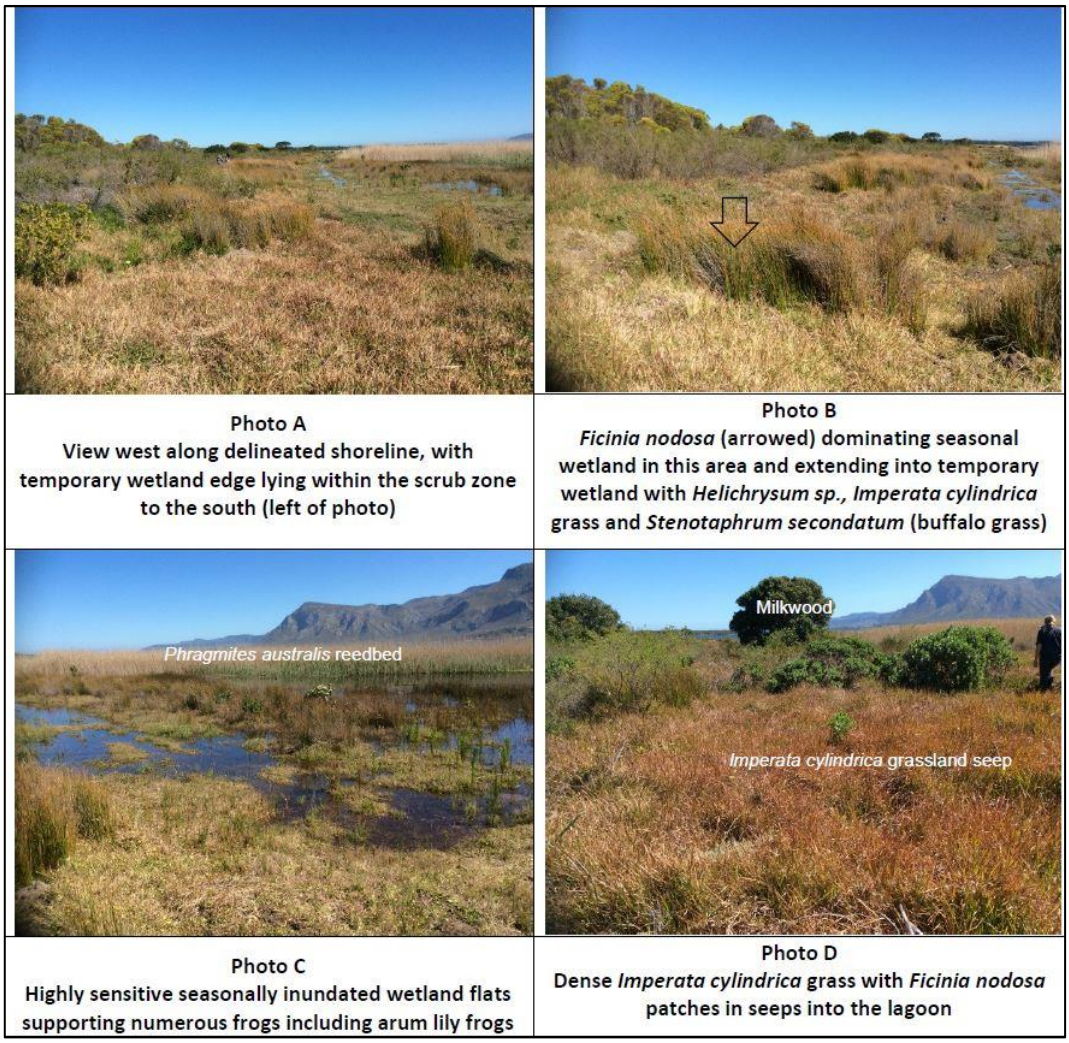


Photo A
View west along delineated shoreline, with temporary wetland edge lying within the scrub zone to the south (left of photo)

Photo B
Ficinia nodosa (arrowed) dominating seasonal wetland in this area and extending into temporary wetland with *Helichrysum sp., Imperata cylindrica* grass and *Stenotaphrum secondatum* (buffalo grass)

Photo C
Highly sensitive seasonally inundated wetland flats supporting numerous frogs including arum lily frogs

Photo D
Dense *Imperata cylindrica* grass with *Ficinia nodosa* patches in seeps into the lagoon

Figure 8: Image showing vegetation variation within the delineated wetland area. *Source*: (Day, 2018).

According to the Freshwater specialist, the wetlands located upslope of the high-water mark along the Klein River Estuary shoreline are influenced by a combination of marine and freshwater hydrological processes. These wetland systems are periodically inundated during spring high tides, particularly when the estuary mouth is closed, causing the lagoon to fill and spill into adjacent wetland areas. In addition to tidal influence, the wetlands are also subject to inundation during peak rainfall events in the wet season, when increased water levels in the lagoon expand into the adjacent floodplain flats. During 2018 site visit, the open water pools along the estuarine edge were observed to be predominantly freshwater, suggesting that freshwater inflows were the primary driver of wetland hydrology at the time of assessment. This dual influence highlights the ecological complexity and sensitivity of the wetland system, underscoring the importance of maintaining adequate development setbacks and implementing measures to avoid hydrological interference from development activities.

The Klein River Flood Level Investigation compiled in 2017 assessed expected estuarine responses under different rainfall scenarios. It indicated that during a 1:100-year return interval (RI) storm event, the maximum estuarine water level, assuming an intact berm at the river mouth, would reach approximately 3.44 m above mean sea level (MSL). However, such levels are unlikely to be sustained in practice, as the natural berm is expected to breach once water levels exceed 3.1 m above MSL, after which estuarine levels would drop significantly. This dynamic plays a key role in the frequency and extent of inundation affecting adjacent wetlands. Therefore, the units are placed at more than 3.44m of the as shown in **Figure 9** below.

The freshwater specialist identified key hydrological and ecological features influencing the wetland systems along the Klein River Estuary shoreline within the highwater mark of the estuary, below the development area of the five units. Of particular note was the presence of lateral seepage zones resulting from upslope subsurface flows. These flows are facilitated by a shallow calcrete layer underlying large areas of the site, which gives rise to a perched seasonal water table that feeds into the estuarine salt marshes. Two distinct areas of lateral seepage were recorded during the assessment, where water percolating through the dune sands created downslope seep zones, contributing to the southward expansion of wetland areas beyond the primary floodplain zone.

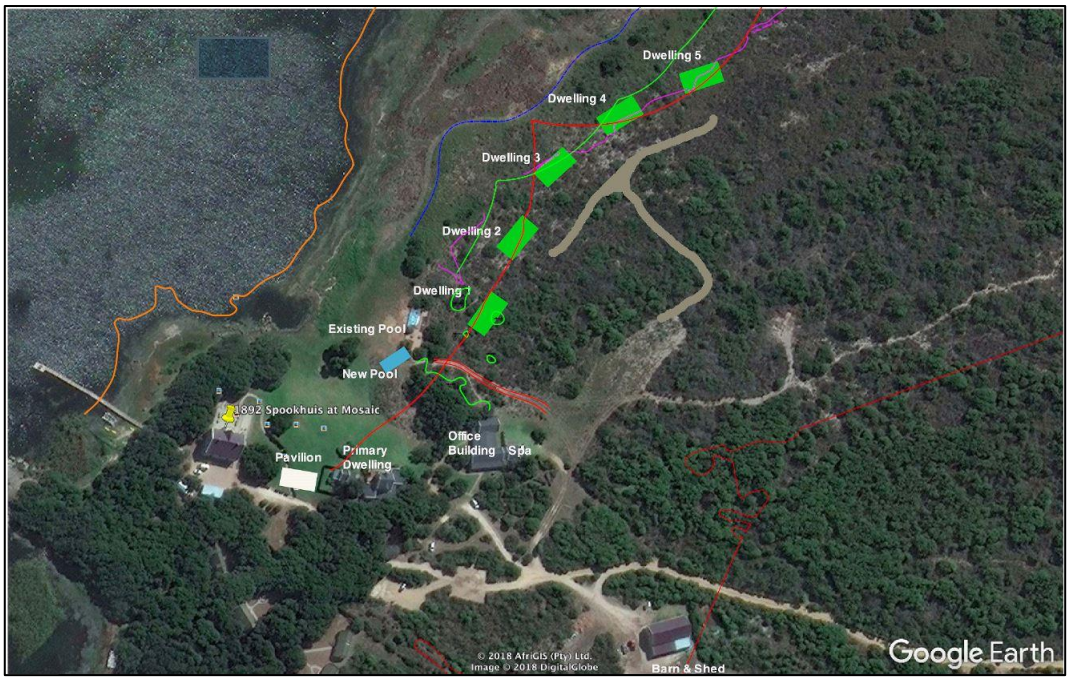


Figure 9: Image showing the location of the five proposed accommodation units situated above the 3.44 m above mean sea level (MSL) contour line, which corresponds to the maximum predicted water level of the estuary during a 1:100 year return interval (RI) storm event.

The specialist noted that the sands in the dune system act as a natural sponge, slowly releasing retained rainfall into the wetland flats and ultimately into the lagoon. This seep-driven dynamic further emphasises the sensitivity of the area's hydrological balance, particularly in relation to subsoil disturbance and stormwater discharge patterns. In terms of ecological condition, the following existing impacts on the wetland system were recorded:

- → Disturbance from pedestrian activity, particularly where footpaths traverse seasonally inundated wetland zones along the lagoon edge;
- → Limited invasion by alien vegetation, although ongoing alien clearing efforts were acknowledged;
- → Alterations to water quality and flow regimes within the estuary/lagoon system.

According to the specialist the delineation of the wetland edge on Portion 1 of Farm 723 was guided by both soil characteristics and vegetation indicators, in line with the DWAF (2005) wetland delineation guidelines. In the seasonal and permanent wetland zones, the soils exhibited clear hydromorphic indicators, such as mottling beneath a thin organic surface layer, extending down to a calcrete layer approximately 20–40 cm deep.

However, further upslope, within the temporary wetland zone, the calcrete layer occurred much closer to the surface (within 5–10 cm), making it difficult to identify hydromorphic features in the shallow soil profile. In these areas, the specialist relied more heavily on vegetation indicators, using the presence of obligate and facultative wetland species to determine the outer edge of the wetland. Importantly, the delineation took place at the end of a wet winter, allowing for additional confirmation through the presence of saturated soils within the upper 0.5m/ 50 cm, a valid indicator of temporary wetland conditions.

The primary vegetation indicator used to define the upland extent of the temporary wetland relied heavily on the presence and zonation of obligate and facultative wetland plant species, which are considered reliable indicators in relatively undisturbed systems. The primary species used to define the wetland edge included:

- → *Ficinia nodosa* (obligate wetland species): Occurred extensively and formed the main basis for delineating the upper extent of the wetland.
- → *Imperata cylindrica* (facultative species): Although not listed as a wetland indicator species nationally, it was considered regionally indicative of temporary to seasonal wetland conditions, particularly in the dune systems of the southwestern Cape.
- → *Helichrysum sp.:* Present in transitional zones but not relied upon as a primary indicator.

Delineation Approach in This Study

In light of the above considerations, and given that soil augering proved ineffective in certain parts of the temporary wetlands due to shallow soils, the following delineation approach was adopted:

- → The wetland boundary was primarily delineated based on the upland extent of *Ficinia nodosa* and dense stands of *Imperata cylindrica*. Patchy occurrences of *I. cylindrica* were excluded from consideration.
- → In areas where the above indicator species were absent along short sections of the wetland edge, the boundary was extrapolated using topographical cues and soil augering where feasible.
- → The delineated area largely consists of floodplain flat wetlands associated with the lagoon. However, in at least two locations (referred to as Seep 1 and Seep 2), the wetlands extend further upslope compared to the rest of the shoreline:
    - Seep 1: This feature narrows into a band of I. cylindrica extending upslope along a dune, indicating a groundwater seep emerging from the dune. Water is evidently close enough to the surface at the slope's low point to support periodic near-surface saturation and thus temporary wetland conditions.
    - Seep 2: This seep occurs in a broader, lower-lying zone upslope of a patch of milkwood trees (*Sideroxylon inerme*), which itself lies at a higher elevation than the adjacent wetland flats. It is assumed to be sustained by subsurface water movement from dunes to the south.

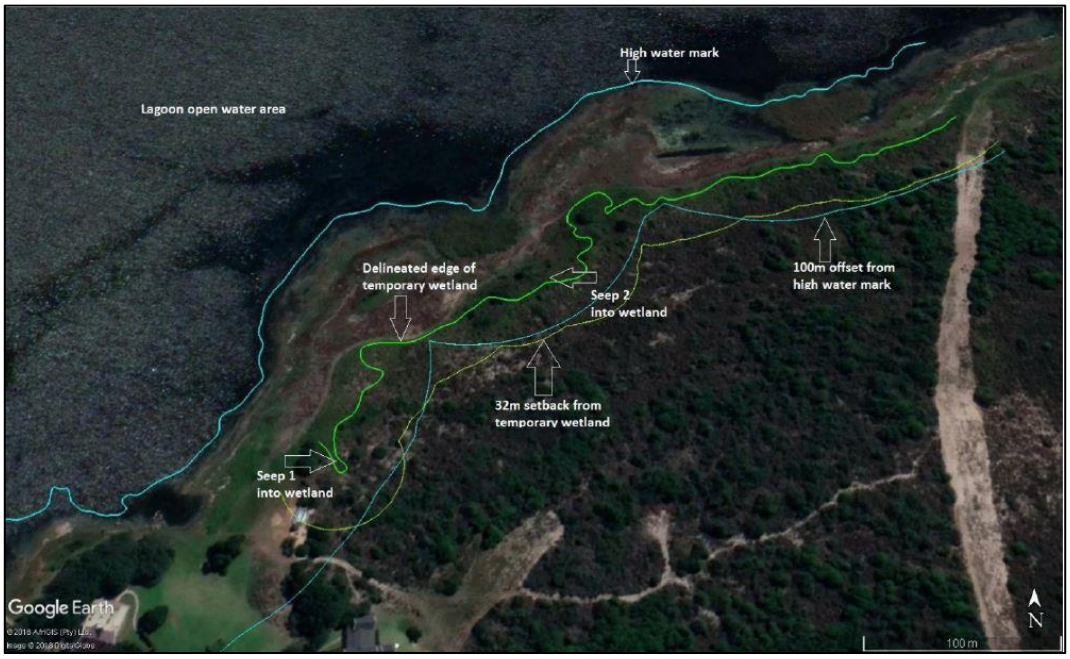


Figure 10: Results of 2018 wetland delineation, as plotted onto GOOGLE Earth imagery. *Source*: (Day, 2018).

Based on the layout of the five units which are currently developed, during the time of the wetland delineation study undertaken in 2018, the Freshwater specialist stated that certain activities such as the septic tanks, overflows from conservancy tanks, runoff from irrigated lawns, channelled runoff from hardened surfaces etc, may may trigger Section 21(c) and 21(i) "water uses" as defined in the National Water Act (NWA), even if the development is located outside the designated 32 m setback shown.

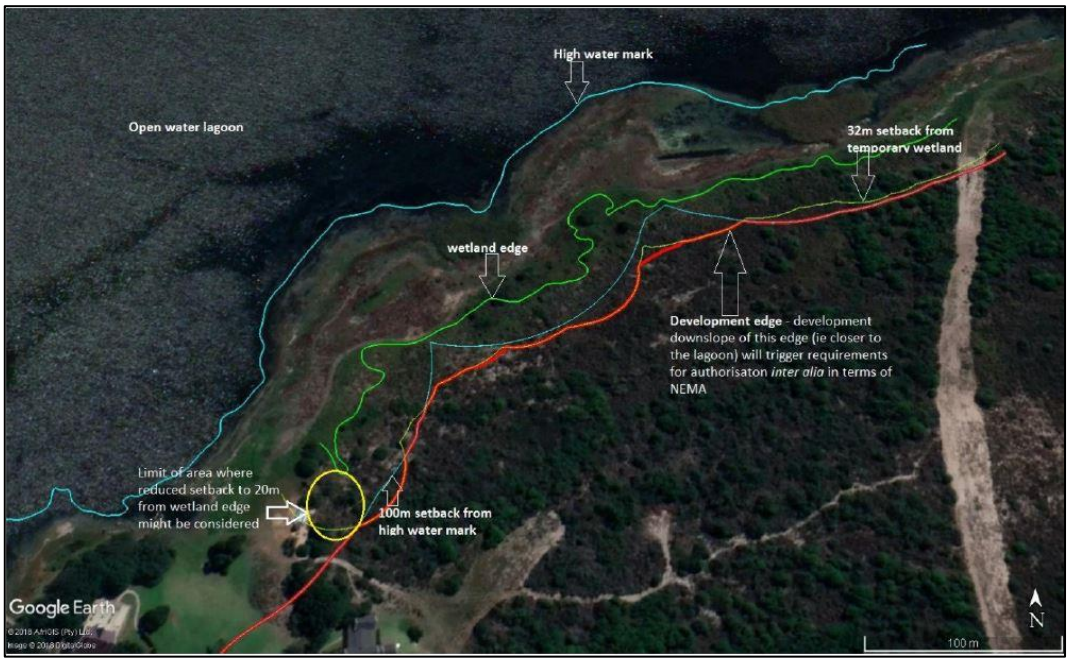


Figure 11: Development setback line, as derived by GEOMATICS Africa and based on the most upland of any of the surveyed development-limiting lines. *Source:* (Day, 2018).

Further to this, the specialist highlighted that the implementation of appropriate mitigation measures to address risks associated with construction activities near the on-site wetland would result in a low significance rating, as reflected in the impact assessment table on page 18 of the Aquatic Assessment. This conclusion is supported by the low-density nature of the proposed development; the sandy soils present outside the demarcated no-development area which promote infiltration and reduce surface runoff and the presence of a minimum 32 m setback from the edge of the temporary wetland. This setback provides an additional buffering effect to the more sensitive seasonal wetland located downslope. Considering these factors, it is extremely unlikely that the units already built would pose any significant risk to aquatic resources, provided that the recommended mitigation measures are effectively implemented.

Recommended mitigation measures:

- → No hardened development including boardwalks, jetties, slipways should be created within the delineated wetland (or any other wetland) without further specific consideration for authorisation – such activities would comprise definite and potentially significant Section 21c and i water uses;
- → New developments should not include lawns or landscaping that utilise fertilisers;
- → Discharges from the proposed pool should be dissipated into a soakaway located on the dunes and fully located outside of the no-development area. A saltwater pool should not be used, as this will add to soil salinity in discharge areas;
- → Hardened areas of the development (roof areas, paving, parking areas) should be minimised, and where possible porous material should be used for paving and parking to improve infiltration and decrease runoff; roofs should discharge onto the ground as close to the building as possible without risk of structural damage, to minimise concentrated runoff during storms;
- → No pathways down steep areas of the dune should be permitted, where these would create erosion into the wetland below or degrade the buffer areas;
- → Conservancy tanks rather than septic tanks should be used – note that Anchor (2015) recommends that sewage infrastructure should be used instead of conservancy tanks along the estuary shoreline – in the present case it is arguable that the wetland disturbance likely, and the risk of leakage along sewage pipelines from Stanford to the site would far exceed any risk attached to the use of conservancy tanks on-site and their periodic emptying by truck. This said, the following measures must be applied:
    - Sewage pipelines connecting conservancy tanks associated with individual buildings to a main conservancy tank (as proposed) should all be located outside of the no-development line shown in Figure 6 of the Freshwater specialist report.
    - Conservancy tanks must be bunded, so that pollution can be contained in the event of overflows;
- → Landscaped or open space areas around new buildings should be planted with locally indigenous plants only and lawns, which should be minimised, should be planted with buffalo grass only, which is prevalent in the wetland already;
- → During the construction phases of the development, the no-development zone should be treated strictly as a no-go zone and the disturbance footprint of each unit should extend a maximum of 15 m towards the no-development edge;

→ Construction phase disturbance such as wind- or water borne conveyance of litter, sand, or other construction material towards the wetland area is minimised with dust and erosion control measures.

Botanical Assessment and Landscape Plan

A specialist landscape assessment was conducted by Sean Privett in December 2020 to inform appropriate rehabilitation and landscaping measures around the five boathouses proposed on Portion 1 of Farm 723 (Mosaic Farm, Coot Club). The assessment was based on the 2018 South African Vegetation Map, which initially classified the site as Agulhas Limestone Fynbos. However, upon ground-truthing during the site visit, the specialist confirmed that the immediate development area is predominantly recovering Overberg Dune Strandveld (now referred to as Southwestern Strandveld). This transition is supported by the presence of dune strandveld species, with patches of thicket and limestone fynbos found nearby, particularly south of the main access road.

Importantly, the report notes that Overberg Dune Strandveld typically transitions into thicket in the absence of fire, suggesting a lack of recent fire events on site. The current vegetation structure and species composition reflect prior disturbance, likely from agricultural clearing and alien infestation, but the strandveld vegetation has since recovered well, supporting a diverse mix of native species.

Figure 12: Overberg dune strandveld with some thicket elements on the site at Coots Club, Remainder 1/723.

Plant species recorded during the site investigation in the property, associated with this vegetation type included *Thamnochortus erectus* (thatching reed), *Passerina corymbosa* (gonna bush), *Searsia crenata* (dune crowberry), *Chasmanthe aethiopica* (cobra lily), *Pelargonium capitatum* (coastal malva), *Leucadendron coniferum* (dune conebush – vulnerable), *Osteospermum moniliferum* (bietou), *Anthospermum aethiopicum, Leonotus leonorus* (wild dagga),

Metalasia muricata (blombos), *Helichrysum dasyanthum*, *Helichrysum petiolare* (hottentots koeigoed) and *Stenotaphrum secundatum* (buffalo grass).

The thicket species of vegetation recorded during site survey included *Sideroxylon inerme* (white milkwood), *Searsia lucida* (blink taaibos), *Cassine peragua* (bastard saffronwood*), Searsia laevigata* (taaibos) and *Myrsine africana* (Cape myrtle).

The specialist also noted that the composition of the natural vegetation present on site indicates the previous disturbances, which could be associated with the agricultural clearing and subsequent alien plant infestation. The natural strandveld vegetation has however recovered well and is now characterised by a healthy mix of native species.

Recommendations

- → Given the location and sensitive nature of the vegetation on site it is important that all landscaping related to this development complements and enhances the natural biodiversity on site.
- → The landscape planting theme should complement the existing wilderness appeal and dune strandveld/milkwood forest characteristics of the site. Future landscaping should steer clear of any formalized avenues, mass planting etc and be focused on enhancing and supplementing the existing natural feel and diversity of the site.
- → Only plant species found on the site or in nearby Overberg dune strandveld or Southern coastal forest should be used for future landscaping. A planting palette of appropriate local indigenous species has been drawn up as part of this landscaping plan.
- → Post construction rehabilitation areas should be planted using only plants from the approved planting list, and should be installed in an informal, natural manner and at a density of at least 4 plants per m^2. Use of any plants which are not on the approved list should be strictly prohibited, refer to **Table 2** below.
- → The owners are encouraged to purchase plants from a local source to reduce genetic contamination.
- → The landscaping should include visual screening of buildings. Figure 3 below includes the planting of thicket species between the units to provide screening. It is proposed that *Sideroxylon inerme* (white milkwood) be the dominant species used in this screening as it is a characteristic flagship species of the site. Other thicket/tree species that can be interplanted with the milkwood's include *Ostespermum moniliferum* (bietou), *Cassine peragua* (bastard saffronwood), *Chionanthus foveolatus* (fine leaf ironwood), *Euclea racemosa* (sea guarrie), *Olea capensis ssp capensis* (iron wood), *Olea exasperata*, *Olea europea ssp africana* (wild olive), *Pterocelastrus tricuspidatus* (candle wood), *Searsia glauca* (Blue kuni), *Searsia lucida* (blink taaibos) and *Searsia laevigata*.
- → Only buffalo lawn (*Stenotaphrum secundatum*) or kweek (*Cynodon dactylon*) may be used for lawns.
- → The used of herbicides and insecticides should be kept to a minimum and all compost/organic fertiliser should be organically certified (e.g. Biogrow, Reliance or Seagro products).
- → All construction footprints should be kept to a minimum and wherever possible the natural vegetation must be maintained.
- → Prior to construction commencing a construction zone must be clearly demarcated and fenced off with temporary fencing. All construction materials and activities must be contained within the construction area (e.g. use of future parking and access roads for material storage and construction activities).

→ Prior to disturbance of natural vegetation, a search and rescue operation should be undertaken within the demarcated construction zones (including new access roads and parking). All translocatable species (geophytes, graminoids and succulents) should be removed and planted in suitable nearby habitat on the property. Ideally search and rescue should take place during spring when seasonally visible geophytes can be located.

→ Any topsoil removed during site construction should be stockpiled and available for post construction rehabilitation.

→ All planted areas should be mulched to reduce water loss and weed growth. An automatic irrigation system should be installed with rain sensors to ensure optimal watering while minimising water usage. Once established the irrigation can be reduced or potentially switched off in the rehabilitation areas. Where Possible water from rain tanks should be used for irrigation.

→ Newly planted areas will require active maintenance and care including initial weeding (this should reduce with time as the natural vegetation establishes), watering and pruning/cutting back.

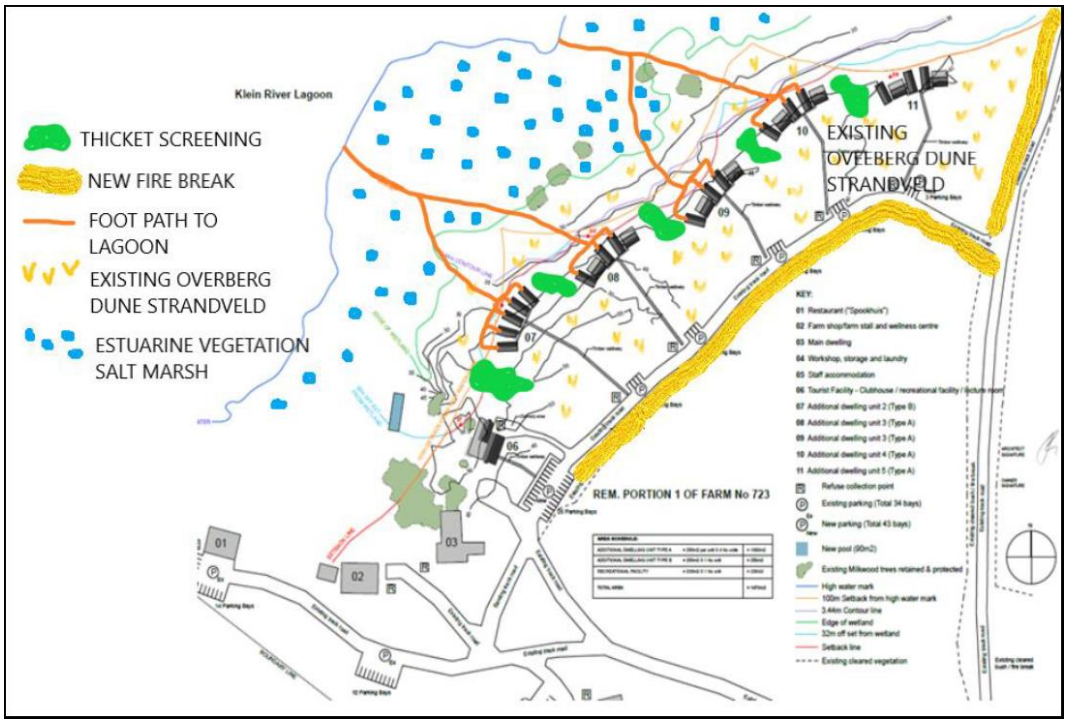


Figure 13: Landscaping layout plan for Coots Club development, Remainder 1/723, Kleinriver estuary (diagram source: Kritzinger Architects: Mosaic Farm).

Proposed plant list for landscaping:

Table 2: The table below outlines the List of indigenous plant species that should be used for landscaping.

Ground covers	Bulbs	Grasses/reeds	Lawns	Shrubs	Trees/thicket species
Arctotis acaulis (gousblom)	*Amarylllis belladonna* (March lily)	*Chondropetalum tectorum*	*Cynodon dactylon* (kweek)	*Agathosma geniculata*	*Cassine peragua* (bastard saffronwood)
Carpobrotus acinaciformis/edulis (sour fig)	*Brunsvigia orientalis* (Candelabra)	*Chondropetalum microcarpum*	*Stenotaphrum secundatum* (buffalo grass)	*Agathosma serpyllaceae*	*Chionanthus foveolatus* (fine leaf ironwood)

Osteospermum fruticosum	*Chasmanthe aethiopica* (cobra lily)	*Elegia thyrsifera*		*Aspalathus forbesii*	*Euclea racemosa* (sea guarrie)
Helichrysum crispum (kooigoed)	*Haemanthus coccineus* (April fool)	*Scirpoides nodosus*		*Athanasia quinquedentata*	*Olea capensis ssp capensis* (iron wood)
Helichrysum petiolare	*Watsonia stenosiphon*	*Thamnochortus erectus*		*Athanasia trifurcata* (klaaslouw bos)	*Olea exasperata*
Pelargonium capitatum (coastal malva)	*Lachenalia bubblier*			*Osteospermum incanum*	*Olea europea ssp africana* (wild olive)
Drosanthemum candens	*Lachenalia rosea*			*Chrysanthemoides monilifera* (bietou)	*Pterocelastrus tricuspidatus* (candle wood)
Ruschia macowanii	*Watsonia angusta*			*Cotyledon orbiculata* (pigs ear)	*Searsia (Rhus) glauca* (Blue kuni)
Ruschia sarmentosa				*Diosma subulata*	*Searsia (Rhus) lucida* (blink taaibos)
				Eriocephalus paniculatus (wild rosemary)	*Searsia (Rhus) laevigata*
				Geranium incanum (maagpyn bossie)	*Robsondendron maritimum*
				Helichrysum dasyanthum	*Tarchonanthus camphoratus* (wild camphor)
				Helichrysum teretifolium, *Indigofera brachystachya, Leonotis leonurus* (wild dagga), *Leucadendron coniferum* (dune conebush), *Leucospermum pattersonii* (limestone pincushion), *Linum africanum, Metalasia densa, Metalasia muricata* (blombos), *Morella cordifolia, Muraltia satureoides, Oedera capensis, Orphium frutescens, Otholobium bracteolatum, Passerina paleaceae* (gonna), *Pelargonium botulinum, Phylica amoena, Phylica ericoides, Polygala myrtifolia* (September bush), *Protea obtusifolia* (limestone sugarbush), *Protea repens* (suikerbossie), *Rhus*	*Sideroxylon inerme* (white stinkwood)

				crenata (dune crowberry), *Salvia africana-lutea* (brown sage), *Seriphium plumosum* (Stoebe) (slangbos), *Syncarpha argyropsis, Zygophylum flexuosum*	

Alien vegetation management

According to Privett, (2020) previous owners have invested extensively in alien vegetation clearing on the farm as a whole and in the vicinity of this development. During site investigation, some alien invasive species were noted, most notably *Acacia saligna* (port Jackson), *Acacia cyclops* (rooikrans) and *Leptospermum laevigatum* (Australian myrtle).

Fire management

The units are located in mature, fire-prone dune strandveld vegetation. The surrounding natural vegetation to the south and east is also highly flammable and requires regular (10-20-year interval) fires to maintain the biodiversity and ecological functioning of the landscape (Privett, 2020). It is noted that measures be put in place to safeguard the infrastructure from future wild fires. It was proposed that a firebreak (minimum 10m wide) be installed along the existing access road, as the combination of the road and new firebreak will provide opportunity for potential back-burning and general fire defence in the event of a wild fire. Furthermore it was proposed that low, less flammable indigenous species such as *Carpobrotus acinaciformis/edulis, Osteospermum fruticosum*, *Ruschia macowanii* and *Cotyledon orbiculata* be planted around the infrastructure to reduce fire threat, Future maintenance of the vegetation around the infrastructure should include regular pruning back and removal of dead/dry material in order to reduce fire threat.

Visual Impact Assessment

The Visual Impact Assessment was conducted in 2019 which incorporated the assessment of the visual impact of the units in question. The scope of the VIA focused on assessing the visual impacts on the cultural landscape and the built environment, as mandated by Heritage Western Cape. The site investigation was conducted on 9 August 2019 under clear weather conditions, with viewpoints selected within a 2 km radius, targeting sensitive receptors such as road users on the R43 Route and recreational boat users on the Kleinrivier Lagoon. The study area is characterized by a flat landscape of semi-consolidated aeolian sand and calcrete lenses, with a strong sense of place derived from the scenic juxtaposition of mountains and the lagoon. The five (5) units, which are currently built onsite were designed in such a way that they blend with the natural environment through lightweight timber modular structures, dark grey Victorian profile corrugated iron cladding, and a nautical architectural theme. The existing Milkwood trees have been retained, with the additional planting occurring which was proposed to enhance visual screening of the units. The general vegetation reaches only about 2m in height, except for *Leucodendron* (tolbos), which reaches 3 to 4m. The *Leucodendron* is, however, relatively short-lived and highly prone to fire. Other typical species on the site of the proposed development include *Chrysanthemoides* (bitou), *Euclea* (gwarri), *Salvia, Passerina*, dekriet and several *Rhus* species.

During the site survey the specialist identified the primary visual receptors such as boat users on the lagoon, properties on the northern and southern shores, and road users on the R43 Route, approximately 1.5 km to 1.9 km from the development. Visibility was rated as low to medium due to the screening effect of topography, vegetation, and distance, with the development only partially visible from the Spookhuis balcony and marginally visible from Lagoon Rock and the R43 Route. The visual absorption capacity of the landscape is medium, aided by dense background vegetation, while the visual sensitivity is influenced by the scenic R43 Route and the cultural significance of the area. The landscape integrity

has been partially altered by prior developments, reducing its sensitivity to the units in question, which is considered compatible with the area's eco-tourism character. Potential visual impacts assessed at the time of this assessment included the intrusion of residential-type buildings on the natural lagoon landscape and temporary disturbances from construction activities, such as wind-blown sand and noise.

The significance of visual impacts before mitigation was assessed as low to medium, with a localized zone of visual influence of 2 to 3 km. Cumulative impacts are noted due to the spread of development along the lagoon's southern shore, potentially affecting the rural character and sense of place. However, the five units' eco-tourism focus offers some alignment with the natural setting and have helped to mitigate concerns of landscape fragmentation. The intensity of impacts was rated as low to medium across criteria such as visibility, visual exposure, absorption capacity, sensitivity, and landscape integrity, with the no-go alternative presenting minimal visual impact.

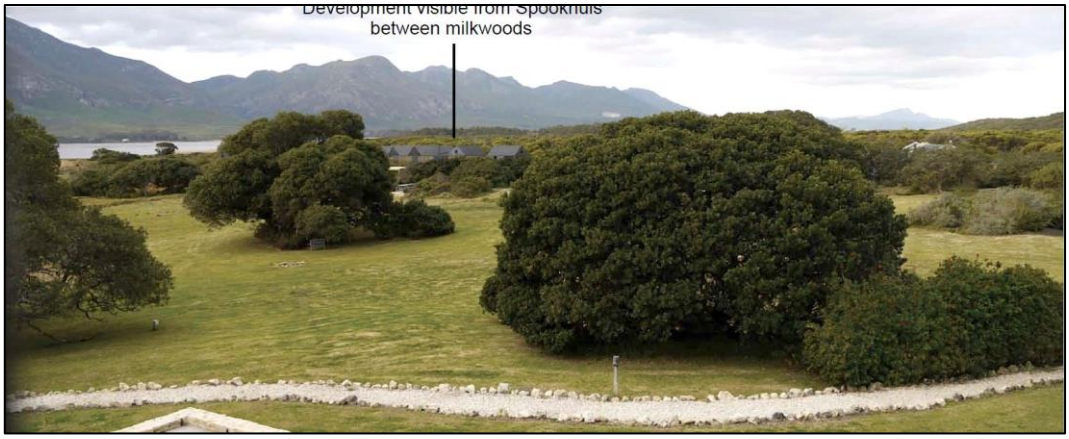


Figure 14: Viewpoint 1: Spookhuis balcony, Mosaic Farm.

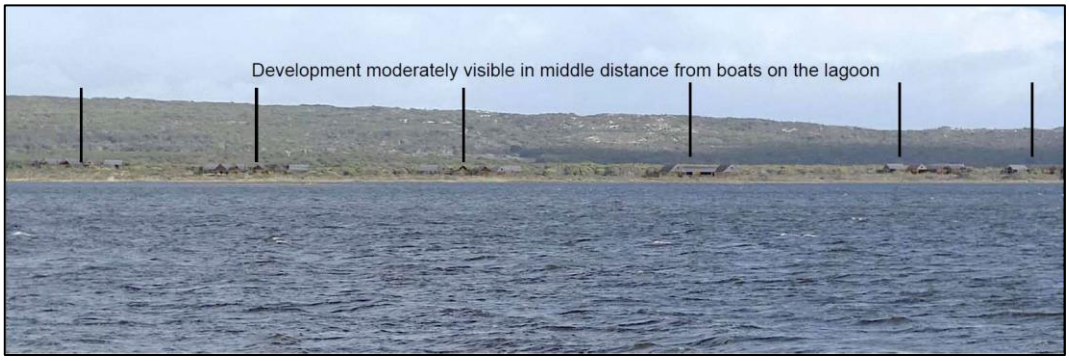


Figure 15: Viewpoint 2: Boat-users on the Lagoon.

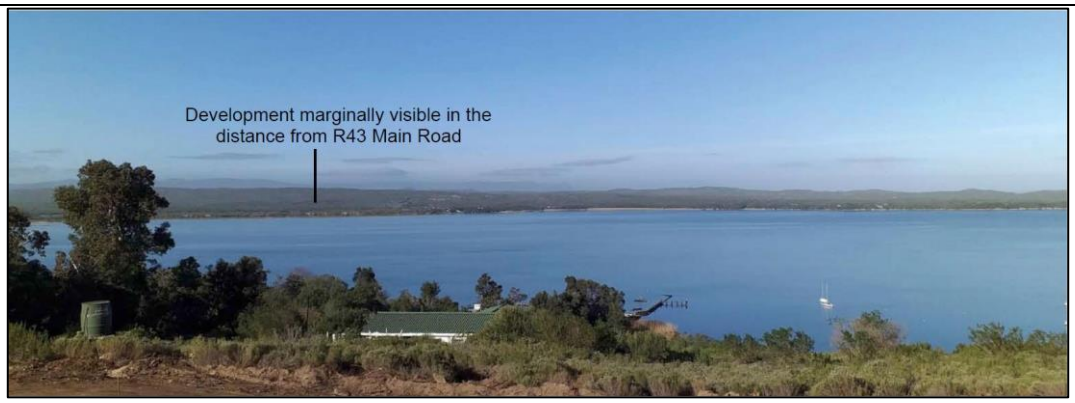


Figure 16: Viewpoint 4: Road-users on R43 Main Road.

Mitigation measures recommended by specialist:

→ The visual setback line from the lagoon to be the same as the estuary setback line, i.e. a minimum of 100m from the HWM.

→ Existing indigenous vegetation to be retained as far as possible in the vicinity of the proposed development to provide visual screening and a visual backdrop to the development. It is acknowledged that clearings for firebreaks may be necessary.

→ Only areas required for the actual buildings to be cleared. The remainder of the construction site be cordoned off and the natural vegetation protected. The proliferation of construction tracks to be avoided.

→ Additional milkwood trees to be planted between and partly in front of the units to provide visual screening for the proposed development. The milkwood's to be planted in close formation for mutual protection.

→ Formal landscaping to be minimal, and alien plant species avoided. Preferably local buffalo grass or kweek and local strandveld plants to be used. Specifically kikuyu grass or palm trees to be avoided.

→ A landscape development plan, including lists of permitted plant species, prepared by a qualified landscape architect or horticulturist to be submitted together with the Site Development Plan to the local authority.

→ Small articulated building forms, with a domestic scale, to be used as already indicated in the current proposals.

→ The maximum height of the proposed clubhouse to be 6,0m from average natural ground level to the top of the roof, and 4,8m for the accommodation units, as currently indicated in the proposals, irrespective of less stringent local authority building heights.

→ Fenestration of the proposed buildings to be shaded by roof overhangs or other shading devices, as currently indicated for the accommodation units, the shadows helping to make the buildings visually recede into the landscape.

→ No reflective glass or other reflective finishes, which could be visually intrusive, to be used on elevations facing the lagoon. Colour finishes to be dark grey or similar, as currently indicated in the proposals.

→ Internal roads to be as narrow as possible, and parking areas limited in size, as currently indicated, to minimise the visual intrusion of vehicles in the landscape.

→ Outdoor lighting to be restricted, and preferably bulkhead or bollard-type lights with a maximum height of 1.2m, used. All outdoor lighting to have reflectors to conceal the source of lighting to avoid light spillage and maintain dark skies at night.

→ All utility lines to be located underground. No satellite dishes or aerials to protrude above the roof line of buildings.

→ No flags, banners or large signs to be erected at the entrance to the property from the Wortelgat Road, in order to minimise the proliferation of signs in a natural area.

Note that Heritage Western Cape has issued an approval for the development of the units in 2019.

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.

Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):
Clearance of indigenous vegetation	Low
Potential impact to wetland and aquatic resources due to construction activities (e.g. earthworks, runoff, waste seepage, etc.)	Low
Potential alteration of subsurface hydrology (e.g. from drainage or seepage diversion)	Low
Spread of alien invasive species into wetland area	Low
Erosion or channel incision from stormwater runoff	Low
Visual impacts	Low -Medium

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 activity involves the conversion of five units originally authorised for private use, with only one unit intended for tourism accommodation for fewer than 15 people into overnight accommodation facilities to be used entirely for tourism purposes. This operational change has resulted in the collective accommodation of more than 15 people, which constitutes a listed activity under Listing Notice 3, Activity 17. As such, the development now requires Environmental Authorisation in terms of the National Environmental Management Act (NEMA), due to the change in land use and increased intensity of tourism operations outside an urban area.

Despite the procedural non-compliance, the associated environmental impacts have been assessed and are considered to be of low significance after mitigation. The key potential impacts relate primarily to the nearby wetland. However, the low-density layout of the development, combined with well-draining sandy soils and a minimum 32m setback from the

delineated edge of the temporary wetland, has effectively limited the extent of environmental disturbance. These site characteristics help to minimise surface runoff, erosion, and hydrological changes to the adjacent wetland systems.

Furthermore, appropriate mitigation measures have already been implemented as part of environmental compliance. These include invasive species control to preserve ecological integrity, and ongoing protection of wetland buffers during both construction and operational phases. No long-term or irreversible impacts have been observed, and the current condition of the surrounding environment particularly the wetland habitat remains largely intact and functional.

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.

N/A

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

The applicant has demonstrated both the willingness and the capacity to implement the required management, mitigation, and monitoring measures to address the environmental impacts resulting from the unlawfully commenced activities. By voluntarily initiating the 24G application process, the applicant has acknowledged the procedural non-compliance and has taken active steps toward rectifying the situation in line with the principles of duty of care and responsible environmental management as outlined in the National Environmental Management Act (NEMA).

The applicant has engaged the services of a suitably qualified Environmental Assessment Practitioner (EAP) to compile the necessary documentation to support the application. Moreover, the applicant has already incorporated elements of environmental protection into the project layout, such as maintaining a 32 m setback from the delineated wetland edge, landscaping with indigenous vegetation, thereby demonstrating a proactive approach to impact avoidance. The relatively low-density nature of the development further supports the feasibility of managing environmental risks effectively.

The applicant has committed to the ongoing implementation of monitoring and compliance checks, and is prepared to incorporate any additional conditions or recommendations imposed by the competent authority as part of the rectification process. This commitment, combined with access to qualified professionals and existing infrastructure on-site, reflects a sufficient ability to implement, monitor, and maintain all required environmental measures throughout the operational lifespan of the activity.

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.

Wetland Delineation Study

The assessment methods employed in the Wetland delineation for Portion 1 of Farm Wortelgat No. 723 are highly adequate and appropriate for informing the Section 24G application process under NEMA. The freshwater specialist followed the Department of Water Affairs and Forestry (DWAF, 2005) wetland delineation protocol, which is the accepted national standard in South Africa for determining the outer edge of temporary wetlands. This protocol considers four key indicators: terrain unit, soil form, soil wetness, and vegetation. While the soil wetness indicator is typically prioritized, the assessment acknowledged limitations in applying this method due to the shallow calcrete layers in parts of the site, which limited the development of clear hydromorphic indicators.

To address this, the specialist applied a precautionary and scientifically sound approach by placing greater emphasis on vegetation indicators, particularly the presence of obligate wetland species such as *Ficinia nodosa* and dense stands of *Imperata cylindrica*. These were used to delineate the wetland edge where soil indicators were unreliable. The delineation was supported by direct field observations during a site visit in the wet season, which added confidence through hydrological indicators (e.g. saturated soils within 0.5 m of the surface). Furthermore, the risk assessment methodology applied was based on the Department of Water and Sanitation's (DWS) Risk Assessment Matrix (2015) for Section 21(c) and (i) water uses under the National Water Act. This assessment was completed by a suitably qualified and SACNASP-registered aquatic specialist, in accordance with regulatory requirements. It found that, with mitigation, all risks were rated as low.

Landscape Plan

The specialist undertook a desktop study prior to the site visit to contextualise the vegetation present on-site, making use of the South African Vegetation Map (2018) applicable at the time. However, ground-truthing revealed that the site is characterized by recovering Overberg dune strandveld with some thicket elements, indicating a thorough field-based verification process. This step is critical for ensuring the accuracy of the vegetation assessment, as desktop data alone may not reflect site-specific conditions. The identification of dominant species (e.g., *Thamnochortus erectus, Passerina corymbosa, Sideroxylon inerme*) and the acknowledgment of past disturbances (agricultural clearing and alien plant infestation) further demonstrate a detailed and context-specific assessment.

Visual Impact Assessment

The methods employed in the Visual Impact Assessment (VIA) are considered appropriate and adequate for the scale and nature of the development undertaken. The method used for the visual assessment includes the following:

→ A site visit and photographic survey of the area and its landscape context;

→ Identification of important viewpoints and view corridors, taking into account potential sensitive receptors;

→ Description of the proposed project and receiving environment, together with possible visual impacts or risks associated with the project; and

→ Formulation of practical mitigation measures to minimise potential adverse visual impacts.

These combined methods enabled a comprehensive understanding of the visual context and ensured the accuracy of the impact assessment. Ground-based observations, supported by photographic documentation, allowed the specialist to identify areas with higher visual sensitivity and assess the development's visibility, exposure, and compatibility with the existing landscape character.

(b) Please describe the assessment criteria used.

An impact is any change to a resource or receptor brought about by a project component or through the execution of a project related activity. The evaluation of baseline data provides information for the process of evaluating and describing how the project could affect the biophysical and socio-economic environment.

Impact is described according to their nature or type, as follows:

Nature/ Type

Nature/ Type of impact	Definition
Positive	An impact that is considered to represent an improvement on the baseline or introduces a positive change.
Negative	An impact that is considered to represent an adverse change from the baseline, or introduces a new undesirable factor.
Direct	Impacts that result from a direct interaction between a planned project activity and the receiving environment/receptors (e.g. between occupation of a site and the pre-existing habitats or between an effluent discharge and receiving water quality).
Indirect	Impacts that result from other activities that are encouraged to happen as a consequence of the Project (e.g. in-migration for employment placing a demand on resources).
Cumulative	Impacts that act together with other impacts (including those from concurrent or planned future third-party activities) to affect the same resources and/or receptors as the Project.

Significance

Impacts are described in terms of significance. Significance is a function of the magnitude of the impact and the likelihood of the impact occurring:

Impact Magnitude	
Extent	**On site** – impacts that are limited to the boundaries of the development site.
	Local – impacts that affect an area in a radius of 20 km around the Development site.
	Regional – impacts that affect regionally important environmental resources or are experienced at a regional scale as determined by administrative boundaries, habitat type/ecosystem.
	National – impacts that affect nationally important environmental resources or affect an area that is nationally important/ or have macro-economic consequences
Duration	**Temporary** – impacts are predicted to be of short duration and intermittent/occasional.
	Short-term – impacts that are predicted to last only for the duration of the construction period.
	Long-term – impacts that will continue for the life of the Project but ceases when the project stops operating
	Permanent – impacts that cause a permanent change in the affected receptor or resource (e.g. removal or destruction of ecological habitat) that endures substantially beyond the project lifetime
	BIOPHYSICAL ENVIRONMENT
	Negligible – the impact on the environment is not detectable.
	Low – the impact affects the environment in such a way that natural functions and processes are not affected.
	Medium – where the affected environment is altered but natural functions and processes continue, albeit in a modified way.
Intensity	**High** – where natural functions or processes are altered to the extent that they will temporarily or permanently cease
	SOCIO-ECONOMIC
	Negligible – there is no perceptible change to people's livelihood
	Low - people/communities are able to adapt with relative ease and maintain pre-impact livelihoods
	Medium – people/communities are able to adapt with some difficulty and maintain pre-impact livelihoods but only with a degree of support
	High - affected people/communities will not be able to adapt to changes or continue to maintain pre-impact livelihoods.

Likelihood- the likelihood that an impact will occur

Likelihood	
Unlikely	The impact is unlikely to occur
Likely	The impact is likely to occur under the most conditions.
Definite	The impact will occur

Once an assessment is made of the magnitude and the likelihood, the impact significance is rated through a matrix process:

Significance				
Magnitude		Unlikely	Likely	Definite
	Negligence	Negligible	Negligible	Minor
	Low	Negligible	Minor	Minor
	Medium	Minor	Moderate	Moderate
	High	Moderate	Major	Major

Definition of significance:

Negligible	An impact of negligible significance (or an insignificant impact) is where a resource or receptor (including people) will not be affected in any way by a particular activity, or the predicted effect is deemed to be 'negligible'.
Minor	An impact of minor significance is one where an effect will be experienced, but the impact magnitude is small (with and without mitigation) and within accepted standards, and/or the receptor is of low sensitivity/value.
Moderate	An impact of moderate significance is one within accepted limits and standards. The emphasis for moderate impacts is on demonstrating that the impact has been reduced to a level that is as low as reasonably practicable. This does not necessarily mean that 'moderate' impacts have to be reduced to 'minor' impacts, but that moderate impacts are managed effectively and efficiently.
Major	An impact of major significance is one where an accepted limit or standard may be exceeded, or large magnitude impacts occur to highly valued / sensitive resource / receptors. A goal of the EIA process is to get to a position where the Project does not have any major residual impacts.

Significance of an impact is then qualified through a statement of the degree of confidence. Degree of confidence is expressed as low, medium or high.

Significance colour scale (if applicable):

Negative	Positive
Negligible	Negligible
Minor	Minor
Moderate	Moderate
Major	Major

Impact rating colour scale:

Negative	Positive
Negligible	Negligible
Low	Low
Medium	Medium
High	High

(c) Please describe the gaps in knowledge.

N/A

(d) Please describe the underlying assumptions.

N/A

(e) Please describe the uncertainties.

N/A

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.	YES x	NO

If "NO", list the aspects that should be further assessed through additional specialist input/assessment:		
N/A		
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	NO x
Please provide reasons for your opinion		
It is not recommended that the applicant be directed to cease the activity. The development in question comprising five accommodation units and associated access roads has already been completed and are currently in use. Directing the applicant to cease the activity would not halt ongoing construction, and the disturbance has already occurred. Ceasing would instead disrupt the continued operation of an additional tourism expansion. This may result in unnecessary socio-economic consequences without offering proportional environmental benefit.		

Furthermore, the completed development is located outside the delineated 32 m buffer from the temporary wetland edge and is situated above 100m of the highwater mark. The wetland delineation and associated aquatic risk assessment confirmed that, with appropriate mitigation measures in place, the activity poses a low risk to wetland and aquatic ecosystems.

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 following conditions and mitigation measures are recommended for inclusion in the Retrospective Environmental Authorisation, to ensure legal compliance and environmental protection:

- → No further clearance of indigenous vegetation may take place on the property without prior Environmental authorisation in terms of the National Environmental Management Act (NEMA). This includes, but is not limited to, any expansion of existing infrastructure, development of new access routes, or establishment of landscaped areas beyond the current footprint.
- → The 32 m buffer from the delineated wetland edge must be maintained as a strict no-go and no-development zone. No landscaping, infrastructure, or use of fertilisers, herbicides, or other chemicals is permitted within this buffer.
- → All the mitigation measures recommended by all specialists should be fully implemented, monitored, and incorporated into the Environmental Management Programme (EMPr), and must form part of the conditions of authorisation to ensure that environmental risks particularly those related to wetland functionality, water quality, and biodiversity are effectively avoided, minimised, or managed.
- → All operational and maintenance personnel must receive training on the ecological sensitivities of the site. Clear signage must demarcate buffer areas and restricted zones, including the wetland.
- → All conservancy tanks must be routinely serviced and maintained to ensure their continued integrity and function. Tanks must be fitted with bunding or containment measures to prevent pollution in the event of structural failure or overflow. All sewage pipelines must be located outside of the no-development buffer and must be regularly inspected for leaks or damage.
- → Clear and informative signage must be installed at appropriate locations (e.g., at entry points, communal areas, and along buffer zones) to educate guests, staff, and other users of the property about the ecological sensitivity of the site, the importance of the wetland buffer. Guests must be discouraged from entering no-go areas and must be provided with information promoting low-impact tourism practices.
- → Implementation of Fire and Alien Vegetations Management Plan is essential

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 where taken in response to the incident or emergency situation.
N/A

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 the 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.		
To be included after PPP		
Please indicate whether the applicant has a website (please tick relevant box):	YES x	NO
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.		

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 – no alternative site exists	YES X	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 x	DEVIATION	N/A
(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.			
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. N/A			

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**
DEADP	Pending	
Cape Nature	Pending	
Department of Agriculture	Pending	
BOCMA	Pending	
Overberg District Municipality	Pending	
Overstrand Municipality	Pending	

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 included after 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 included after 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	
DEADP	Zaidah Toefy/ Naadiya Wookey/ Nabeelah Khan	Tel	
		Fax	
		E-mail	Zaidah.Toefy@westerncape.gov.za Naadiya.Wookey@westerncape.gov.za Nabeelah.Khan@westerncape.gov.za
BOCMA	Fabion Smith/ Rafeeq le Roux	Tel	
		Fax	
		E-mail	rleroux@bocma.co.za fsmith@bocma.co.za
Cape Nature	Rhett Smart	Tel	
		Fax	
		E-mail	rsmart@capenature.co.za
Overberg District Municipality	R. Volschenk	Tel	
		Fax	
		E-mail	rvolschenk@odm.org.za
Department of Agriculture	Cor vd Walt B. Layman	Tel	
		Fax	
		E-mail	Brandon.Layman@westerncape.gov.za Cor.VanderWalt@westerncape.gov.za
Overstrand Municipality	Chester Arendse	Tel	
		Fax	
		E-mail	carendse@overstrand.gov.za

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	*immediately cease the activity pending a decision on the application submitted in terms of this subsection* **Activities have been concluded and operational.**
ii	*investigate, evaluate and assess the impact of the activity on the environment* **In process through this report.**
iii	*remedy any adverse effects of the activity on the environment* **The activities have already been undertaken, and the five accommodation units, along with associated access roads, are fully constructed and operational.**
iv	*cease, modify or control any act, activity, process or omission causing pollution or environmental degradation* **The activities have already been undertaken, and the five accommodation units, along with associated access roads, are fully constructed and operational.**
v	*contain or prevent the movement of pollution or degradation of the environment*

	N/A	
vi	*eliminate any source of pollution or degradation* **N/A**	
vii	*compile a report containing-*	
	aa	*a description of the need and desirability of the activity* **In Process**
	bb	*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* **In Process**
	cc	*a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity* **In Process**
	dd	*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* **In Process**
	ee	*an environmental management programme* **In Process**
viii	*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.* **In Process**	

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:

Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that is not subject to this application and in any province in the Republic?	*YES*	*NO* x	*UNCERTAIN*
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.*			
N/A			
Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is not subject to this application and in any province in the Republic?	*YES*	*NO* X	*UNCERTAIN*
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.*			
N/A			
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 in terms of which this application directly relates?	*YES*	*NO* X	*UNCERTAIN*
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.*			
N/A			

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 authorization or a waste management license 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** **Description of variable**	**Place an "x" in the appropriate box**
The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	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: The establishment and use of the five accommodation units for tourism purposes has contributed positively to the local economy by creating employment opportunities during both the construction and operational phases. These include job opportunities for local builders, contractors, cleaners, and maintenance staff. The development is of a low-density nature, with minimal disruption to surrounding land uses or rural character. It does not involve the displacement of any communities, does not obstruct access to any public resources or infrastructure, and does not	

compromise food security, land tenure, or cultural heritage. Furthermore, the scale and type of tourism supported by the activity are compatible with the broader character of the area.

Index	Biodiversity Impact Description of variable	Place an "x" in the appropriate box
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	X
	The activity is giving, has given or could give rise to localised biodiversity impacts	
	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 development consists of a low-density tourism establishment (five accommodation units and associated access roads), located primarily outside the delineated wetland buffer zone and situated within an area that had been partially disturbed prior to construction. The wetland delineation and aquatic risk assessment confirmed that the development is not situated within the core wetland system, and that a 32 m no-development setback from the wetland edge has been maintained, thereby avoiding direct impact to aquatic biodiversity and habitat. Although the site historically supported Agulhas Limestone Fynbos, which is now classified as Critically Endangered, the activity was undertaken based on the 2019 Applicability Checklist, at which time this vegetation type was listed as vulnerable, and no specialist vegetation studies were triggered.		

Index	Sense of Place Impact and / or Heritage Impact Description of variable	Place an "x" in the appropriate box
	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	X
	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 activity is in keeping with the surrounding environment and does not negatively impact the affected area's sense of place or heritage. The development consists of five accommodation units constructed using architectural styles and materials that are visually compatible with the rural and natural character of the broader Wortelgat farm.		

The design avoids visually intrusive elements, is well integrated into the landscape, and does not obstruct scenic views or dominate the natural skyline. The scale and positioning of the units are modest and dispersed, ensuring that the tranquillity and aesthetic appeal of the area are maintained.

Additionally, the activity is aligned with the existing land use character of the area, which includes eco-tourism and conservation-based developments. The activity does not involve any cultural, historical, or heritage features, and no such sites were disturbed during construction, as confirmed through available site information and land use history. The sense of place, which is defined by the natural beauty, peacefulness, and ecological value of the area, has been preserved through careful site selection, low-impact design, and the maintenance of natural buffers—particularly around wetlands and sensitive vegetation.

Heritage Western Cape has issued an approval in terms of the NHRA.

Index	**Pollution Impact** **Description of variable**	**Place an "x" in the appropriate box**
	The activity is not giving, has not given and will not give rise to any pollution	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:

No industrial processes, hazardous substances, or high-volume waste-generating activities are associated with the operation. The development is not connected to a municipal sewer line, and all sewage is managed through conservancy tanks connected to the Kakaai S-Series Wastewater Treatment System that are located outside of the 32 m wetland buffer. These tanks are maintained regularly to prevent any risk of leakage, overflow, or contamination of surrounding soil or water resources.

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** **Description of variable**	**Place an "x" in the appropriate box**
	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.	
Administrative action was **not** previously taken against the applicant in respect of the abovementioned provisions.	x
Explanation of all previous administrative action taken in respect of the above: N/A	

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** **Description of variable**	**Place an "x" in the appropriate 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.		
The applicant has not previously been convicted in terms of either or both of the abovementioned provisions.		x
Explanation of all previous convictions in respect of the above: N/A		

Index	**Number of section 24G applications previously submitted by the applicant** **Description of variable**	**Place an "x" in the appropriate box**
Previous applications in terms of section 24G of NEMA were submitted by the applicant.		
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: N/A		

PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES		
Index	**Applicant's legal persona** **Description of variable**	**Place an "x" in the appropriate box**
	The applicant is a natural person.	
	The applicant is a firm.	x
	Describe the firm: Coot Club Pty Ltd	

Index	Any other relevant information that the applicant would like to be considered.
	Motivate and explain fully: The applicant respectfully requests that the competent authority consider the context and intent under which the activity was originally undertaken. At the time of commencement, the development proceeded following the outcome of an Applicability Checklist submitted in 2019, which did not identify any triggered listed activities under the NEMA EIA Regulations (2014, as amended). The tourism demand changed and the need to extend site offerings became evident. Since the listed activity in question is not relating to a biophysical activity (i.e vegetation clearance) the error relating to number of tourism overnight opportunities can be easily and unintentionally triggered. Furthermore, Coot Coot Club has an established track record in environmental stewardship. The organisation's conservation arm, the Coot Foundation, was recently honoured with a conservation award, presented by Mr. Sean Privett of the Walker Bay Fynbos Conservancy in recognition of its alien vegetation clearing initiatives and the significant positive impact these have had on fynbos regeneration. These ongoing efforts underscore the applicant's commitment to biodiversity conservation and responsible land management.

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.

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**	X
Appendix B:	**Site plan(s)**	X
Appendix:	**Building plans (if applicable)**	
Appendix C:	**Colour photographs**	X
Appendix D:	**Biodiversity overlay map**	X
Appendix :	**Permit(s) / license(s) from any other organ of state including service letters from the municipality**	
Appendix E:	**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 as required in Section J above.**	X
Appendix F:	**Specialist Report(s), if any**	X
Appendix G:	**Environmental Management Programme**	X
Appendix :	**Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc.**	
Appendix H:	**Screening Tool Report**	X
Appendix I:	**Water Use Registration**	X
Appendix:	**Certified copy of Identity Document of Applicant**	
Appendix J:	**Certified copy of the title deed (or title deeds in the case of linear activities)**	X
Appendix:	**Any Other (if applicable) (describe)**	

Where an application has been made in terms of the waste management activities, please complete and annex Annexure 1 as in the following:

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

DECLARATIONS

DECLARATION OF THE APPLICANT

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

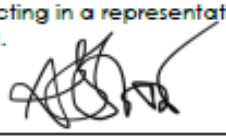
I Jo Sinfield (acting on behalf of Coot Club in ~~capacity of Director~~), ID number 680 625 506 2089 in my personal capacity or duly authorised thereto hereby declare/affirm that all the information submitted or to be submitted as part of this application form is true and correct, and that:

- I am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment ("EIA") Regulations, and any relevant Specific Environmental Management Act and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- I am aware of my general duty of care in terms of Section 28 of the NEMA;
- I am aware that it is an offence in terms of Section 24F of the NEMA should I commence with a listed activity prior to obtaining an Environmental Authorisation;
- I appointed the Environmental Assessment Practitioner ("EAP") (if not exempted from this requirement) which:
  - meets all the requirements in terms of Regulation 13 of the NEMA EIA Regulations; or
  - meets all the requirements other than the requirement to be independent in terms of Regulation 13 of the NEMA EIA Regulations, but a review EAP has been appointed who does meet all the requirements of Regulation 13 of the NEMA EIA Regulations;
- I will provide the EAP and any specialist, where applicable, and the Competent Authority with access to all information at my disposal that is relevant to the application;

Coot Club

- X will be responsible for the costs incurred in complying with the NEMA EIA Regulations and other environmental legislation including but not limited to –
  - costs incurred for the appointment of the EAP or any legitimately person contracted by the EAP;
  - costs in respect of any fee prescribed by the Minister or MEC in respect of the NEMA EIA Regulations;
  - Legitimate costs in respect of specialist(s) reviews; and
  - the provision of security to ensure compliance with applicable management and mitigation measures;
- I am responsible for complying with conditions that may be attached to any decision(s) issued by the Competent Authority, hereby indemnify, the government of the Republic, the Competent Authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which I or the EAP is responsible in terms of the NEMA EIA Regulations and any Specific Environmental Management Act.

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



17 July, 2025

Signature of the Applicant: Date:

Coot Club PTY Ltd

Name of Firm (close corporation/company/trust etc.) (if applicable):

DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

I **MICHELLE NAYLOR** EAPASA Registration number **2019/698** as the appointed EAP hereby declare/affirm the correctness of the information provided or to be provided as part of this application, and that:

- in terms of the general requirement to be independent:
  - other than fair remuneration for work performed/to be performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
  - am not independent, but another EAP that meets the general requirements set out in Regulation 13 of NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review EAP must be submitted);

- in terms of the remainder of the general requirements for an EAP, am fully aware of and meet all of the requirements and that failure to comply with any the requirements may result in disqualification;

- I have disclosed/will disclose, to the Applicant, the specialist (if any), the Competent Authority and registered interested and affected parties, all 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 prepared or to be prepared as part of this application;

- I have ensured/will ensure that information containing all relevant facts in respect of the application was/will be distributed or was/will be made available to registered interested and affected parties and that participation will be facilitated in such a manner that all interested and affected parties were/will be provided with a reasonable opportunity to participate and to provide comments;

- I have ensured/will ensure that the comments of all interested and affected parties were/will be considered, recorded, responded to and submitted to the Competent Authority in respect of this application;

- I have ensured/will ensure the inclusion of inputs and recommendations from the specialist reports in respect of the application, where relevant;

- I have kept/will keep a register of all interested and affected parties that participated in the public participation process;

- I am aware that a false declaration is an offence in terms of Regulation 48 of the NEMA EIA Regulations;

MNaylor

25-07-2025

Signature of the EAP: Date:

LORNAY ENVIRONMENTAL CONSULTING PTY LTD

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	OFFSITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE DISPOSAL

				DISPOSAL		
		Tons/ Month	M^3/ 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.~~

~~At source~~	
~~Recycling installation~~	
~~Formal salvaging~~	
~~Contractor~~	
~~No salvaging planned~~	

~~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~~	~~metres~~
~~Indicate the distance to the boundary of the industrial area~~	~~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**~~
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "