



LORNAY
ENVIRONMENTAL CONSULTING

APPLICATION FOR ADOPTION OF A DEVELOPMENT SETBACK LINE

**Proposed Single Residential Dwelling, Manager's House as well as associated
infrastructure on Portion 15 of the Farm No. 643, Stanford, Caledon RD.**



February 2026

Consultant:

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**Western Cape
Government**

DEFINITION/ADOPTION OF A DEVELOPMENT SETBACK

Request for the definition/adoption of a development setback in terms of the National Environmental Management Act, 1998 (Act no. 107 of 1998) (“NEMA”), environmental Impact Assessment (“EIA”) Regulations, 2014.

APRIL 2024

DEPARTMENTAL DETAILS

CAPE TOWN OFFICE: DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 1) (City of Cape Town, West Coast District, Cape Winelands District & Overberg District)	GEORGE REGIONAL OFFICE: DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 3) (Central Karoo District & Garden Route District)
<p>The completed Form must be sent via electronic mail to: DEADPEIAAdmin@westerncape.gov.za</p> <p>Queries should be directed to the Directorate: Development Management (Region 1) at: E-mail: DEADPEIAAdmin@westerncape.gov.za Tel: (021) 483-5829</p> <p>Western Cape Government Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 1) Private Bag X 9086 Cape Town, 8000</p>	<p>The completed Form must be sent via electronic mail to: DEADPEIAAdmin.George@westerncape.gov.za</p> <p>Queries should be directed to the Directorate: Development Management (Region 3) at: E-mail: DEADPEIAAdmin.George@westerncape.gov.za Tel: (044) 814-2006</p> <p>Western Cape Government Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 3) Private Bag X 6509 George, 6530</p>

IMPORTANT INFORMATION TO BE READ PRIOR TO COMPLETING THE ATTACHED FORM:

1. Purpose

The purpose of this form is to provide baseline information for the definition/adoption of a development setback in terms of the NEMA EIA Regulations, 2014.

2. Administrative requirements

This form must be used to request the competent authority to define/adopt a development setback in terms of the NEMA EIA Regulations.

3. General

3.1 Submission of documentation, reports and other correspondence:

The Department has adopted a digital format for corresponding with proponents/applicants or the general public. If there is a conflict between this approach and any provision in the legislation, then the provisions in the legislation prevail. If there is any uncertainty about the requirements or arrangements, the relevant Competent Authority must be consulted.

The Directorate: Development Management has created generic e-mail addresses for the respective Regions, to centralise their administration. Please make use of the relevant general administration e-mail address below when submitting documents:

DEADPEIAAdmin@westerncape.gov.za

Directorate: Development Management (Region 1):
City of Cape Town; West Coast District Municipal area;
Cape Winelands District Municipal area and Overberg District Municipal area.

DEADPEIAAdmin.George@westerncape.gov.za

Directorate: Development Management (Region 3):
Garden Route District Municipal area and Central Karoo District Municipal area

General queries must be submitted via the general administration e-mail for EIA related queries. Where a case-officer of DEA&DP has been assigned, correspondence may be directed to such official and copied to the relevant general administration e-mail for record purposes.

- 3.2 The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The tables may be expanded where necessary. Please make use contrasting colours in the answer blocks to improve the visibility and highlight information.
- 3.3 The quality, correctness and detail of information submitted by you is extremely important and it remains your responsibility to interrogate the specifics of your proposed development in order to report on the potential listed activities in this form.
- 3.4 This form is a guide to the information that must be submitted. Any additional information, pictorial evidence or explanations prompted by the form must be submitted along with this form in order to ensure that the Competent Authority does not need to request additional information from you. Incomplete forms will result in a request for additional information.
- 3.5 Unless protected by law all information contained in, and attached to this form, will become public information on receipt by the Department. Upon request, the Applicant/EAP must provide any interested and affected party with the information contained in or submitted with this Form.

Protection of Personal Information Act, 2013 (Act No. 4 of 2013) ("POPIA"):

Your attention is drawn to POPIA which is a comprehensive data protection legislation enacted in South Africa and came into effect on 1 July 2020. POPIA aims to give effect to the constitutional right to privacy, whilst balancing this against competing rights and interests, particularly the right of access to information. Please note that your personal information will only be used as far as it relates to the EIA process. By including your personal details in the Form and any subsequent reports and documents it will be deemed as giving consent to use this information as far as it relates to the EIA process.

- 3.6 This form is current as of **April 2024**. It is the responsibility of the Proponent/EAP to ascertain whether subsequent versions of the form have been released by the Department. Visit the Department's website at <http://westerncape.gov.za/eadp> to check for the latest version of this Form.
- 3.7 This Form must be **duly dated and signed** by the Proponent and/or EAP (wherever applicable) and must be submitted to the Department at the details provided below.
- 3.8 Please note that it is an offence for a person to provide incorrect or misleading information in any form, including any document submitted in terms of the EIA Regulations to a competent authority or omits information that may have an influence on the outcome of a decision of a competent authority.

4. Circulars, Guidelines and Tools

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 Form.

5. Development Setback information

- 5.1 A development setback is defined/adopted in terms of the NEMA EIA Regulations and only relates to the relevant listed activities triggered by the proposed development where this Department is the competent authority.
- 5.2 A development setback is not defined/adopted in terms of the National Environmental Management Act: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICMA") / National Water Act, 1998 (Act No. 36 of 1998) or any other legislation, and notwithstanding the location of the development setback, any other statutory requirements that may be applicable to the undertaking of the development must be adhered to. The requirements of all relevant legislation must be met.
- 5.3 A development setback that may be defined/adopted does not imply that the area inland of the line will not be exposed to risks arising from dynamic processes, including the risk of flooding or erosion.

6. Minimum Public Participation Process Requirements

A public participation process must be undertaken as part of the setback line definition/adoption request. As a minimum you will be required to:

- inform the surrounding neighbours and your local authority of your intentions (these interested and affected parties will be regarded as registered interested and affected parties);
- allow a minimum of 30 days as a commenting period for these interested and affected parties;
- obtain written comment from all relevant Organs of State and the Local Authority; and
- respond to comments received and the proof of the public participation including all comments received and responses provided thereto must be submitted to the Competent Authority.

DEVELOPMENT SETBACK DEFINITION/ADOPTION FORM

REQUEST FOR THE DEFINITION/ADOPTION OF A DEVELOPMENT SETBACK IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) (“NEMA”) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (“EIA”) REGULATIONS, 2014.

APRIL 2024

GENERAL PROJECT DESCRIPTION

(This must include an overview of the project including the Farm name/Portion/Erf number)

SETBACK LINE FOR THE PROPOSED SINGLE RESIDENTIAL DWELLING, MANAGER’S HOUSE AS WELL AS ASSOCIATED INFRASTRUCTURE ON PORTION 15 OF THE FARM No. 643, STANFORD. CALEDON RD

GENERAL REQUIREMENTS

1.1. Locality Map

A locality map must be attached to the Form, as Appendix A. 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 include the following:

- an accurate indication of the project site position;
- 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 with the latitude and longitude at the centre point for the site. The co-ordinates should be in degrees, minutes and seconds. The minutes and seconds should be to at least three decimal places. The projection that must be used in all cases is the Hartebeesthoek94 WGS84 coordinate system;

1.2. Map of the development setback to be defined/adopted

A map that clearly shows the development setback to be defined/adopted must be attached to the Form as Appendix B

Appendix A:	Locality map	YES X	NO	N/A
Appendix B:	Map depicting the development setback to be adopted	YES X	NO	N/A
Appendix C:	Site development Plan	YES X	NO	N/A
Appendix:	Existing development setback	YES	NO	N/A
Appendix	Existing Directives	YES	NO	N/A
Appendix:	Zoning of properties	YES	NO	N/A
Appendix	Any other attachments must be included as subsequent appendices	YES	NO	N/A

PART 1: ADMINISTRATIVE DETAILS

SECTION A: DETAILS OF PROPONENT | EAP | LANDOWNER | MUNICIPALITY

Highlight the Departmental Region and District in which the intended application will fall	CAPE TOWN OFFICE (REGION 1)		GEORGE REGIONAL OFFICE (REGION 3)	
	City of Cape Town	Cape Winelands District	Central Karoo District	
	West Coast District	Overberg District X	Garden Route District	
Duplicate this section where there is more than one Proponent				
1.	Name of Proponent:	Middleberg Investments (Pty) Ltd		
	Contact person name (if other):	Bianca Sharratt		
	Company/ Trading name State Department/Organ of State:	Middleberg Investments (Pty) Ltd		
	Company Registration Number:	2005/042472/07		
	Postal address & Postal code:	Rivergate Farm, Wortelgat Road, Stanford	Code	7210
	Contact numbers:	Tel. +27(0)	Cell:	+27(0)
	E-mail:	bianca@rivergatefarm.co.za		
2.	Company of EAP:	Lornay Environmental Consulting		
	EAP / Candidate EAP name:	Michelle Naylor		
	EAP registration no:	2019/698		
	Postal address & Postal code:	Unit 5/1F, Hemel en Aarde Wine Village, Hermanus	Code	7200
	Contact numbers:	Tel. +27(0)	Cell:	+27(0) 83 245 6556
	E-mail:	michelle@lornay.co.za		
Duplicate this section where there is more than one Landowner				
3.	Name of landowner:	Hilton Cumming		
	Name of contact person for landowner (if other):			
	Postal address & Postal code:	Rivergate Farm, Wortelgat Road, Stanford	Code	
	Contact numbers:	Tel. +27(0)	Cell:	+27(0)
	E-mail:	vaughan@middleberg.co.za		
Duplicate this section where there is more than one person in control of the land				
4.	Name of Person in control of the land:	Hilton Cumming		
	Contact person for 'person in control of the land' (if other):			
	Postal address & Postal code:	Rivergate Farm, Wortelgat Road, Stanford	Code	7210
	Contact numbers:	Tel. +27(0)82 896 4374	Cell:	+27(0)
	E-mail:	vaughan@middleberg.co.za		
Duplicate this section where there is more than one Municipal Jurisdiction				
5.	Municipality in whose area of jurisdiction the proposed activity will be undertaken:	Overstrand Municipality		
	Name of contact person:	Chester Arendse		
	Postal address & Postal code:	PO Box 20, Hermanus	Code	7200
	Contact numbers:	Tel. +27(0)	Cell:	+27(0)
	E-mail:	carendse@overstrand.gov.za		

PART 2: DEVELOPMENT SETBACK DEFINITION/ADOPTION

SECTION B: DETAILS OF CURRENT ACTIVITIES/EXISTING DEVELOPMENT

1.	Do you have approvals for the existing or new development. If yes, explain and attach a copy/ies as Appendix C.	YES	NO <input checked="" type="checkbox"/>
	N/A		

2.	Is the development part of a bigger lawfully approved and commenced with development? If yes, provide details of all approvals and attach a copy/ies as Appendix C.	YES	NO <input checked="" type="checkbox"/>
	N/A		

3.	Have any activities physically commenced on the site? If yes, list the date of commencement of these activities.	YES	NO <input checked="" type="checkbox"/>
<p>Portion 15 of 643 was recently subdivided from RE12/643 to the East and historically formed part of the farm yard area of the former portion but was never developed.</p>			

4.	Clearly describe the commencement of these activities with clear timelines and development footprints.
	N/A

5.	Clearly describe the current state of the site/route. (This must be supported by recent colour photographs)
<p>The site is currently in a transformed and degraded state, previously used for agriculture and grazing, no indigenous vegetation is present. The site is characterised by grass.</p>	



Photo 1. Showing the disturbed condition of the site presented by the secondary vegetation (grass).



Photo 2. Transformed nature of property



Photo 3. Transformed property with no natural vegetation

6. Describe the existing vegetation/ground cover. (This must be supported by recent colour photographs)

According to the South African Vegetation Map (2024), the property falls within the Agulhas Limestone Fynbos vegetation type, which is classified as a Critically Endangered ecosystem. This vegetation type is naturally species-rich and occurs on limestone-derived soils, forming part of the unique fynbos biodiversity of the Agulhas Plain.

The current condition of the property, however, has been heavily transformed. No intact natural fynbos vegetation remains. The site is dominated by secondary grass cover and a few planted pine trees, which represent the current vegetative state rather than indigenous vegetation. Areas around the existing informal chicken pens and along informal pathways are bare or disturbed, with some patches showing minor erosion and soil exposure. The site therefore exhibits low ecological integrity, and the vegetation present is indicative of prior disturbance rather than natural fynbos.



Figure 1: SA VegMAP (2024) indicates that the site is located within Agulhas Limestone Fynbos vegetation type.



Photo 4. Current state of site not indicative of natural vegetation, previously transformed through agriculture and gazing.



Photo 5. Image showing the transformed state



Photo 6: Further demonstrates the disturbed ground conditions and scattered alien trees present on the property, this photo was taken closer to the river edge.

7.	Have any development setbacks in terms of the NEMA EIA Regulations been adopted by the competent authority for the subject site/route? If yes, copies must be attached as Appendix D.	YES	NO x
8.	Have any Directives under Section 28 of the NEMA been issued by the competent authority for the subject site/route? If yes, copies must be attached as Appendix E.	YES	NO x
9.	Have any Directives under Section 30A of the NEMA been issued by the competent authority for the subject site/route? If yes, copies must be attached as Appendix E.	YES	NO x
10.	Have any Directives under Section 24G of the NEMA been issued by the competent authority for the subject site/route? If yes, copies must be attached as Appendix E.	YES	NO x
11.	Describe the current land use.		

The current land use of the property is agricultural, as the property is located within an agricultural area outside the urban edge of Stanford. This zoning allocation permits agricultural activities and related uses consistent with rural land management practices. At present, the property is largely undeveloped and in a degraded state and has been transformed by previous agricultural activities and grazing.

12. Describe the surrounding land use.

The surrounding land use is predominantly agricultural, with neighbouring properties being used for low intensity agriculture and low-density tourism or single residential. The area is characterised by open rural landscapes, agricultural holdings, and scattered farmsteads, which reflect the agricultural zoning and land-use designation of the broader Stanford rural area.

13.	Is the current land use lawful? If yes, please explain.	YES <input checked="" type="checkbox"/>	NO
<p>The property is vacant, recently subdivided from adjacent re12/643. The site formed part of previous agricultural activities and grazing.</p> <p>The proposed development is low density and aligns with surrounding land use(s), making it suitable for consideration under the Adhoc Setback Line process</p>			

SECTION C: PROJECT DETAILS

Please "highlight" the appropriate answer by shading the relevant block or providing the answer in the space provided.

1.	Does the proposed development entail the expansion of a lawful existing facility/structure/infrastructure or the development of a new facility/structure/infrastructure or the "like for like" replacement of an existing lawful facility/structure or infrastructure. Please explain.	
<p>The proposed development entails the establishment of new structures which have not yet been established on the property.</p>		
2.	Provide a detailed description of the proposed development and all its associated infrastructure. A clear, accurate and detailed description will obviate the request for additional information by the competent authority.	
<p>The application seeks approval for an ad-hoc setback to establish a single residential dwelling (main dwelling) and a manager's house, as well as an access road to provide vehicular access to the property.</p> <p>The property, Portion 15 of Farm No. 643, is located within agriculturally zoned land outside the town of Stanford. It is adjacent to the Kleinrivier to the north. The site is currently in a completely transformed state by previous agricultural activities and grazing, and dominated by secondary grass vegetation, with some patches of bare soil. No formal infrastructure currently exists on the property, except for four small informal chicken pens.</p> <p>The proposed infrastructure will be situated more than 100 m from the High-Water Mark of the Klein Rivier and more than 32 m from the same.</p> <p>The proposed development includes the following components:</p> <ol style="list-style-type: none"> 1. Residential Dwelling (Main Dwelling) <ul style="list-style-type: none"> → A single residential dwelling approximately 385 m². 2. Manager's House <ul style="list-style-type: none"> → An additional dwelling for the manager's house approximately 342 m². 3. Access Road <ul style="list-style-type: none"> → Access to the site is existing. 		



Figure 2: Aerial view of the proposed development

3.	Is the proposed development:		
3.1.	a linear activity?	YES	NO x
3.2.	an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource?	YES	NO x
3.3.	a strategic integrated project (SIP) as contemplated in the Infrastructure Development Act, 2014 (Act No. 23 of 2014)?	YES	NO x
4.	Property location	Stanford	
5.	Erf/Farm name(s), number(s) and portion(s)	Portion 15 of the Farm No. 643	
6.	Property size(s) (m ²) of all proposed sites:	51 440 000 m ² (51.44 ha)	
7.	What is the existing lawfully development footprint size in m ² ?	0 m	
8.	Development footprint size(s) in m ² (i.e. the total area of land to be physically cleared for the proposed development (including associated infrastructure). Provide clear details of the required footprint).	Main dwelling; 385 m² Manager's House; 342 m² Access road; 2050 m² Total development footprint ~ 2777 m²	
9.	SG Digit code(s) of the all the proposed property(ies) (description of cadastral unit)	C 0 1 3 0 0 0 0 0 0 0 0 0 0 6 4 3 0 0 0 1 5	
10.	Coordinates of the proposed site(s) for all alternatives:		
	Latitude (S)	34° 25'	42.97"
	Longitude (E)	19° 25'	12.85"

SECTION D: POTENTIAL LISTED ACTIVITIES THAT YOU REGARD TO BE APPLICABLE TO THE PROPOSED DEVELOPMENT

All activities listed in of the EIA Regulations that may be associated with the proposed development must be provided below.

Activity No(s):	Provide the relevant Basic Assessment Activities as set out in Listing Notice 1	Describe the portion of the <u>proposed development</u> to which the applicable listed activity relates.
17	Development – (i) in the sea; (ii) in an estuary; (iii) within the littoral active zone; (iv) in front of a development setback; or (v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater; in respect of - (a) fixed or floating jetties and slipways; (b) tidal pools; (c) embankments; (d) rock revetments or stabilising structures including stabilising walls; or (e) infrastructure or structures with a development footprint of 50 square metres or more	Although the proposed structures are located outside the riparian zone, more than 32 m from the watercourse and above 5m contour, they occur within 100 m of the high-water mark.
19A	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from (i) the seashore; or (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or estuary, whichever distance is the greater but excluding where such infilling, depositing , dredging, excavation, removal or moving – (f) will occur behind a development setback	The proposed development will fall within 100 m from the high-water mark.
Activity No(s):	Provide the relevant Basic Assessment Activities as set out in Listing Notice 3	Describe the portion of the proposed development to which the applicable listed activity relates.
Activity No(s):	Provide the relevant Scoping and EIR Activities as set out in Listing Notice 2	Describe the portion of the proposed development to which the applicable listed activity relates.

Additional notes regarding the NEMA EIA Listed activities

Listing Notice 1; Activity 27; *The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for— i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.*

This activity is not applicable to the proposed development. Although the property is mapped as occurring within the Agulhas Limestone Fynbos vegetation type, the site has been transformed through previous agricultural activities and grazing and no indigenous vegetation is present on site. The existing vegetation consists of grass cover, and bare eroded areas. The proposed development will therefore not involve the clearance of indigenous vegetation.

Listing Notice 3; Activity 4 ; *The development of a road wider than 4 metres with a reserve less than 13,5 metres. i. Western Cape i. Areas zoned for use as public open space or equivalent zoning; ii. Areas outside urban areas; (aa) Areas containing indigenous vegetation; (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or iii. Inside urban areas: (aa) Areas zoned for conservation use; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.*

This activity is not applicable to this development because the site is already in a transformed state with no indigenous vegetation present occurring onsite. The proposed access road will be less than 1000 m in length and less than 4 m width.

Listing Notice 3; Activity 12; *The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.*

This activity is not applicable to the proposed development. The property is largely transformed, and the vegetation present consists mainly of secondary grass cover, disturbed ground, and a few planted trees (pine trees). No indigenous vegetation remnants were identified on site. The proposed development will therefore not result in the clearance of indigenous vegetation.

Also note that the development is located above the 5 m contour and more than 32 m from the watercourse and therefore listed activities relating to such are not applicable.

SECTION E: PLANNING CONTEXT

1.	What is the current zoning of the property or properties?		
The property is zoned as Agricultural Zone 1.			
1	Is a rezoning application required?	YES	NO <input checked="" type="checkbox"/>
3.	Is any other land use approval(s) (e.g. consent) required? If yes, please explain.	YES	NO <input checked="" type="checkbox"/>
4.	Will the proposed development be located in an <u>urban area</u> as defined in the EIA Regulations? If yes, please explain.	YES	NO <input checked="" type="checkbox"/>
The proposed development is situated within agricultural zoned land, outside the demarcated urban edge.			
5.	Is the activity permitted in terms of the property's existing land use rights? If yes, please explain.	YES <input checked="" type="checkbox"/>	NO
The proposed activity is permitted in terms of the property's land use rights, for the establishment of a main dwelling as well as the manager's house which are the primary rights permitted under the Agricultural zoning land use.			
6.	Are there any building restrictions in terms of the applicable Municipal By-laws? If yes, please explain.	YES <input checked="" type="checkbox"/>	NO
General Overstrand Municipality By-Laws			
7.	Will the activity be aligned with the following:		
7.1.	The Provincial Spatial Development Framework? Please explain below:	YES <input checked="" type="checkbox"/>	NO
<p>The proposed development on Portion 15 of Farm 643, Stanford is aligned with the objectives of the Western Cape Provincial Spatial Development Framework (PSDF, 2014). The PSDF encourages development in areas that are outside ecologically sensitive areas, minimize environmental impacts, and promote responsible land use in rural and agricultural zones.</p> <p>Portion 15 is located within agricultural zoned land and is in a transformed state, with secondary vegetation and previously disturbed areas. The proposed development footprint avoids sensitive areas such as the Kleinrivier estuary riparian zone and Estuarine Functional Zone, while infrastructure is designed to comply with coastal and environmental setback requirements.</p> <p>By locating the residential dwelling, manager's house, and access road within previously disturbed portions of the property and maintaining required setbacks, the development supports the PSDF's objectives of sustainable rural development, protection of biodiversity, and prudent use of land outside urban areas.</p>			
7.2.	The Spatial Development Framework of the local authority? Please explain below:	YES	NO
<p>The proposed development is in line with the Overstrand Municipality Spatial Development Framework (SDF, 2020). The SDF provides a strategic spatial planning framework that directs growth and development within the municipal area toward locations and land uses that support sustainable, long-term development while protecting important environmental and agricultural resources. It seeks to ensure that growth and development take place in areas with the capacity to accommodate development, and that development is managed in a manner that considers both economic potential and environmental sustainability. One of the key objectives of the SDF is to</p>			

manage rural development in a way that retains the viability of agricultural land and environmental resources while supporting appropriate rural settlement and land use changes within these areas.

Portion 15 of Farm 643, Stanford is located within an agriculturally zoned area outside the urban edge, and the property is in a transformed and previously disturbed state. The proposed development of a single residential dwelling, manager’s house and associated access infrastructure is therefore aligned with the SDF’s focus on directing appropriate development to rural areas where it can be sustainably accommodated and avoiding unnecessary expansion into sensitive or high-priority natural areas. By locating infrastructure in areas already transformed and by maintaining required environmental buffers (including setbacks from the Kleinrivier estuary), the development supports the SDF’s goals of sustainable land use, protection of sensitive environmental features, and orderly spatial growth.

7.3.	The urban edge as delineated in the Municipality's Spatial Development Framework? Please explain below:	YES	NO
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The property, Portion 15 of Farm 643, Stanford, is situated outside the urban edge as delineated in the Overstrand Municipality Spatial Development Framework (SDF).

7.4.	An Environmental Management Framework (EMF)? Please explain below:	YES <input checked="" type="checkbox"/>	NO
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The Environmental Management Overlay Zones (EMOZ) contained within the Overstrand Municipality Environmental Management Overlay Zones Regulations (2020) were consulted as part of the environmental screening and desktop analysis undertaken by the Environmental Assessment Practitioner (EAP). The Overstrand Public Viewer and EMOZ spatial layers were used to identify environmental sensitivities applicable to the property (Portion 15 of Farm 643, Stanford).

According to the EMOZ mapping, the site is located within the Coastal Protection Zone overlay, while also located within the Urban Conservation overlay zones (Category D). No ecological corridors are mapped across the property. These overlay zones are planning tools implemented by the Municipality to protect environmentally sensitive areas, manage development within coastal systems, and ensure that land-use decisions consider biodiversity, hydrological processes, landscape character, and long-term environmental sustainability.

The Coastal Protection Zone overlay is intended to safeguard coastal ecological processes and sensitive environments associated with estuaries, wetlands, and riparian systems. In terms of coastal management principles, the coastal protection zone generally includes land within a specified distance of the high-water mark of coastal and estuarine systems, where development must be carefully assessed to avoid impacts on coastal processes, flooding risk, erosion, and ecosystem functioning. In this case, although the northern portion of the property falls within the coastal protection zone associated with the Klein Rivier, the proposed development footprint is located outside the estuary’s sensitive riparian areas and above the 5m contour (Estuarine Functional Zone), thereby reducing potential impacts on coastal processes and aquatic ecosystems.

The Urban Conservation overlay zone (Category D) identifies areas where development must be sensitive to environmental and landscape characteristics, but where development is not necessarily prohibited. Instead, these areas require appropriate design, planning, and environmental consideration to maintain ecological and visual integrity. Overlay zones in the Overstrand Municipality function as additional planning controls applied over base zoning to protect natural, aesthetic, and environmental resources, ensuring that development remains compatible with surrounding environmental conditions.

Based on the site assessment undertaken by the EAP, the property is already in a transformed state, with secondary grass cover, alien vegetation, disturbed ground, and informal chicken pens present, and no intact

indigenous vegetation remaining onsite. The proposed development footprint is limited to a single residential dwelling, a manager’s house, and a gravel access road, all located outside sensitive riparian areas.

The proposal is therefore considered consistent with the intent of the Environmental Management Overlay Zones Regulations (2020), as the development footprint avoids sensitive aquatic and riparian features, occurs within an already transformed portion of the property, and can be implemented with appropriate environmental management measures. The application for an ad-hoc setback line further supports the objectives of the EMOZ by ensuring that development remains appropriately distanced from the Kleinrivier estuary and its associated ecological processes.

7.5.	Any other Policies, Plans, Guidelines, Spatial Tools, Development Planning Frameworks and instruments applicable to the development? Please explain below:	YES	NO <input checked="" type="checkbox"/>
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N/A

7.6.	Are any Amendments of the above-mentioned required? If yes, please explain.	YES	NO <input checked="" type="checkbox"/>
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N/A

SECTION F: EXISTING BIOPHYSICAL CONTEXT

1.	What is the distance in metres from the closest property boundary to the high-water mark of the sea/estuary/watercourse?	0 (m)	
2.	Is there evidence of existing erosion? If yes, please explain. (Include photographic evidence)	YES <input checked="" type="checkbox"/>	NO

There are localized eroded patches present on the property. These areas of erosion are primarily associated with disturbed ground and sections where vegetation cover is sparse or absent. The erosion observed on site is minor and limited in extent, occurring mainly within areas dominated by secondary grass cover, alien vegetation present and previously disturbed portions of the property. No significant erosion features such as dongas or large-scale soil instability were observed.



Photo 7: Localised soil erosion in disturbed areas with alien vegetation.

3.	Have erosion protection measures been implemented previously? If yes, please explain.	YES	NO x
N/A			
4.	What is the existing height above sea level?	5 (m)	
5.	What is the distance in metres of the closest point of the proposed development to the known storm surge high-water mark or flood-lines?	70 (m)	
6.	Will the proposed development block public access to the coast? If yes, please explain below:	YES	NO x
7.	Are there any servitudes registered on the property? If yes, please explain below:	YES	NO x
N/A			
8.	Is the site prone to flooding or inundation from the sea/watercourse? If yes, please explain and include dates of most recent events?	YES	NO x
N/A			
9.	Describe the type of sea shore (sandy, rocky, mixed etc.) or watercourse. (Attach photographs)		
<p>The Kleinrivier estuary traverses the northern portion of the property. Phragmites reeds occur near the water's edge and tidal influence on this section of the river is low. The site and area presented for development is terrestrial in nature.</p>			



Photo 8. Kleinrivier and Phragmites reeds along the watercourse

10.

Describe the shape of the seashore or watercourse (concave, convex, meandering etc.) (Attach photographs)

The Klein Rivier traversing the northern portion of the property exhibits a meandering channel pattern, typical of a low-gradient with limited to no tidal flux. The banks are gently sloping with areas of accumulation of fine sediments and vegetation, particularly Phragmites reeds along the edge.

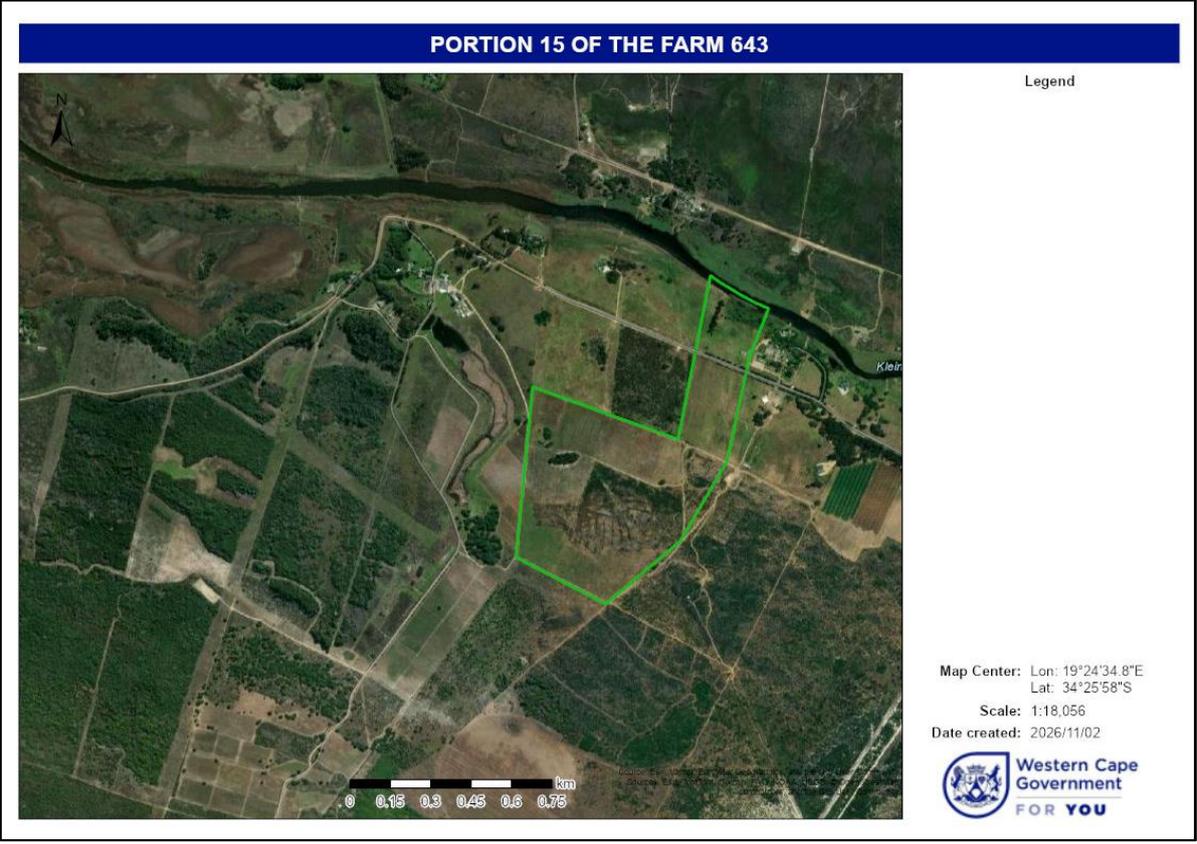


Figure 3-1: Meandering channel of the Kleinrivier estuary along the northern boundary of the property.

11. Describe the type of substrate of the seashore or watercourse (eg, very fine sand, coarse sand, very coarse, pebbles) (Attach photographs).

The substrate associated with the Kleinrivier estuary along the northern portion of the property consists primarily of fine to medium alluvial sand and silty sediments, typical of a low-energy estuarine environment. In some areas along the banks, organic-rich sediments and fine mud deposits occur where vegetation such as Phragmites reeds is established. No rocky or pebble-dominated substrate was observed within the portion of the estuary adjacent to the property.

12. Provide a description of the coastal zone / riparian zone and the existing vegetation. Provide pictorial evidence.

The riparian zone associated with the Kleinrivier estuary occurs along the northern boundary of the property. The riparian area is characterised by estuarine and wetland-associated vegetation, including stands of Phragmites reeds along the water’s edge, this vegetation is confined to the immediate edge of the watercourse and is not represented away from the edge. The area proposed for development is terrestrial in nature. The riparian zone transitions into disturbed terrestrial areas within the property, where the vegetation is largely secondary grass cover with scattered alien and planted trees. The riparian zone is very limited on the property and the transition to terrestrial is quick. The site has been historically transformed, and no intact natural terrestrial vegetation remains outside of the riparian margin.

The riparian area appears stable and vegetated, with no major signs of bank collapse or significant erosion observed during the site inspection.

13.	Does the site form part of a Critical Biodiversity Area? If yes, please explain.	YES <input checked="" type="checkbox"/>	NO
<p>The property falls within a Critical Biodiversity Area (CBA). The northern portion of the site, adjacent to the Kleinrivier estuary, is located within a CBA associated with the estuarine ecosystem, while the remainder of the property is identified as terrestrial CBA under the Western Cape Biodiversity Spatial Plan (2023). Although the site is mapped as CBA, the current condition of the property is heavily transformed, with secondary grass cover, scattered alien/planted trees, and no intact indigenous vegetation.</p>			
14.	Does the proposed development lie within coastal public property, the coastal protection zone or coastal access land. If yes, please explain.	YES <input checked="" type="checkbox"/>	NO
<p>The northern portion of the farm falls within the Coastal Protection Zone (CPZ) associated with the Kleinrivier estuary. The CPZ is intended to safeguard the ecological integrity of coastal and estuarine systems, maintain natural processes, and reduce the risk of damage from coastal hazards such as flooding and erosion.</p> <p>The proposed development does not occur within Coastal Public Property (CPP), as no infrastructure is proposed below the high-water mark of the Kleinrivier estuary or within the estuary channel itself. The development also does not fall within any designated coastal access land.</p> <p>The proposed residential dwelling, manager's house, and associated infrastructure have been carefully positioned to avoid the estuarine and riparian zones. All structures will be located more than 32 m from the watercourse and above the 5-metre contour and outside the riparian area, while remaining within approximately 100 m of the high-water mark of the Kleinrivier estuary. The application for the ad-hoc development setback line is therefore intended to ensure that development within the CPZ occurs in a controlled manner that maintains the functional integrity of the estuary and avoids direct disturbance to sensitive aquatic and riparian habitats.</p>			



Figure 3-2: Coastal Protection zone (light yellow) mapped on the northern portion of the property.

SECTION G: ENVIRONMENTAL IMPACTS

1.	Describe any negative environmental impacts that may occur if the request is granted. (Information on any increases in air emissions, waste generation, discharges to water and impacts of the natural or cultural environment such as pollution must be included.)
<p>No significant negative environmental impacts are anticipated if the ad-hoc setback line request is granted. The site is already in a transformed condition, with vegetation consisting mainly of secondary grass cover, disturbed areas, and scattered planted trees. No indigenous vegetation occurs within the proposed development footprint, and therefore the development is not expected to result in the loss of natural habitat or biodiversity.</p> <p>The proposed development is low density, small scale and in line with the owners' primary rights. In addition, the development proposed is consistent with surrounding land uses in the area and therefore falls within the scope of the Adhoc Setback Line process</p> <p>The Kleinrivier estuary occurs along the northern portion of the property and displays a stable riparian zone with established vegetation, including Phragmites reeds. The estuary channel in this section is meandering, and no evidence of active bank erosion or instability was observed during the site inspection. The proposed development</p>	

will be located within 100 m from the High-Water Mark, above the 5m contour (Estuarine Functional Zone) and outside the riparian zone, which reduces the likelihood of impacts on the estuarine environment.

Minor, temporary impacts may occur during the construction phase, including limited dust emissions, small volumes of construction waste, and localized soil disturbance. These impacts are expected to be short-term and can be managed through standard construction and environmental management practices. No direct discharges to the watercourse are anticipated, and no impacts on cultural or heritage resources are expected.

2. Describe any negative environmental impacts that may occur if the request is not granted (e.g. Continued erosion).

If the request for the ad-hoc setback line is not granted, the site is likely to remain in its current degraded condition, with secondary vegetation, alien plant species, and localized areas of bare and eroded soil persisting on the property. These conditions may continue to contribute to ongoing minor soil erosion and land degradation, particularly in areas where vegetation cover is sparse or disturbed.

Alien vegetation currently present on the property may continue to spread if not actively managed, which could further reduce the ecological condition of the site over time. In the absence of development, there may be limited incentive or resources available to rehabilitate disturbed areas or implement active land management measures.

The proposed development would allow for controlled site clearing, improved land management, and rehabilitation of disturbed areas, including the removal of alien vegetation and stabilization of exposed soils. Without such intervention, the site may continue to experience gradual environmental degradation, including the persistence of localized erosion and invasive vegetation.

3. Describe any positive environmental impacts that may occur if the request is granted. Information on any reduction in the ecological footprint, air emissions, waste generation and discharges to water, rehabilitation or coastal erosion protection measures must be included.

If the request is granted, several positive environmental outcomes may result from the proposed development and associated site management. The introduction of a single residential dwelling and a manager's house will enable improved management of the property, including the removal and control of alien vegetation and the rehabilitation of previously disturbed and eroded areas. This may contribute to improved ground cover and soil stability, thereby reducing the potential for further localized erosion onsite as well as the estuarine environment.

The development footprint is relatively small and low-density, which limits the overall ecological footprint of the activity. Since the site is already in a transformed condition, the proposed development will not result in the loss of indigenous vegetation or sensitive terrestrial habitat. The placement of infrastructure above the 5m contour will help maintain the integrity of the riparian zone and estuarine environment, thereby protecting water quality and reducing the risk of sedimentation into the watercourse.

4. Describe what investigations or assessments have been undertaken (if any) to inform this request.

A desktop assessment was undertaken by the Environmental Assessment Practitioner (EAP) to inform this request. This included consultation of Cape Farm Mapper and the Overstrand Public Viewer, which were used to identify environmental sensitivities associated with the property. Through this desktop analysis, key spatial layers were reviewed, including watercourses, estuarine features, vegetation mapping, Critical Biodiversity Areas (CBAs), and other environmental priority areas.

In addition to the desktop review, a site visit was conducted by the EAP to verify on-site conditions and assess the current state of the property. The site inspection confirmed the transformed nature of the property, the presence

of secondary vegetation, localized disturbed areas, and the stable condition of the riparian zone. Photographs taken during the site visit are included in this application as supporting evidence of the site's current condition.

5.	Is there any existing local authority building setback lines, or other in place? If yes, please explain.	YES	<input checked="" type="checkbox"/> NO
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N/A

6.	Clearly describe what line you propose for the competent authority to adopt as a development setback (This MUST be supported by a map, in both hard and soft copy (preferably 1:10 000 or larger) clearly showing the proposed line and proximity to the high-water mark of the sea/ watercourses as well as any lines in terms of the above.)
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The proposed development setback line for the competent authority's consideration is defined by the following coordinates:

- **Point A:** 34°25'44.72" S, 19°25'18.05" E
- **Point B:** 34°25'42.24" S, 19°25'13.00" E
- **Point C:** 34°25'40.72" S, 19°25'12.06" E
- **Point D:** 34°25'40.10" S, 19°25'10.52" E
- **Point E:** 34°25'46.20" S, 19°25'9.07" E
- **Point F:** 34°25'48.68" S, 19°25'16.59" E

This line represents the boundary of the ad-hoc setback proposed for the establishment of the single residential dwelling, manager's house, and associated access infrastructure. The proposed line is situated at a minimum distance of 50.8 metres from the High-Water Mark of the Kleinrivier estuary, ensuring adequate separation from the riparian zone and compliance with environmental protection requirements.

A map showing the proposed setback line in relation to the High-Water Mark, existing watercourses, and other relevant environmental lines is provided in provided as **Appendix B**, to support the adoption of this line by the competent authority.

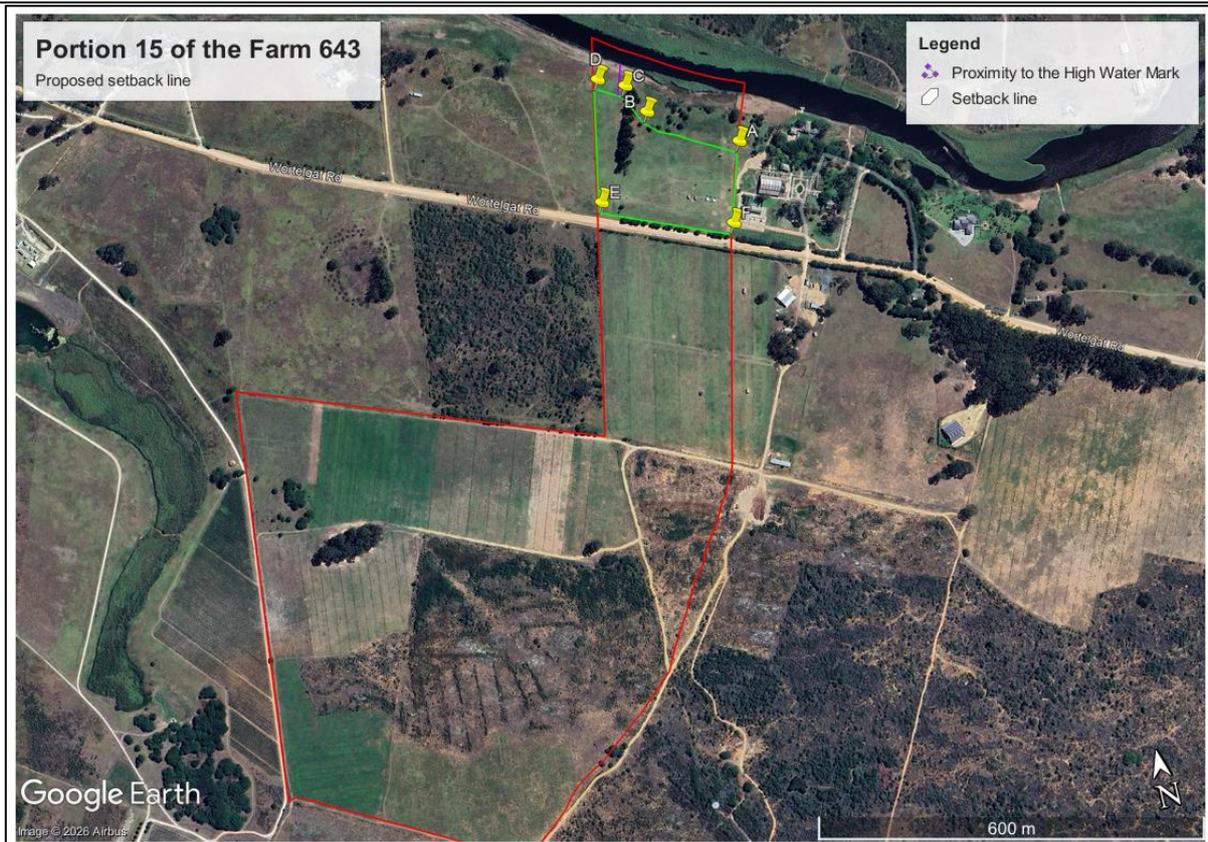


Figure 4: Proposed development setback line as highlighted in (green).

8. Explain how climate change concerns have been considered in the development of the property/ies.

Climate change considerations have been incorporated into the planning and design of the proposed development. The site is located within a transformed, low-lying agricultural area, and all proposed infrastructure, including the residential dwelling, manager’s house, and access road, has been sited outside the riparian zone of the Kleinrivier estuary, above the 5m contour and more than 32m of the watercourses in the vicinity. This placement reduces the risk of flooding, storm surge, or erosion-related impacts associated with potential climate change-induced sea level rise or increased rainfall intensity.

The development footprint is small-scale and low-density, minimizing land disturbance, reducing the potential for soil erosion, and preserving existing vegetation buffers where feasible. Construction and site management measures will further mitigate dust, sediment runoff, and stormwater impacts, contributing to overall resilience of the property against climate-related environmental pressures. The design approach ensures that future occupants and infrastructure are protected from climate-related risks while maintaining the ecological integrity of the estuarine and riparian environment.

PART 3 DECLARATIONS

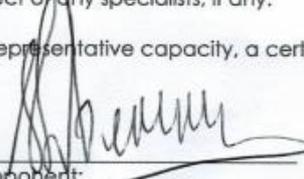
SECTION A: DECLARATION OF THE PROPONENT

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

I, Sandra Cumming ID Number: 6511300158086
in my personal capacity or duly authorised thereto hereby declare/affirm that:

- the information provided or to be provided as part of this form, is true and correct;
- 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, as defined in Chapter 5 of NEMA (as amended) and any relevant Specific Environmental Management Acts and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- 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 am aware of my general duty of care in terms of Section 28 of the NEMA;
- I will provide the EAP and specialist, where applicable, and the competent authority with access to all information at my disposal that is relevant to the application;
- I will be responsible for the costs incurred in complying with the EIA Regulations, 2014 and other environmental legislation including but not limited to –
 - o costs incurred for the appointment of the EAP or any person contracted by the EAP; and
 - o costs in respect of any specialists, if any.

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

Signature of the Proponent: 

16/02/26
Date:

Middleberg Investments (Pty) Ltd.
Name of company (if applicable):

**SECTION B: DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER
("EAP")**

I, MICHELLE NAYLOR EAP Registration Number:

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as the appointed EAP hereby declare/affirm that:

- my EAP Registration is current and up to date, and will inform the proponent and Department if the registration should lapse;
- the information provided or to be provided as part of this form, is true and correct;
- I have disclosed/will disclose, to the Proponent, 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 the request for the definition/adoption of a development setback;
- I have ensured/will ensure that information containing all relevant facts in respect of the request for the definition/adoption of a development setback 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 and submitted to the competent authority;
- I have ensured/will ensure the inclusion of inputs and recommendations from any specialists in respect of the request for the definition/adoption of a development setback, where relevant;
- I have kept/will keep a register of all interested and affected parties that participated in the public participation process; and
- I am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations, 2014.

M Naylor

Signature of the EAP:

20-02-2026

Date:

LORNAY ENVIRONMENTAL CONSULTING PTY LTD

Name of company (if applicable):