



## NEMA SECTION 24G APPLICATION

CLEARANCE OF INDIGENOUS VEGETATION FOR PLANTING OF DRYLAND CROPS ON  
PORTION 2 OF THE FARM ANNEX KLEIN ZOUT RIVIER NO. 39, NAPIER, BREDASDORP  
RD

**March 2026**

**Consultant:**

**Michelle Naylor** | Env. Consultant | M.Sc., Pr. Sci. Nat., EAPASA  
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Unit 5/1F, Hemel & Aarde Wine Village, Hermanus  
Lornay Environmental Consulting Pty Ltd | Reg 2015/445417/07





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

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

No.	Application Requirements	Please tick for confirmation
1.	Requirements of Preliminary Advertisement (pre-application public participation requirements including register of all I&APs), in accordance with Annexure A, Section D of the Section 24G Fine Regulations. <b>(Note: Failure to meet the Regulation 8 will result in rejection of the application)</b>	
2.	Application form has been completed and attached, which includes among others:	
	2.1. A list of all listed activities and/or waste management activities that was triggered when the development activity was commenced with.	
	2.2. A list of all <b>similarly listed</b> activities in terms of the current EIA regulations (if applicable).	
	2.3. A description of the receiving environment <b>before</b> commences of the activity(ies).	
	2.4. A description of the receiving environment <b>after</b> commences of the activity(ies).	
	2.5. All appendices and annexures:	
	2.5.1. Locality map	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	X
	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)	
	2.6. Signed declaration forms.	
3.	Are any specialist assessments required: e.g. Botanical, Hydro-geological, soil, socio-economic?	Y   N
	3.1. If yes, has the specialist assessment report been attached to the application?	YES
4.	An assessment of the impacts of the activity or activities in terms of the following categories:	
	• Socio-economic	
	• Biodiversity	X
	• Sense of place &/or Heritage/ Cultural	
	• 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.	
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, <i>inter alia</i> , notices, adverts etc.	
	10.2 Copies of comments and responses included in the application.	
	10.2 Comments and Response report attached to the application.	
11.	Public Participation Process undertaken in terms of Chapter 6 of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") (GN No. R.326 of 7 April 2017) <b>(if conducted/undertaken)</b>	

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

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

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. **The contents of this Application Form include the following:**
  - PART 1 -**
    - Section A: Background Information**
    - Section B: Activity Information**
    - Section C: Description of Receiving Environment**
    - Section D: Need and Desirability**
    - Section E: Alternatives**
    - Section F: Impact Assessment, Management, Mitigation and Monitoring Measures**
    - Section G: Assessment Methodologies and Criteria, Gaps in Knowledge, underlying Assumptions and Uncertainties**
    - Section H: Recommendations of the EAP**
    - Section I: Representations - Response to an Incident or Emergency Situation**
    - Section J: Public Participation Process**
  - PART 2 -**
    - ANNEXURE A of Fine Regulations**
      - Section A: Directives**
      - Section B: Deferral of the Application**
      - Section C: Quantum of the section 24G fine**
      - Section D: Preliminary advertisement**
  - PART 3 -**
    - Appendices and Declarations**
  - PART 4 -**
    - ANNEXURE B: Waste Management Activity Supporting Information (if relevant)**
5. An **Independent 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 240 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:
    - o fails, in terms of Regulation 8(1), to place a preliminary advertisement in a local newspaper in circulation in the area in which the activity was, or activities were, commenced and on the applicant's website, if any or
    - o fails, in terms of Regulation 8(2), to comply with the advertisement requirements set out in Annexure A, section D or
    - o fails, in terms of Regulation 8(3), to open and maintain a register of interested and affected parties)); or
    - o fails, in terms of Regulation 8(4), to attach to the application form the register of interested and affected parties, which must be included in the report, or form part of the information submitted in terms of section 24G(1) of NEMA.
  - Provides incorrect, false or misleading information in any form, including in any document submitted to a competent authority in terms of the Section 24G Fine Regulations or omits information that may have an influence on the outcome of a recommendation of the fine committee or determination of the competent authority.
5. A person convicted of an offence in terms of these Regulations is liable to a fine not exceeding R5 million or to imprisonment for a period not exceeding 5 years, and in the case of a second or subsequent conviction to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, and in both instances to both such fine and such imprisonment.

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

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

# EXECUTIVE SUMMARY

## NEMA Section 24G Application — Retrospective Environmental Authorisation

Unauthorised Clearance of Indigenous Vegetation | Portion 2 of Farm 39, Napier, Bredasdorp RD | Western Cape

Prepared by: Lornay Environmental Consulting (Pty) Ltd | EAP: Michelle Naylor (Pr.Sci.Nat., EAPASA)

### 1. LOCATION & PROJECT DESCRIPTION

**Property:** Portion 2 of Farm No. 39, situated near Napier in the Bredasdorp Rural District, Western Cape. The property falls within the **Cape Agulhas Local Municipality** and is zoned for Agricultural use. The total property extent is **120.65 ha** and the activity footprint is **7.4039 ha**.

The subject property is located within a predominantly agricultural landscape characterised by Central Ruens Shale Renosterveld on surrounding hillslopes and a lowland floodplain system associated with the **Klein-Sout River** (a small non-perennial drainage line). The cleared areas comprise two discrete zones (C1 and C2) within this floodplain environment, which had historically been subject to agricultural ploughing.

### 2. BACKGROUND

The applicant, **Daniel Jacobus Fourie**, operates the subject farm and is the person in control of the land. The landowner of record is **CE Fourie**. The property has a long history of agricultural use, with records confirming that the floodplain areas in question were ploughed and farmed as far back as **1993**, and by the applicant himself from **2003**.

Following an extended fallow period (exceeding ten years) during which indigenous vegetation re-established, the applicant resumed agricultural activities on the site in **February/March 2023** (initial clearing and ploughing) and again in **April 2024** (further ploughing and seeding of cover crops for grazing). The applicant operated under the assumption that previously ploughed land could be re-ploughed without a new Environmental Authorisation, which constitutes the central compliance issue addressed in this application.

No permanent structures, roads, or other infrastructure were constructed as part of the clearance activities. Since the most recent clearance, natural vegetation regrowth has already commenced on portions of the disturbed area.

### 3. THE UNLAWFUL ACTIVITY

The applicant **commenced listed activities without prior Environmental Authorisation** in contravention of **Section 24F(1) of NEMA (Act 107 of 1998)**. The following EIA listed activities were triggered:

- GNR 327, Activity 27 — Clearance of 1 ha or more (but less than 20 ha) of indigenous vegetation (except where previously ploughed within the last 10 years) — The clearance of 7.4039 ha of indigenous vegetation for cultivation purposes on agriculturally zoned land.
- GNR 324, Activity 12 — Clearance of 300 m<sup>2</sup> or more of indigenous vegetation within a sensitive area — applicable to the CBA2 and floodplain context of the site.

**Total area unlawfully cleared:** 7.4039 ha, comprising two cleared zones (C1 and C2) within the floodplain.

**Vegetation composition of cleared area:** Approximately 47% (3.508 ha) consisted of natural indigenous floodplain vegetation that had never been ploughed; the remaining 53% (approximately 3.932 ha) was secondary or historically transformed floodplain vegetation. No Species of Conservation Concern (SCC) or protected plant species were recorded within the cleared footprint.

Although the site is mapped as **Central Ruens Shale Renosterveld** (a **Critically Endangered** vegetation type per SANBI VegMap 2024) and falls within a **Critical Biodiversity Area (CBA2 — Terrestrial and Aquatic)**, the specialist botanical assessment confirmed that the cleared vegetation is not true renosterveld. It instead comprises floodplain vegetation with characteristics distinct from the renosterveld found on surrounding hillslopes.

#### 4. ALTERNATIVE 1 — NO-GO / STATUS QUO (NON-PREFERRED)

This alternative proposes that the cleared area be left fallow and allowed to rehabilitate naturally, with no further agricultural cultivation. While this would permit vegetation recovery over time, it would not contribute to the productive agricultural use of the land and would not generate socio-economic benefits associated with farming. The EAP does **not recommend** this alternative as the preferred option.

##### Impact Summary — Alternative 1:

Impact	Significance (Pre-Mitigation)	Significance (Post-Mitigation)	Notes
Loss of plant community types	Low (-)	Low (-)	Vegetation already secondary; alien species dominate; moderately reversible
Potential loss of SCC / protected species	Low (-)	Low (-)	No SCC recorded; floodplain veg differs from true renosterveld
Spread / establishment of alien invasive species	Low (-)	Low (-)	IAPs present (Castor-oil plant, Spear thistle); site-specific & short-term
Disruption of broad-scale ecological processes	Medium (-)	Low to Medium (-)	Fragmentation risk; mitigated by limiting clearance to existing footprint

Under Alternative 1, all assessed impacts are rated **Low (-)** following mitigation. The primary concern remains the incremental loss of secondary vegetation and the presence of alien invasive species. The absence of active management under this alternative is considered less favourable from a long-term ecological and socio-economic perspective.

#### 5. ALTERNATIVE 2 — CONTINUE AGRICULTURAL USE WITH MITIGATION (PREFERRED)

This is the **Preferred Alternative**. It involves proceeding with retrospective authorisation of the vegetation clearance and continuing with agricultural cultivation (dryland crops) on the cleared land, subject to the implementation of an Environmental Management Programme (EMPr) and all applicable mitigation measures. The land is legally zoned for agriculture, has historically been used for this purpose, and the specialist assessment confirms that the site does not represent an intact, sensitive ecosystem.

##### Impact Summary — Alternative 2 (Preferred):

Impact	Significance (Pre-Mitigation)	Significance (Post-Mitigation)	Notes
Loss of plant community types	Medium (-)	Medium-Low (-)	47% natural floodplain veg; 53% previously transformed. Localised impact

Impact	Significance (Pre-Mitigation)	Significance (Post-Mitigation)	Notes
Loss of SCC / protected species	Low (-)	Low (-)	No SCC recorded on site; floodplain veg not classified as threatened ecosystem
Spread / establishment of alien invasive species	Low (-)	Low (-)	Fully reversible; IAV Management Plan required; follow-up treatments needed
Reduced ability to meet conservation targets	Low (-)	Low (-)	CBA2 status noted; site already transformed/secondary prior to clearance
Disruption of broad-scale ecological processes	Medium (-)	Medium-Low (-)	Site farmed since 1993; activity consistent with existing agricultural precinct

Under Alternative 2, residual impacts after mitigation are rated **Low (-) to Medium-Low (-)** across all categories. The EAP concludes that these impacts are **localised, of low to moderate significance**, and do not affect intact sensitive habitats, threatened or protected species, or heritage resources. The activity is considered the Best Practicable Environmental Option (BPEO) for this site.

## 6. MITIGATION MEASURES

The following mitigation measures are recommended as conditions of authorisation and must be incorporated into the Environmental Management Programme (EMPr):

### Spatial / Footprint Control

- No vegetation clearance shall be undertaken outside the footprint of the already cleared area, except in accordance with an approved Environmental Authorisation and prior written approval from DEA&DP.
- All areas outside the approved development footprint that have been inadvertently disturbed must be rehabilitated immediately.
- Avoid No-Go areas at all times, particularly CBA1-designated areas and intact riparian and renosterveld vegetation on adjoining portions.

### Watercourse & Riparian Buffer Protection

- No hard infrastructure, infilling, or depositing shall occur within any regulated watercourse area.

### Alien & Invasive Plant Management

- An Invasive Alien Vegetation (IAV) Management Plan shall be developed and implemented on the property, targeting *Ricinus communis* (Castor-oil plant, Cat. 2) and *Cirsium vulgare* (Spear thistle, Cat. 1b) in accordance with the National Environmental Management: Biodiversity Act (NEMBA) regulations.
- IAV clearing must receive a minimum of three follow-up treatments after initial removal to prevent re-establishment.
- No alien plant species shall be introduced to the site for landscaping, rehabilitation, or any other purpose.

### Erosion & Soil Management

- Any signs of erosion resulting from project activities must be rectified immediately and monitored to prevent recurrence.
- Areas not intended for cultivation that were disturbed during clearing must be re-vegetated with locally occurring indigenous species to stabilise soil and limit erosion.

### Flora & Species Protection

- Species of Conservation Concern (SCC) and protected plant species must be avoided

- No plant species, whether indigenous or exotic, shall be removed from or introduced to the site without authorisation.

### Environmental Management & Monitoring

- A buffer plan / No-Go area plan generated by the Botanical specialist must be implemented as a condition of authorisation.
- An Environmental Control Officer (ECO) shall be appointed to oversee compliance with the EMPr for the duration of any agricultural activities.
- The applicant must adhere to legal obligations under CARA (Conservation of Agricultural Resources Act) with respect to the control of alien and invasive vegetation on the property.

## 7. EAP RECOMMENDATION

The EAP, **Michelle Naylor**, recommends that the activity at Portion 2 of Farm 39 be **authorised** subject to the conditions and mitigation measures described above. The EAP's view is that:

- The activity was undertaken within an established agricultural precinct consistent with the existing land use zoning and surrounding agricultural character.
- The site did not represent a natural intact landscape at the time of clearance; it comprises largely secondary and disturbance-associated vegetation that had previously been ploughed.
- Impacts are localised and of Low to Medium-Low significance after mitigation, and no intact sensitive habitats, threatened species, or heritage resources were affected.
- The non-perennial drainage line in close proximity of the site was not directly impacted; no hard infrastructure was installed within any regulated watercourse area.
- The preferred Alternative 2 enables productive agricultural use of land legally zoned for that purpose while ensuring environmental impacts are managed and minimised.

This Executive Summary has been prepared from the NEMA Section 24G Application Form and Assessment Report compiled by Lornay Environmental Consulting (Pty) Ltd. **It should be read in conjunction with the full application, specialist botanical report, and Environmental Management Programme.**

**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	14/1/1/E2/6/9/3/0886/24
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**

**CLEARANCE OF INDIGENOUS VEGETATION FOR PLANTING OF DRYLAND CROPS ON PORTION 2 OF THE FARM ANNEX KLEIN ZOUT RIVIER NO. 39, NAPIER, BREDASDORP RD**

**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)					x
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)					
1.2.1	If a firm, please tick the relevant box below:					
	Body Corporate	Partnership	Trust	Parastatal	Organ of State	
	Directors of a Company	Members of a Board	Other, please specify			

<b>Applicant's details</b> (duplicate this section where there is more than one applicant)		Daniel Jacobus Fourie
Applicant Name:	Daniel Jacobus Fourie	
Name of Firm (if applicable):		
Firm Registration Number:		
Contact Person at the Firm:		
List of all (as applicable at the relevant time):	Please insert the names and RSA ID numbers of the relevant persons below – <del>(In the list below, delete the firms that are not applicable to this application)</del>	
<ul style="list-style-type: none"> <li>● <del>Directors of a company; or</del></li> <li>● <del>Members of the board; or</del></li> <li>● <del>Executive committee or other managing body of a corporate body or parastatal; or</del></li> <li>● <del>Members of close corporation; or</del></li> <li>● <del>Partners of a partnership; or</del></li> <li>● <del>Trustees of a trust</del></li> </ul>	Name:	
	Name:	
Postal address:	PO Box 65,	

	Napier	Postal code:	7270
Telephone:	( )	Cell:	084 583 779
E-mail:	<a href="mailto:kleinsoutrivier@gmail.com">kleinsoutrivier@gmail.com</a>	Fax:	( )
<b>Project Consultant</b>			
Contact person:			
Postal address:			
		Postal code:	
Telephone:	( )	Cell:	
E-mail:		Fax:	( )
<b>Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:</b>			
	Michelle Naylor		
Company name (if any):	Lornay Environmental Consulting (Pty) Ltd		
Postal address:	Unit 5/1F Hemel en Aarde Wine Village,		
	Hermanus	Postal code:	7200
Telephone:	( )	Cell:	083 245 6556
E-mail:	<a href="mailto:michelle@lornay.co.za">michelle@lornay.co.za</a>	Fax:	( )
EAP Qualifications	Master of Science (Rhodes University)		
EAP Registrations/Associations and registration number/s	Pr.Sci.Nat. 400327/13., EAPASA. 2019/698, Cand. APHP., IAIA		
<b>Name of the Landowner:</b>			
	CE Fourie		
Name of the contact person for the land owner (if other):	Christa		
Postal address:	PO Box 65		
	Napier	Postal code:	7270
Telephone:	( )	Cell:	076 1996 794
E-mail:	<a href="mailto:Dgfourie7@gmail.com">Dgfourie7@gmail.com</a>	Fax:	( )
<b>Person in control of land:</b>			
	Daniel Jacobus Fourie		
Contact person:	Daniel Jacobus Fourie		

Postal address:	PO Box 65		
	Napier	Postal code:	7270
Telephone:	( )	Cell:	084 583 3779
E-mail:	<a href="mailto:kleinsoutrivier@gmail.com">kleinsoutrivier@gmail.com</a>	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.

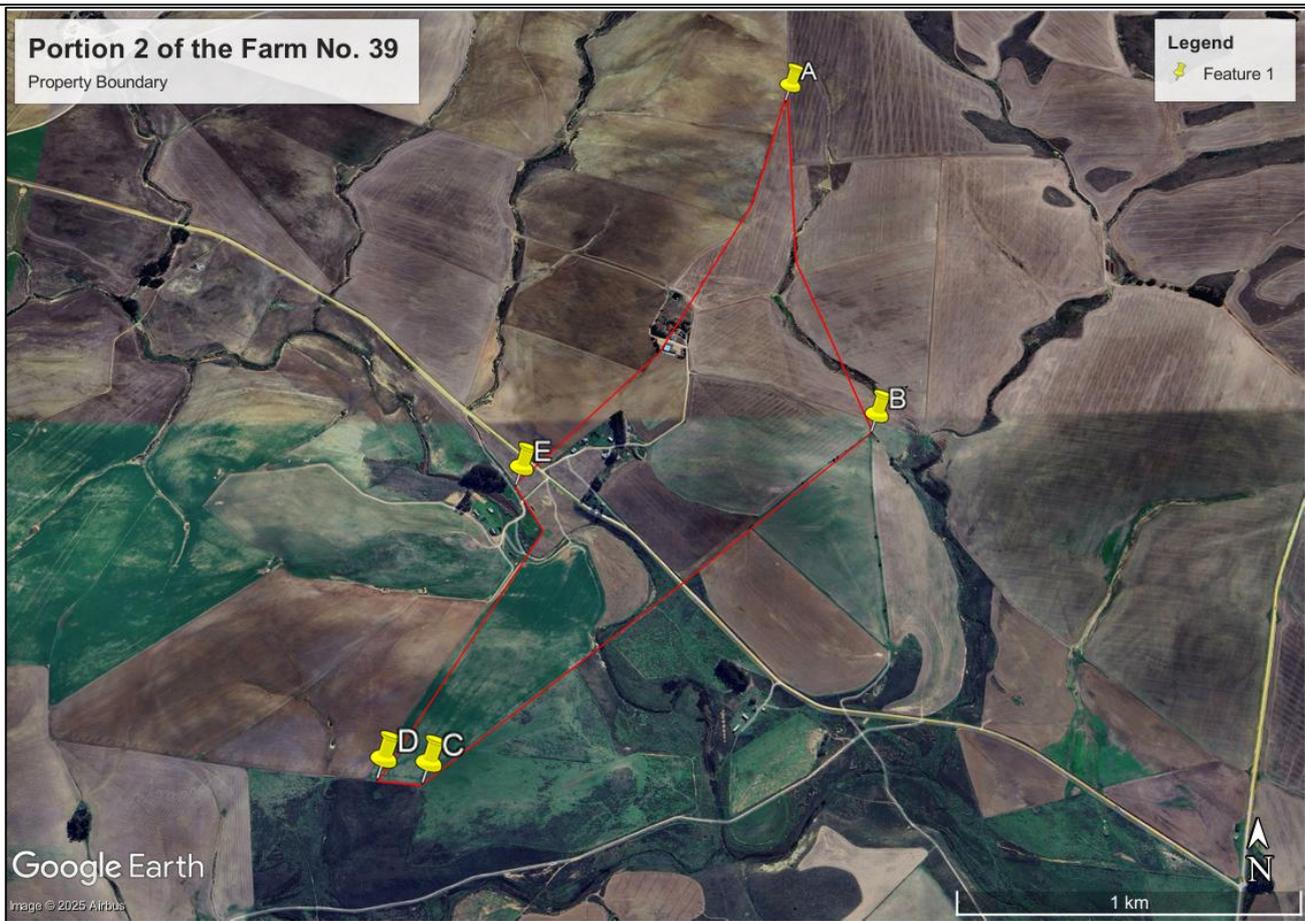
A certified copy of the title deed of the property/s on which the unlawful listed activity/ies has commenced must be attached to the application.

Municipality in whose area of jurisdiction the activity falls:	Cape Agulhas Municipality		
Contact person, if known:	Sunel Nel		
Postal address:	-		
	-	Postal code:	-
Telephone	( )	Cell:	-
E-mail:	<a href="mailto:suneln@capeagulhas.gov.za">suneln@capeagulhas.gov.za</a>	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):	Napier, Bredasdorp RD
Farm/Erf name(s) & number(s) including portion(s)	Portion 2 of the Farm No. 39
Property size(s) (m <sup>2</sup> )	1206500 m <sup>2</sup> (120.65 ha)
Development footprint size(s) (m <sup>2</sup> )	74000 m <sup>2</sup> (7.4 ha)
SG21 Digit code(s)	C0110000000003900002



**Property boundary:**

Point	Latitude (S)	Longitude (E)
A	34 ° 21' 41.81" South	19 ° 53' 36.47" East
B	34 ° 22' 28.29" South	19 ° 53' 44.99" East
C	34 ° 23' 7.17" South	19 ° 52' 48.55" East
D	34 ° 23' 6.69" South	19 ° 52' 43.23" East
E	34 ° 22' 34.18" South	19 ° 52' 57.92" East



The co-ordinates for the site boundary are:

Point	Latitude (S)			Longitude (E)		
1	34°	22'	33.51"	South	19°	53' 2.0" East
2	34°	22'	37.45"	South	19°	53' 5.88" East
3	34°	22'	47.19"	South	19°	53' 15.18" East
4	34°	22'	50.94"	South	19°	53' 8.69" East
5	34°	22'	44.28"	South	19°	53' 8.58" East
6	34°	22'	40.44"	South	19°	53' 5.06" East
7	34°	22'	42.58 "	South	19°	53' 0.46" East
8	34°	22'	36.00"	South	19°	52' 59.27" 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:			
Magisterial District or Town:	Bredasdorp		
Closest City/Town:	Napier	Distance	(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 <input checked="" type="checkbox"/>
If yes, what was the previous zoning?		
N/A		
Is a rezoning application required?	YES	NO <input checked="" type="checkbox"/>
Is a consent use application required?	YES	NO <input checked="" type="checkbox"/>
Locality map:	<p>A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> <li>• an accurate indication of the project site position as well as the positions of the alternative sites, if any;</li> <li>• road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> <li>• a north arrow;</li> <li>• a legend;</li> <li>• the prevailing wind direction; and</li> <li>• GPS co-ordinates (Indicate the position of the proposed activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)</li> </ul>	
Landowner(s) Consent:	<p>If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated.</p> <p><b>Note:</b> The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the <i>Infrastructure Development Act, 2014 (Act No. 23 of 2014)</i>.</p>	

**2. APPLICATION HISTORY**

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

Has any national, provincial or local authority considered any development applications on the property previously?	Yes	No X
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)		
N/A		
Which authority considered the application:		
N/A		
Has <u>any</u> one of the previous application/s on the property been approved <b>or</b> refused? If so provide a list of the successful and unsuccessful application/s and the reasons for decision(s).	Yes	No X
N/A		
Provide detail on the period of validity of decision and expiry dates of the above applications/ permits etc.		
N/A		

NEMA SECTION 24G APPLICATION AND ASSESSMENT REPORT

**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): Daniel Jacobus Fourie Signature: 

Place: Kuimsoortseuk Date: 2026.02.26

EAP (Full names): Michelle Naylor Signature: 

Place: Hermanus Date: 11-03-26



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

### 1.1 Applicable EIA listed activities

<b>ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002</b>			
<b>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</b>			
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
<b>ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006</b>			
<b>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,</b>			
<b>NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010</b>			
<b>Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA</b>			
GN R386 Activity No(s): <b>(Listing Notice 1 of 2006)</b>	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): <b>(Listing Notice 2 of 2006)</b>	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
<b>NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014</b>			
<b>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,</b>			
GN No. R. 544 Activity No(s): <b>(Listing Notice 1 of 2010)</b>	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): <b>(Listing Notice 2 of 2010)</b>	Describe the relevant listed activity/ies in writing as per GN No. R. 545 of 2010. (NEMA 2010 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN No. R. 546 Activity No(s): <b>(Listing Notice 3 of 2010)</b>	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity

<b>NEMA EIA Contraventions: on or after 08 December 2014</b>			
<b>Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,</b>			
GN No. R. 983 Activity No(s): <b>(Listing Notice 1 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
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	The activity undertaken on the subject property involves the clearance of more than 1 hectare of the indigenous vegetation for cultivation purposes.	2024
GN No. R. 984 Activity No(s): <b>(Listing Notice 2 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN No. R. 985 Activity No(s): <b>(Listing Notice 3 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each 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. 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.	The activity involves the clearance of more than 300 square metres of indigenous vegetation on the property for cultivation purposes.	2024

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

#### 1.2 ~~Applicable Waste Management Activities~~

List the relevant waste management activity/ies applied for:

<b>Waste Management Activity Contraventions: On or after 03 July 2007 up to end of 28 November 2013</b>			
<b>Activities unlawfully commenced with in terms of GNR 718 of 03 July 2009 under the National Environmental Management Waste Act, Act 59 of 2008</b>			
GN No. 718— Category A Activity No(s):	Describe the relevant <del>Category A</del> 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 <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity

**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 <u>Category A</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
GN No. 921 – Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity

**Please note:**

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

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

1.3 Activities listed similarly in terms of the EIA Regulations

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

**The similarly listed activities in terms of the EIA Regulations promulgated in terms of the NEMA, Act 107 of 1998,**

GN No. R. 327 Activity No(s): <b>(Listing Notice 1 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
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	The activity undertaken on the subject property involves the clearance of more than 1 hectare of the indigenous vegetation for cultivation purposes.
GN No. R. 325 Activity No(s): <b>(Listing Notice 2 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.

GN No. R. 324 Activity No(s): <b>(Listing Notice 3 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.
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. 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.	The activity involves the clearance of more than 300 square metres of indigenous vegetation on the property for cultivation purposes.

**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 <input checked="" type="checkbox"/>	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 <u>as well as</u> the original date of commencement if the application is an upgrade.	New	Upgrade <input checked="" type="checkbox"/>
<p>The activity constitutes the continuation of existing agricultural activity within the agricultural land use on the property. Historically, the site was ploughed and cultivated for farming purposes. However, the land was left fallow for a period exceeding ten (10) years, during which indigenous vegetation re-established. In 2024, indigenous vegetation was cleared in order to resume agricultural activities.</p>		
<p>(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed and what still has to be completed.</p>		
<p>The activity in question involves the clearance of indigenous vegetation which was undertaken for agricultural purposes within the Agriculturally Zoned land. The activity involved the clearance of indigenous vegetation with the aim of undertaking agricultural activities, involving cultivation of land which was previously ploughed in the past 10 years. During 2024, additional vegetation clearance occurred within the study area to continue the existing agricultural activities. No permanent infrastructure was constructed. The clearing activities have already been completed.</p> <p>Since the clearance took place, vegetation has begun to re-establish on the site, as the area was not subsequently cultivated or further developed for agricultural production. At present, no additional clearing or development</p>		

activities are planned, and the site remains largely in a disturbed condition with secondary vegetation regrowth occurring. The landowner operated under the assumption that because the land had been ploughed previously that it could be ploughed again without EA. The applicant therefore wishes to rectify the situation and apply for Retrospective Environmental Authorisation in order to continue using the land for agricultural purposes.

(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	NO x
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Provide brief description:

No buildings or permanent structures have been constructed or established as a result of the vegetation clearance activity.

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

No new infrastructure, including roads, power supply, or water supply and storage facilities, has been constructed or upgraded as a result of the vegetation clearance activity. The activity was limited solely to the clearance of indigenous vegetation and did not involve the development or installation of any associated infrastructure.

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

No processing activities, including manufacturing, storage, or distribution, are associated with the vegetation clearance activity. The unauthorised activity was limited solely to the clearance of indigenous vegetation.

Storage facilities for raw materials and products (e.g. volume and substances to be stored)	YES	NO x
---	-----	------

Provide brief description

No storage facilities for raw materials or products have been established as part of the vegetation clearance activity.

Storage and treatment facilities for solid waste and effluent generated by the project	Yes	No x
--	-----	------

Provide brief description

No storage or treatment facilities for solid waste or effluent have been established as part of the vegetation clearance.

(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):	74000	m <sup>2</sup>
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	74000	m <sup>2</sup>
Total area:	<b>74000</b>	m <sup>2</sup>

### 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.	(Length) N/A	

	(width)	N/A
Describe the type of access road constructed:		
No new access road that has been constructed as a result of the clearance		

**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):
National Environmental Management Act (Act 107 of 1998), As amended.	DEA&DP	Authorisation	-
Conservation of Agricultural Resources Act (CARA) (App)	Department of Agriculture	Plough Permit	-

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
National Environmental Management Act 107 of 1998, As amended (NEMA) & The EIA Regulations (2014) As amended- Environmental Impact Assessment Process	DEA&DP
Cape Agulhas Municipal Land Use Planning By- law 2022	Cape Agulhas Municipality
EIA Guideline and Information Document Series, Dated Mach 2013: Applied to various components in the Basic Assessment Process. The following Guidelines were considered throughout this Basic Assessment Process: - Guideline for the Review of Specialist Input in the EIA process (June 2005); - Guideline for Environmental Management Plans (June 2005) - Guideline on Alternatives (March 2013) - Guideline on Need and Desirability	DEA&DP

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

If not specifically applied for in terms of this application, does the development require an application for a waste management 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?	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?	YES	NO X
If no, please provide evidence of existing water use rights (if applicable) with this application form. <b>The activity is for dry land crops and is not irrigated</b>	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
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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. <del>pending</del> / 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	<input type="checkbox"/>	QUARTZITE	<input type="checkbox"/>
SHALE	<input checked="" type="checkbox"/>	DOLOMITE	<input type="checkbox"/>
SANDSTONE	<input type="checkbox"/>	DOLERITE	<input type="checkbox"/>
OTHER (specify) x	Mudrock, shale, siltstone, feldspathic arenite and wacke.		

#### 2. GRADIENT OF THE SITE

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

Flat	Flatter than 1:10 <input checked="" type="checkbox"/>	1:10 – 1:5 <input type="checkbox"/>	Steeper than 1:5 <input type="checkbox"/>
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### 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
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### 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 x	NO	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 x	NO	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 <input checked="" type="checkbox"/>	UNSURE
Non-Perennial River	YES <input checked="" type="checkbox"/>	NO	UNSURE
Permanent Wetland	YES	NO <input checked="" type="checkbox"/>	UNSURE
Seasonal Wetland	YES	NO <input checked="" type="checkbox"/>	UNSURE
Artificial Wetland	YES	NO <input checked="" type="checkbox"/>	UNSURE
Estuarine / Lagoonal wetland	YES	NO <input checked="" type="checkbox"/>	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 <input checked="" type="checkbox"/>	UNSURE
Non-Perennial River	YES <input checked="" type="checkbox"/>	NO	UNSURE
Permanent Wetland	YES	NO <input checked="" type="checkbox"/>	UNSURE
Seasonal Wetland	YES	NO <input checked="" type="checkbox"/>	UNSURE
Artificial Wetland	YES	NO <input checked="" type="checkbox"/>	UNSURE
Estuarine / Lagoonal wetland	YES	NO <input checked="" type="checkbox"/>	UNSURE

There is a non-perennial stream mapped for the 7.4 ha extent of the site. No infrastructure, excavation, infilling or depositing has taken place as a result of this activity therefore no impacts associated with the clearance and no applicable listed activities.

### 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](mailto:BGIShelp@sanbi.org.za). Information is also available on compact disc ("cd") from the Biodiversity-GIS Unit, Ph (021) 799 8738. This information may be updated from time to time and it is the applicant/ EAP's responsibility to ensure that the latest version is used. A map of the relevant biodiversity information (including an indication of the habitat conditions as per (b) below) and must be provided as an overlay map to the property/site plan as an **appendix** to this form.

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

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

Indigenous Vegetation - good condition	X	Indigenous Vegetation with scattered aliens		Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above:		Describe the vegetation type above:		Describe the vegetation type above:	
Central Ruens Shale Renosterveld					
Provide ecosystem status for above:		Provide ecosystem status for above:		Provide Ecosystem status for above:	
Critically Endangered					
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface		Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe	
X 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) X	Ecological Support Area (ESA)	Other Natural Area (ONA)	No Natural Area Remaining (NNR)	<p><b>CBA2 Aquatic:</b> The site is mapped as falling within both CBA2 (Terrestrial) and CBA2 (Aquatic) areas. However, the botanical assessment indicates that the CBA2 (Aquatic) classification is not entirely accurate. While the area includes floodplain vegetation subject to periodic flooding over long time scales, it is fundamentally terrestrial and does not constitute a strictly aquatic environment.</p> <p><b>CBA2 (Terrestrial):</b> This classification largely overlies historically ploughed areas (H2). The cleared areas comprise a mix of natural floodplain vegetation (never ploughed) and</p>

				secondary floodplain vegetation (previously ploughed and subsequently revegetated). Although these historically ploughed areas are on a trajectory to attain a composition similar to natural floodplain vegetation, the legacy impacts of ploughing remain.
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(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	47 %	Only 47% of the unlawfully cleared areas consisted of natural indigenous vegetation (CN1 = 1.9323 ha; CN2 = 1.5757 ha). The historically ploughed areas (H1 and H2) do not represent natural vegetation from an ecological perspective. Reference and benchmark areas nearby were used to reconstruct the original environment.
Near Natural (includes areas with low to moderate level of alien invasive plants)	0 %	
Degraded (includes areas heavily invaded by alien plants)	0 %	
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	53 %	Approximately 3.9316 ha of the unlawfully cleared area was historically ploughed or secondary vegetation (H1 and H2). These areas had previously been transformed for agricultural use and are on a trajectory toward natural vegetation recovery.

(c) Complete the table to indicate:

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

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

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

### Terrestrial Biodiversity Impacts

According to the South African Vegetation Map (VegMap 2024), the study area is mapped as Central Rûens Shale Renosterveld, which is classified as a Critically Endangered vegetation type. However, site-specific botanical field verification confirmed that this classification does not accurately reflect the vegetation affected by the unlawful clearing activities. Instead, the cleared areas occur within a lowland floodplain system with vegetation characteristics distinct from true renosterveld vegetation found on the surrounding slopes. The floodplain vegetation comprises a mosaic of natural floodplain vegetation (never previously ploughed) and secondary floodplain vegetation (historically ploughed and subsequently revegetated), both of which differ structurally and floristically from intact renosterveld ecosystems.

Ground-truthing confirmed that the affected vegetation is not classified as a threatened ecosystem and therefore does not contribute directly toward national biodiversity targets in the same way as intact renosterveld remnants in the surrounding landscape.

The unlawful clearing activities, which occurred between 2023 and 2024, resulted in the removal of approximately 7.4039 hectares of indigenous vegetation, comprising two cleared areas (C1 and C2), refer to **Figure 2** below. Of this total cleared area, approximately 3.5080 hectares consisted of natural indigenous floodplain vegetation that had never been ploughed, while the remaining portion comprised secondary floodplain vegetation recovering from historic agricultural disturbance. The botanical composition of the affected areas was dominated by grasses, shrubs, and pioneer species typical of floodplain environments, including *Cynodon dactylon*, *Galenia africana*, *Nidorella foetida*, *Berkheya rigida*, *Asparagus retrofractus*, *Cymbopappus adenosolen*, and *Lycium cinereum*. A total of 98 plant species were recorded within the broader study area, including predominantly native species, with some protected species and alien invasive species present. However, importantly, no plant Species of Conservation Concern (SCC) were recorded within the cleared floodplain areas themselves, and these species were instead confined to intact renosterveld habitats located on adjacent hill slopes. The vegetation within the cleared areas was characterized by moderate to high vegetation cover and a relatively high proportion of pioneer and disturbance-adapted species, reflecting the legacy effects of historic ploughing and altered soil conditions.

Although the affected floodplain vegetation was not classified as a threatened ecosystem, it nevertheless performs important ecological functions, including supporting ecological connectivity, maintaining soil stability, and contributing to landscape-level ecological processes. The floodplain vegetation also demonstrates moderate ecological resilience, with natural regeneration observed following clearing, indicating its ability to recover under appropriate management conditions. While the site may function as Critical Biodiversity Area (CBA2) by providing ecological buffering and connectivity to nearby renosterveld ecosystems, its overall Site Ecological Importance was determined to be relatively low compared to surrounding intact renosterveld fragments.

### Aquatic impacts onsite

With respect to aquatic ecosystems, the study area includes riparian vegetation associated with a small non perennial river system, identified as the Klein-Sout River, which flows between the two cleared areas but was not directly impacted by the clearing activities (**Figure 4**). The riparian zone consists of a narrow strip of azonal vegetation confined to the river channel and banks, dominated by species such as *Juncus kraussii*, *Phragmites australis*, *Bolboschoenus maritimus*, and *Samolus porosus*. This riparian vegetation plays a crucial ecological role in maintaining hydrological processes, stabilizing riverbanks, and supporting aquatic ecosystem functioning. However, no threatened plant species, protected plant species, or alien invasive species were recorded within the riparian vegetation itself. Furthermore, although a Critically Endangered wetland occurs upstream of the study area, it was not affected by the unlawful clearing activities, and the Klein-Sout River does not directly traverse the cleared footprint.

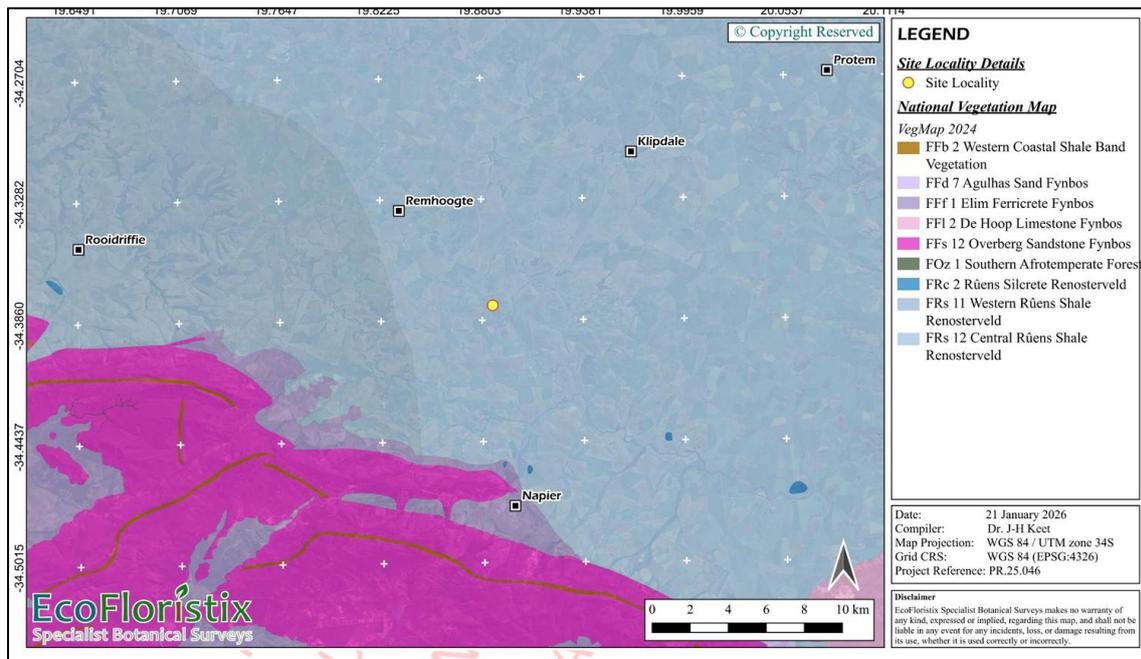


Figure 1: Vegetation types (according to VegMap 2024) for the study area and surrounds. **Source;** (Keet, 2026).



Figure 2: Overview of the study area indicating the two unlawfully cleared areas (C1 and C2). **Source;** (Keet, 2026).

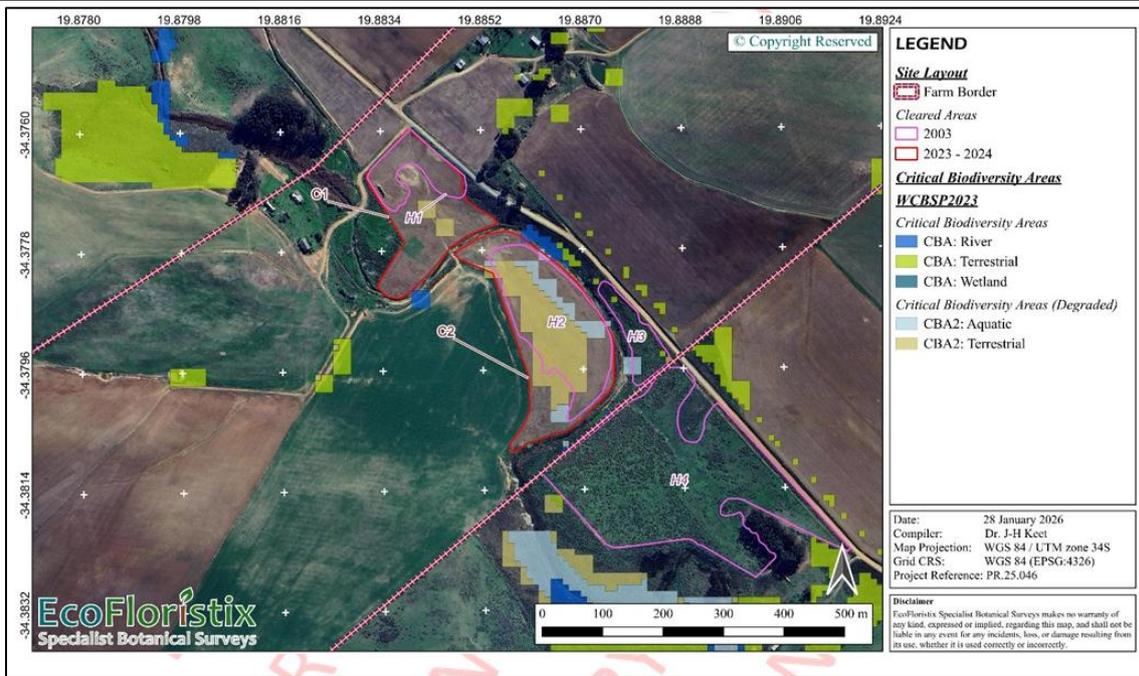


Figure 3: Layout of Critical Biodiversity Areas within the study area and surrounds. **Source;** (Keet, 2026).

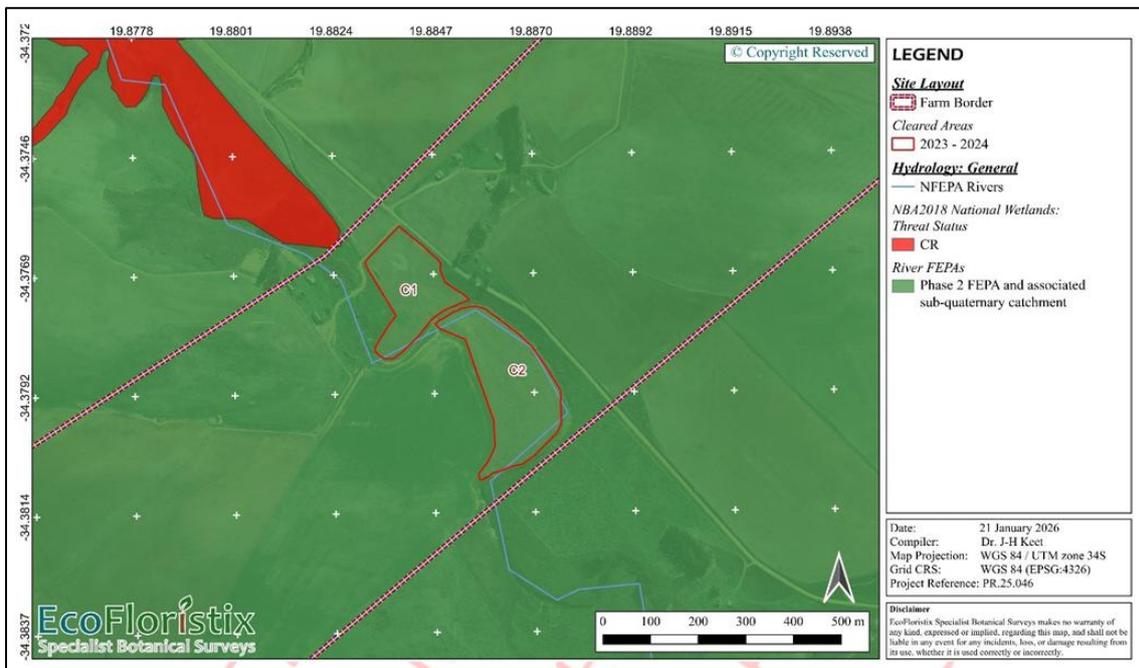


Figure 4: Hydrological setting of the study area and surrounds in the context of Strategic Water Source Areas (SWSA) and Freshwater Ecosystem Priority Areas (FEPA), as well as general hydrology. **Source;** (Keet, 2026).

## 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:	Describe the vegetation type above:		Describe the vegetation type above:
Central Ruens Shale Renosterveld			
Provide ecosystem status for above:	Provide ecosystem status for above:		Provide Ecosystem status for above:
Critically Endangered			
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	47 %	Represents the portion of the unlawfully cleared area that originally comprised natural indigenous floodplain vegetation (3.5080 ha of 7.4039 ha cleared). Although the clearance disturbed the vegetation structure, the botanical assessment confirms that the species composition remains characteristic of floodplain vegetation. Cluster analysis shows strong similarity (>60%) with natural reference plots, indicating ecological resilience and recovery toward former composition. No Species of Conservation Concern (SCC) were recorded within the cleared areas.
Near Natural (includes areas with low to moderate level of alien invasive plants)	53 %	Represents historically ploughed areas (H1 and H2) that had revegetated prior to the recent clearing (3.9316 ha of 7.4039 ha cleared). The specialist confirms that despite historic agricultural disturbance, these areas share significant species similarity with natural floodplain vegetation. The recent clearing onsite did not create

		a permanent ecological shift. Recovery is occurring, supported by the disturbance-adapted nature of floodplain species
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)?

### Terrestrial Biodiversity Impacts

The commencement of the listed activity resulted in the clearing of portions of vegetation within the identified areas on site. According to the botanical specialist assessment, the affected vegetation comprised two closely related vegetation types, namely secondary floodplain vegetation and natural floodplain vegetation. The botanical assessment confirmed that these two vegetation communities share a high degree of similarity, with more than 60% overlap in species composition. This similarity indicates that historic disturbances, including past agricultural ploughing and more recent vegetation clearance, have not permanently transformed the vegetation structure or composition. Instead, the vegetation communities are naturally adapted to periodic disturbances such as flooding, which enables disturbance-adapted species such as *Galenia africana* to establish and proliferate. As a result, the vegetation cleared during the commencement of the listed activities did not represent pristine or intact examples of highly sensitive vegetation, but rather floodplain systems already influenced by historical disturbance.

Importantly, the botanical assessment confirmed that the unlawfully cleared areas did not consist of true Central Rûens Shale Renosterveld, which is classified as Critically Endangered. This finding is significant as it confirms that no remnants of this threatened vegetation type were removed or lost as a result of the commencement of the activity. Furthermore, no plant species of conservation concern were recorded within the cleared areas or elsewhere on site. One protected plant species, *Drosanthemum parvifolium*, which is listed as Least Concern but protected under applicable conservation legislation, was observed within the broader site. However, this species is widespread and resilient, and there is no evidence to suggest that the commencement of the activity resulted in the loss of regionally significant populations or irreversible impacts on this species.

The vegetation clearance associated with the commencement of the listed activities was primarily limited to removal of herbaceous and low shrub vegetation within defined areas. Based on the botanical assessment and vegetation clearance documentation, the total area of vegetation affected was confined to previously disturbed and modified floodplain habitat, rather than intact or sensitive terrestrial ecosystems. The cluster dendrogram analysis conducted by the botanical specialist demonstrates that the cleared areas continue to group closely with both secondary and natural floodplain vegetation plots, indicating that natural regeneration processes are already underway. This confirms that the vegetation communities retain their ecological resilience and capacity to recover toward their original species composition over time. The specialist concluded that the clearing is unlikely to result in significant long-term impacts on the ecological integrity or functioning of the floodplain vegetation, particularly given the demonstrated recovery of these systems following previous historical disturbances such as ploughing.

From an aquatic ecosystem perspective, the site forms part of a floodplain system which is periodically inundated during seasonal flooding events. The commencement of the activity resulted in localized disturbance to floodplain vegetation but did not involve excavation, infilling, channel modification, or alteration of hydrological flow paths. As such, the physical structure, hydrological functioning, and ecological connectivity of the aquatic ecosystem remain intact. The aquatic ecosystem continues to function as a flood attenuation and ecological support system, and no permanent barriers to water flow or alterations to drainage patterns were introduced as part of the commenced activities.

The removal of vegetation within portions of the floodplain may result in short-term, localized increases in surface runoff and minor temporary reductions in bank stabilization and habitat complexity. However, given the shallow root systems of the predominantly herbaceous and disturbance-adapted vegetation cleared, and the demonstrated natural regeneration already occurring, these impacts are expected to be temporary and reversible. The continued presence of surrounding intact and recovering vegetation provides an adequate seed source to facilitate natural revegetation and ecological recovery. No aquatic species of conservation concern were identified as being directly affected, and the ecological functioning of the floodplain aquatic ecosystem remains largely intact.

### 6.3 VEGETATION / GROUNDCOVER MANAGEMENT

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

#### **Terrestrial Biodiversity Impact Assessment mitigation measures**

##### *Potential impacts on plant communities, and SCC and/or protected plant species*

- Any landowners must adhere to their legal obligations to actively eradicate and manage alien vegetation infestations present on the applicable and surrounding properties.
- SCC and/or protected plant species should be avoided wherever possible. If individuals cannot be avoided, then a permit for their destruction must be obtained from the relevant local authority.
- No plant species, whether native or exotic, should be brought into, or removed from, the study area, to prevent the spread of exotic or invasive species or the illegal collection of plants.
- No plants may be translocated or otherwise uprooted or disturbed for rehabilitation or other purposes without express permission from the Contractor's EO or without the relevant permits.
- Blanket clearing of vegetation must be limited to the proposed footprint, and only where necessary; no clearing outside of permitted areas may take place.
- Clearing of vegetation should be minimized and avoided where possible.
- Immediately rehabilitate all areas outside of the proposed development site that were disturbed and implement mitigation measures to prevent associated impacts from re-occurring.

##### *Spread and/or establishment of alien and/or invasive species.*

- IAPs, wherever present, must be cleared as per NEM:BA requirements where applicable and must not be allowed to spread.
- Clearing methods should aim to keep disturbance to a minimum and must be undertaken in accordance with relevant guidelines.
- Any area that is cleared of IAPs must receive regular follow-up treatments (preferably at least three follow-ups) to ensure that populations do not re-establish after such initial clearing efforts.
- Any chemicals/herbicides used during clearing efforts must strictly be used only in accordance with the manufacture's guidelines.
- No planting or importing of any alien species to the site for landscaping, rehabilitation, or any other purpose should be allowed.

##### *Reduced ability to meet conservation obligations and targets and Impacts on broad scale ecological processes.*

- Avoid unnecessary damage to vegetation wherever possible.
- Any signs of erosion resulting from the project activities must be rectified immediately and monitored thereafter to ensure that there is no re-occurrence.
- All affected areas resulting from the proposed activities, and that are not part of the proposed activities, should be re-vegetated with locally occurring native species to bind the soil
- and limit erosion potential.
- Avoid No-Go areas wherever possible.

## 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	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
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

(a) Please provide a description.

<p>The subject property is located within a rural landscape characterised predominantly by agricultural land uses, particularly crop cultivation and associated farming activities. The surrounding area has been historically utilised for dryland agriculture, which has resulted in the transformation of portions of the natural vegetation over time. The broader landscape consists of a mosaic of cultivated lands, remnant natural vegetation, and fallow areas undergoing natural regeneration. The area cleared of indigenous vegetation is situated within a lowland floodplain environment that had previously been subject to historic ploughing in certain portions, while other portions remained in a more natural state.</p>
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## 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	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
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture	River, stream or wetland	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):	The surrounding region remains primarily agricultural, with scattered rural homesteads and farm infrastructure.			

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

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

Untransformed area	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
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):				

## 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 surrounding area was characterised by a predominantly rural socio-economic environment, with land uses centred on agriculture. The local economy is largely driven by agricultural production, including crop cultivation and livestock farming, which provides employment opportunities for farm workers, seasonal labourers, and associated service providers. These activities contribute to the economic stability of the area and form a key component of the local livelihood base.

Residential development in the area is generally low-density and rural in nature, consisting mainly of farmsteads, smallholdings, and scattered rural dwellings.

### 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.

Following the commencement of the unauthorised vegetation clearance, there have been no significant changes to the social or economic characteristics of the site or the surrounding community. The activity was limited to the clearing of indigenous vegetation, and no construction, infrastructure development, agricultural expansion, or operational activities have taken place on the cleared areas thereafter.

The site remains unused following the vegetation clearance, and no new land uses have been introduced that would alter the existing socio-economic dynamics of the property or surrounding area. The property continues to be situated within a predominantly agricultural landscape, and the clearance activity did not result in job creation, economic stimulation, displacement of existing land uses, or changes in access to land or natural resources.

## 11. HISTORICAL AND CULTURAL ASPECTS

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

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

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50m in length;
- (c) any development or other activity which will change the character of a site-
  - (i) exceeding 5 000 m<sup>2</sup> in extent; or
  - (ii) involving three or more existing erven or subdivisions thereof; or
  - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
  - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources

authority;

(d) the re-zoning of a site exceeding 10 000 m<sup>2</sup> in extent; or

(e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,

must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."

(b) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii), of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), must also be investigated, assessed and evaluated. Section 3(2) states as follows: "3(2) Without limiting the generality of subsection (1), the national estate may include—

(a) places, buildings, structures and equipment of cultural significance;

(b) places to which oral traditions are attached or which are associated with living heritage;

(c) historical settlements and townscapes;

(d) landscapes and natural features of cultural significance;

(e) geological sites of scientific or cultural importance;

(f) archaeological and palaeontological sites;

(g) graves and burial grounds, including—

(i) ancestral graves;

(ii) royal graves and graves of traditional leaders;

(iii) graves of victims of conflict;

(iv) graves of individuals designated by the Minister by notice in the Gazette;

(v) historical graves and cemeteries; and

(vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);

(h) sites of significance relating to the history of slavery in South Africa;

(i) movable objects, including—

(i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;

(ii) objects to which oral traditions are attached or which are associated with living heritage;

(iii) ethnographic art and objects;

(iv) military objects;

(v) objects of decorative or fine art;

(vi) objects of scientific or technological interest; and

(vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996)."

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?		YES	NO X
		UNCERTAIN	
If YES, explain:	N/A		
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:	No significant heritage features are located on or near the site, the activities which have taken place are in line with the area and have not changed the character of the site.		
Was any building or structure older than 60 years affected in any way?	YES	NO x	UNCERTAIN
If YES, explain:	The activity is only limited to vegetation clearance, and no construction or development of infrastructure took place. The property is situated within Agricultural Zoned land, and the activity undertaken is in consistence with the property's land use rights for agricultural activities.		

**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 x	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	NO x	UNSURE	
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	NO x	UNSURE	
An area within 1km from the high water mark of the sea	YES	NO x	UNSURE	
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 undertaken on the subject site, which includes the clearance of indigenous vegetation within agricultural zoned land for agricultural purposes is permitted in terms of the property's existing land use rights.			
Will the activity be in line with the following?			
Provincial Spatial Development Framework (PSDF)	YES X	NO	Please explain
<p><b>Extract from Western Cape Provincial Spatial Development Framework (2014):</b></p> <p><b>" 3.1.5.2 SPATIAL IMPLICATIONS</b></p> <p><i>The PSDF promotes sustainable farming and mining (i.e. activities that generate positive socio-economic returns and do not pose significant risks to the environment). A prerequisite for sustainable farming and mining is coherent land use planning and environmental management systems that are aligned with the Provincial Strategic Objectives. The Provincial LandCare programme is an initiative to safeguard the Western Cape's agricultural and mineral resources – assets which underpin the value of its land and the rural economy (see Box 5). Towards the productive use of these assets, the national Land Reform programme focuses on opening up opportunities for communities, enterprises and households to access and beneficially use land and natural resources.</i></p> <p><b>POLICY R3: SAFEGUARD THE WESTERN CAPE'S AGRICULTURAL AND MINERAL RESOURCES, AND MANAGE THEIR SUSTAINABLE USE</b></p> <p>1. <i>Record unique and high potential agricultural land (as currently being mapped by the Provincial Department of Agriculture) in municipal SDFs, demarcate urban edges to protect these assets, and adopt and apply policies to protect this resource (especially in areas where raw water is available)".</i></p> <p>The subject property is located within an agricultural landscape and is zoned for agricultural use. The unauthorised activity that took place on site was limited to vegetation clearance and did not result in the permanent loss of agricultural land or the introduction of incompatible land uses. No infrastructure or development was established as part of the activity. As such, the land remains available for agricultural purposes, consistent with the objectives of the PSDF to safeguard and sustainably manage agricultural resources.</p> <p>Furthermore, the activity does not conflict with the broader spatial intent of the PSDF, as it did not introduce urban expansion, fragmentation of agricultural land, or irreversible transformation of the land use capability. The property continues to form part of the rural agricultural landscape, and the clearance does not undermine the long-term productive use or spatial planning objectives outlined in the PSDF.</p>			
Urban edge / Edge of Built environment for the area	YES	NO X	Please explain
The site is situated outside the urban edge within agricultural zone land.			
Integrated Development Plan of the Local Municipality	YES x	NO	Please explain
Spatial Development Framework of the Local Municipality	YES x	NO	Please explain
<p><b>Extract from the Cape Agulhas Municipality Integrated Development Plan (2025/26):</b></p> <p><i>"Labour Market Performance (MERO 2024/25) The modest growth in Cape Agulhas of 0.9 per cent delivered 788 formal and informal jobs, reflecting a 0.7 per cent increase in labour force participation. However, the trade, construction, and agriculture sectors faced significant job losses. Notably, the agriculture sector has consistently shed jobs since 2016, despite benefiting from high commodity prices in 2020 and 2021. Informal employment is</i></p>			

*crucial, contributing 18.3 per cent to overall employment in 2023, adding 786 of the 839 new jobs, primarily in agriculture and roles related to state and community policy. The economic expansion also lowered the unemployment rate from 14.3 per cent in 2022 to 12.4 per cent in 2023, with a return of workers to the labour market reducing the proportion of the economically inactive population.*

*An analysis of the spatial tax data, which assesses job growth based on the number of establishments in a region, shows an improvement in job numbers. According to the spatial tax data, Cape Agulhas recorded a 4.4 per cent growth rate in FTE jobs for 2023, resulting in a total of just over 31 000 FTE jobs. Notably, this trend reveals that the municipality now has more jobs than in the pre-COVID period.*

*Economic activity in Cape Agulhas highlights the significant role of the primary sector in providing jobs, with agriculture being the predominant employer. The growing of pome fruits and stone fruits leads significantly with 9 772 activities, while the growing of citrus fruits (1 802) and grapes (384) also contributes to employment opportunities. This focus on high-value crops is vital for both job creation and generating foreign earnings. The high number of post-harvest crop activities indicates a deep value chain that can offer support services to primary agricultural activities.*

*The presence of activities in general public administration at the local government level (947) signifies the role of governance in supporting the municipality, ensuring infrastructure and services that facilitate agricultural productivity. The District's administrative hub, Bredasdorp, hosts many state employees and serves as the operational centre for both Cape Agulhas and the Overberg District (OD). The Department of Home Affairs provides essential community services, while the Western Cape Department of Agriculture focuses on skills development through its decentralized training programs. This emphasis on skills development is crucial for continued employment growth, as most new jobs in the Cape Agulhas municipal area are for skilled and semi-skilled workers.*

*Significant job losses (2 228 jobs), mostly in the agriculture sector, were recorded in 2023. Yet, the same sector drove the creation of an additional 2 805 jobs were created in the same year. The bulk of these jobs (926) are in support activities for animal production, followed by the growing of fruits and crops, and retail services. Conversely, over 2 200 jobs were lost, mainly in agri-processing and primary agriculture activities.*

*While the agriculture sector created jobs, its growth was undermined by financial constraints, a shortage of skilled labour, poor infrastructure, and vandalism. Additionally, the municipality's dependence on a limited number of economic sectors, difficulty attracting investment, and the practice of awarding projects to external firms without local employment requirements further exacerbate job losses. In Cape Agulhas, the tertiary sector has been the primary driver of economic and job growth over the past year”.*

The activity undertaken, directly addresses these challenges by creating opportunities for skilled and semi-skilled employment, supporting local economic activity, and contributing to the diversification of economic opportunities. In particular, the development's activities are designed to complement primary agricultural activities and related support services, aligning with the IDP's emphasis on fostering value chains within the agricultural sector.

Additionally, the project contributes to local employment creation, in line with the IDP's recognition of the importance of both formal and informal employment for sustaining livelihoods. By promoting skills development and supporting local procurement where possible, the development strengthens the municipality's capacity to retain and attract skilled labour, thereby mitigating some of the barriers to job creation identified in the IDP.

The proposed development also respects spatial planning priorities, ensuring that growth occurs in a manner that is compatible with existing land use patterns and infrastructure. Its integration into the local economy and the broader spatial framework supports the municipality's objective of balanced economic growth while safeguarding key agricultural activities and community services, particularly in and around the Bredasdorp

administrative hub, which is central to the operational functions of both the Cape Agulhas and Overberg District municipalities.			
Approved Structure Plan of the Municipality	YES	NO x	Please explain
N/A			
An Environmental Management Framework (EMF) adopted by the Department	YES x	NO	Please explain
No Environmental Overlay Zones mapped for the property. The property is situated outside the urban edge of the Cape Agulhas Municipality.			
Any other Plans	YES	NO	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
At the time of commencement, the activity involved the clearance of indigenous vegetation to enable cultivation of crops, which had not yet commenced following the clearance. The activity was undertaken in accordance with the property's permitted land use rights and was consistent with the zoning and land use provisions applicable to the site.			

2. Was the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YES X	NO	Please explain
<p><b>Extract from Western Cape Provincial Spatial Development Framework (2014):</b></p> <p><b>“ 3.1.5.2 SPATIAL IMPLICATIONS</b></p> <p><i>The PSDF promotes sustainable farming and mining (i.e. activities that generate positive socio-economic returns and do not pose significant risks to the environment). A prerequisite for sustainable farming and mining is coherent land use planning and environmental management systems that are aligned with the Provincial Strategic Objectives. The Provincial LandCare programme is an initiative to safeguard the Western Cape's agricultural and mineral resources – assets which underpin the value of its land and the rural economy (see Box 5). Towards the productive use of these assets, the national Land Reform programme focuses on opening up opportunities for communities, enterprises and households to access and beneficially use land and natural resources.</i></p>			

**POLICY R3: SAFEGUARD THE WESTERN CAPE'S AGRICULTURAL AND MINERAL RESOURCES, AND MANAGE THEIR SUSTAINABLE USE**

2. *Record unique and high potential agricultural land (as currently being mapped by the Provincial Department of Agriculture) in municipal SDFs, demarcate urban edges to protect these assets, and adopt and apply policies to protect this resource (especially in areas where raw water is available)".*

The subject property is located within an agricultural landscape and is zoned for agricultural use. The unauthorised activity that took place on site was limited to vegetation clearance and did not result in the permanent loss of agricultural land or the introduction of incompatible land uses. No infrastructure or development was established as part of the activity. As such, the land remains available for agricultural purposes, consistent with the objectives of the PSDF to safeguard and sustainably manage agricultural resources.

Furthermore, the activity does not conflict with the broader spatial intent of the PSDF, as it did not introduce urban expansion, fragmentation of agricultural land, or irreversible transformation of the land use capability. The property continues to form part of the rural agricultural landscape, and the clearance does not undermine the long-term productive use or spatial planning objectives outlined in the PSDF.

(b) Urban edge / Edge of Built environment for the area

YES

NO X

Please explain

The property is situated outside the urban edge and beyond the boundary of the existing built environment for the area. Its location is therefore within a predominantly rural or natural context, consistent with surrounding land uses and municipal spatial planning designations.

(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 Cape Agulhas Municipality Spatial Development Framework (2022-2027):**

Agriculture is the Municipality's most important economic sector. The agriculture sector in Cape Agulhas is diverse, encompassing grains (wheat and barley), canola, livestock (meat and wool), vegetables, and flowers. The Municipality's agriculture sector is stable and diverse as it includes food and beverage processing industries. However, the majority of the municipal area has less than moderate land capability, causing this sector to face challenges due to a lack of high-quality agricultural land and irrigation infrastructure.

This means that agricultural activities are extremely vulnerable and may fail as a result of severe draughts, hailstorms, or climatic extremes.

Key Strategy 4: Create diverse economic opportunities by promoting agriculture and tourism

**Section 8.6.6. Agricultural**

The analyses of phases 2 and 3 of this MSDF revealed that the agricultural sector accounts for 12.7% of the total municipal employment. Therefore, and as is the case with the natural environment, it is critical to maintain and protect agricultural land within the Municipality. Thus, apart from the proposed amendments to the urban edges must be strictly maintained to preserve agricultural land and the natural environment.

Likewise, the Overberg District Municipality has designated Napier as a farmer production support unit, which is included in the MSDF proposals. Napier has fertile farmland and a thriving agricultural community and is well-known for producing a wide range of crops, such as wheat, barley, canola, and grapes for wine production. A mini agri-hub in Napier could help further develop and support the local agricultural industry, boosting the local economy and creating jobs. Furthermore, in order to expand the agricultural sector and its contribution to regional

livelihoods, CAM should consider establishing and supporting farming areas around residential areas that can support small-scale agriculture.			
(d) Approved Structure Plan of the Municipality	YES	<b>NO X</b>	Please explain
N/A			

(e) An Environmental Management Framework (EMF) adopted by the Department (e.g. Would the approval of this application have compromised the integrity of the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)	YES	NO	Please explain
<p>The site is situated within an agricultural land use zone, and there are currently no active agricultural activities on the property. The activity does not compromise the integrity of the existing environmental management priorities, as it is limited in extent, follows best-practice management measures, and will be undertaken in accordance with the relevant land use rights and environmental guidelines.</p> <p>According to the botanical specialist, the CBA2 (Terrestrial) classification of the area (C2) mostly overlies historically ploughed areas (H2; see Section 2.3.1), meaning that the classification is not fully representative. The cleared areas comprise a mix of natural floodplain vegetation (never ploughed) and secondary floodplain vegetation (historically ploughed and subsequently revegetated). While historically ploughed areas are on a trajectory to attain a composition similar to natural floodplain vegetation, legacy impacts from past ploughing remain.</p> <p>Moreover, the botanist also highlights that the vegetation in the study area is not of a threatened ecosystem type, and the site would not have been essential for meeting biodiversity targets, given its status and the effects of historic agricultural activities. Nevertheless, the area could have been classified as an Ecological Support Area (ESA), as it supports the surrounding Central Rûens Shale Renosterveld (a CBA1 area).</p>			
(f) Any other Plans (e.g. Guide Plan)	YES	<b>NO X</b>	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)?	<b>YES</b>	NO	Please explain
<p>The activity, which involved the clearance of vegetation for future cultivation, was undertaken between 2023 and 2024. The land use associated with this activity is consistent with the Agricultural land use zoning of the property and aligns with the objectives of the existing Cape Agulhas Spatial Development Framework (SDF) for the area. The development is in line with the priorities identified in the Cape Agulhas Municipality Integrated Development Plan (IDP), which supports productive use of agricultural land and economic activities within the municipality's rural areas.</p>			

4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) have occurred here when activities commenced?	YES	NO	Please explain
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The activity in question was undertaken within the existing Agricultural land use zone, where such activities are permitted. The activity is therefore consistent with the land use designation for the property, and the commencement of the activity was appropriate in terms of the existing planning and zoning framework. No expansion of the town or built-up area was involved or required for the activity to occur.

5. Did the community/area need the activity and the associated land use concerned (was it a societal priority)? (This refers to the strategic as well as local level (e.g. development is a national priority, but within a specific local context it could be inappropriate.)	YES	NO	Please explain
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The activity, which involves the clearance of vegetation for future agricultural cultivation, aligns with both strategic and local priorities. At a strategic level, agricultural production is a key economic sector in the Cape Agulhas Municipality, contributing to employment, food security, and local economic development. At a local level, the activity makes productive use of land zoned for agriculture and supports potential job creation and sustainable land use. Therefore, the activity is considered appropriate and meets a societal need within both the broader municipal and local context.

6. Were the necessary services with adequate capacity available (at the time of commencement), or was additional capacity created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the Application Form / additional information as an <b>appendix</b> , where applicable.)	YES	NO	Please explain
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No additional service capacity needed to be created for the clearance of vegetation that took place onsite.

7. Is/was this development provided for in the infrastructure planning of the municipality, and if not what was/will the implication be on the infrastructure planning of the municipality (priority and placement of services and opportunity costs)? (Comment by the relevant Municipality in this regard must be attached to the Application Form / additional information as an <b>appendix</b> , where applicable.)	YES	NO	Please explain
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The activity involved vegetation clearance for future agricultural use, undertaken on land already zoned for agriculture and does not constitute an expansion of urban or built-up infrastructure. As such, it was not specifically included in municipal infrastructure planning, nor did it require the provision of new municipal services such as water, sewer, or electricity beyond normal agricultural needs.

8. Was this project part of a national programme to address an issue of national concern or importance?	YES	NO x	Please explain
N/A			

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
<p>The location factors favour the proposed land use on this site. The property is situated within an Agricultural land use zone, which is suitable for cultivation and other agricultural activities. The site's soil, topography, and accessibility are appropriate for the intended use, and the activity does not conflict with surrounding land uses or environmental priorities. Additionally, the land use is consistent with the Cape Agulhas Municipality Spatial Development Framework and Integrated Development Plan, which support productive agricultural activities in rural areas.</p>			

10. How did/does the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas (built and rural/natural environment)?	YES	NO	Please explain
<p>The activity undertaken was limited to vegetation clearance within land zoned for agriculture and is compatible with surrounding land uses. According to the botanical specialist, the cleared areas comprised a mix of natural floodplain vegetation (never previously ploughed) and secondary floodplain vegetation (historically ploughed and subsequently revegetated). The site is not part of a threatened ecosystem type, and the cleared areas are not essential for meeting biodiversity targets.</p> <p>While portions of the site could potentially support the surrounding Central Rûens Shale Renosterveld (classified as CBA1), the vegetation within the study area would at most be considered an Ecological Support Area (ESA), which is functional but not necessarily pristine, (Keet, 2026). Therefore, the activity did not significantly impact sensitive natural areas. Furthermore, no known cultural or built heritage sites occur within the affected area, and the activity remains consistent with the rural and natural context of the property.</p>			

11. How did/does the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc.)?	YES	NO X	Please explain
<p>The activity, limited to vegetation clearance within an agricultural land use zone, did not have any measurable impact on people's health or wellbeing. The clearance was conducted on a rural property, away from residential areas, and did not generate significant noise, odours, or dust. The activity also did not alter the visual character or sense of place in the surrounding area, as the land was already zoned and historically used for agricultural purposes.</p>			

12. Did/does the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	YES	NO X	Please explain
<p>The proposed activity, which involved the clearance of vegetation for future agricultural use, did not result in any unacceptable opportunity costs. The land was already zoned for agricultural purposes, and the activity makes productive use of the property without displacing other land uses or limiting alternative development opportunities. The clearance and preparation for cultivation align with municipal planning objectives and do not compromise surrounding land uses, ecological functions, or economic potential of the area.</p>			

13. What were the cumulative impacts (positive and negative) of the land use associated with the activity applied for?	YES	NO	Please explain
<p><b>Positive impacts</b></p> <ul style="list-style-type: none"> <li>→ The activity enables the productive use of agricultural land, contributing to potential economic benefits and future employment opportunities.</li> <li>→ It supports alignment with the municipality's Agricultural land use objectives and broader spatial planning priorities, ensuring that land is used efficiently within its designated zoning.</li> </ul> <p><b>Negative impacts</b></p> <ul style="list-style-type: none"> <li>→ The clearance of vegetation has resulted in the loss of some secondary vegetation, including areas with historical agricultural impacts.</li> <li>→ While portions of the site could provide ecological support to surrounding CBA1 areas (Central Rûens Shale Renosterveld), the activity does not affect any threatened ecosystems, and legacy impacts from historic ploughing already exist.</li> </ul>			

14. Is/was the development the best practicable environmental option for this land/site?	YES	NO	Please explain
<p>The activity can be considered the Best Practicable Environmental Option (BPEO) for this land/site. The clearance of vegetation was limited within an agricultural land use zone and conducted in accordance with relevant land use rights. The cleared areas consist largely of historically ploughed or secondary vegetation.</p>			

15. What are/were the benefits to society in general and to the local communities?	Please explain
<p>The primary benefit of the activity to society and the local community was short-term employment opportunities generated during the vegetation clearance process. Additionally, by preparing the land for future agricultural use, the activity contributes to the potential for long-term productive use of the property, supporting local food production and aligning with municipal objectives for sustainable land use and rural economic development.</p>	

16. Any other need and desirability considerations related to the activity?	Please explain
<p><b>Need:</b></p> <p>The clearance of vegetation enables future agricultural cultivation, which aligns with the site's Agricultural land use zoning and supports the productive use of rural land. The activity is also in line with the Cape Agulhas Municipality Spatial Development Framework, particularly under the socio-economic environment theme, which emphasizes the conservation of agricultural land while facilitating its sustainable utilisation and increasing agricultural output.</p> <p><b>Desirability:</b></p> <p>The activity is desirable as it supports local economic development, contributes to potential employment opportunities, and makes productive use of land without compromising environmental priorities or surrounding land uses. It balances the municipality's objectives of maintaining ecological integrity while promoting rural agricultural productivity.</p>	

17. Please describe how the general objectives of Integrated Environmental Management as set out in section 23 of NEMA were taken into account:
<p>The activity is being addressed through this Section 24G retrospective application, and no prior environmental authorisation or pre-planning was undertaken before the vegetation clearance occurred. Nevertheless, the general objectives of Integrated Environmental Management (IEM) as set out in Section 23 of NEMA have been considered retrospectively in the assessment:</p> <p>The cleared land is intended for future agricultural cultivation, which promotes productive use of rural land while maintaining ecological functionality.</p> <p>Based on the botanical assessment, the site does not contain threatened ecosystems, and the cleared areas consist largely of historically ploughed or secondary vegetation. The activity does not compromise nearby critical biodiversity areas (CBA1) or Ecological Support Areas (ESA).</p> <p>The activity generated short-term employment opportunities and aligned with local socio-economic priorities for productive agricultural land use.</p> <p>Environmental factors have been addressed retrospectively through specialist input, mainly Terrestrial Biodiversity Impact Assessment, alignment with applicable policy regulations and NEMA.</p>

18. Please describe how the <b>principles of environmental management</b> as set out in section 2 of NEMA were taken into account:
<p>The principles of environmental management set out in Section 2 of NEMA have been taken into account retrospectively through this Section 24G application:</p> <ul style="list-style-type: none"> <li>→ The activity enables productive agricultural use of the land while minimizing impacts on biodiversity and ecological function.</li> <li>→ Specialist assessments were conducted to evaluate potential ecological impacts, particularly regarding CBA2 and ESA areas, ensuring that uncertainties and risks are appropriately considered.</li> </ul>

- Any environmental impacts from the vegetation clearance are addressed through mitigation measures proposed in this application, ensuring responsibility for managing impacts is assigned and incorporated into the Environmental Management Plan.
- Environmental, socio-economic, and land-use considerations have been integrated into the assessment to balance agricultural productivity with conservation priorities.
- The activity aligns with municipal development priorities and supports local socio-economic opportunities, including short-term employment during the clearance phase.
- Retrospective measures and management recommendations are included in the application to prevent, minimize, or remedy potential negative impacts.

## SECTION E: ALTERNATIVES

**Please Note:** Before completing this section, first consult this Department's *Guideline on Alternatives* (March 2013) available on the Department's website (<https://www.westerncape.gov.za/dept/eado/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 2 of the Farm Annex Klein Zout Rivier No. 39 is situated outside the urban edge of Napier, within an Agricultural Zoned land. The property is approximately 120.6 ha in extent, and the activity resulted in the clearance of approximately 7.4 ha of vegetation. The primary purpose of the clearance was to establish a cultivation area on land that had been historically ploughed. No new infrastructure has been established as a result of this activity; it is therefore limited solely to vegetation clearance.

For the purposes of this application, two alternatives are considered:

**Alternative 1 – Non-Preferred:**

This alternative involves the cessation of the activity, allowing the site to rehabilitate naturally so that no further activities take place. While this would restore vegetation over time, it does not support the intended productive use of the land or the socio-economic objectives associated with agricultural cultivation.

**Alternative 2 – Preferred:**

This alternative is preferred by the applicant. It involves proceeding with the activity through the retrospective Section 24G rectification process, thereby obtaining the required environmental authorisation. This approach allows the applicant to continue agricultural operations on historically ploughed land while implementing mitigation measures to manage environmental impacts and ensure compliance with relevant environmental legislation.

The preferred alternative balances the productive use of agricultural land with environmental management, providing a feasible and sustainable approach for both the applicant and the surrounding landscape.

(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 activity involved the clearance of approximately 7.4 ha of vegetation to enable future agricultural cultivation on Portion 2 of Farm No. 39, which is zoned for agricultural use and includes areas that were historically ploughed. As this is a retrospective Section 24G application, the activity has already taken place and no formal activity alternatives were assessed prior to commencement. However, the following alternatives are considered retrospectively:

**Alternative 1 – No-Go Alternative (Non-Preferred):**

This alternative would involve leaving the cleared area fallow and allowing natural rehabilitation to occur without proceeding with agricultural cultivation. While this would allow vegetation recovery over time, it would result in the land not being used for its intended agricultural purpose and would not contribute to agricultural productivity or socio-economic benefits associated with farming activities.

**Alternative 2 – Continue with Agricultural Use and Implement Mitigation Measures (Preferred):**

This alternative involves proceeding with agricultural cultivation on the cleared land following the retrospective rectification process. This option allows for the productive use of land already zoned and historically used for agriculture, while implementing appropriate environmental management and mitigation measures to minimise further impacts. According to the botanical specialist, the affected vegetation includes historically disturbed and secondary vegetation, and the site is not classified as a threatened ecosystem. Therefore, continued agricultural use, with appropriate management, represents a reasonable and sustainable option.

No other feasible activity alternatives exist, as the vegetation clearance has already occurred. The preferred alternative ensures that the land is used in accordance with its agricultural zoning while aligning with environmental management principles and municipal planning objectives.

(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:

No design or layout alternatives are available, since the activity has already taken place.

(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:

No operational activities exist.

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

The option of ceasing the activity and rehabilitating the site will be explored as Alternative 1 – however this is not the preferred option going forward.

(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:

The option of ceasing the activity and rehabilitating the site will be explored as Alternative 1 – however this is not the preferred option going forward.

(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.

No other alternatives exist for the case. The applicant wishes to apply for retrospective Environmental Authorisation for the activity.

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

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

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

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

(a) Geographical and physical aspects:

The development involves the clearance of indigenous vegetation. It is important to note as highlighted by the botanical specialist that more than half of the cleared area consisted of secondary vegetation recovering from previous ploughing.

(b) Biological aspects:

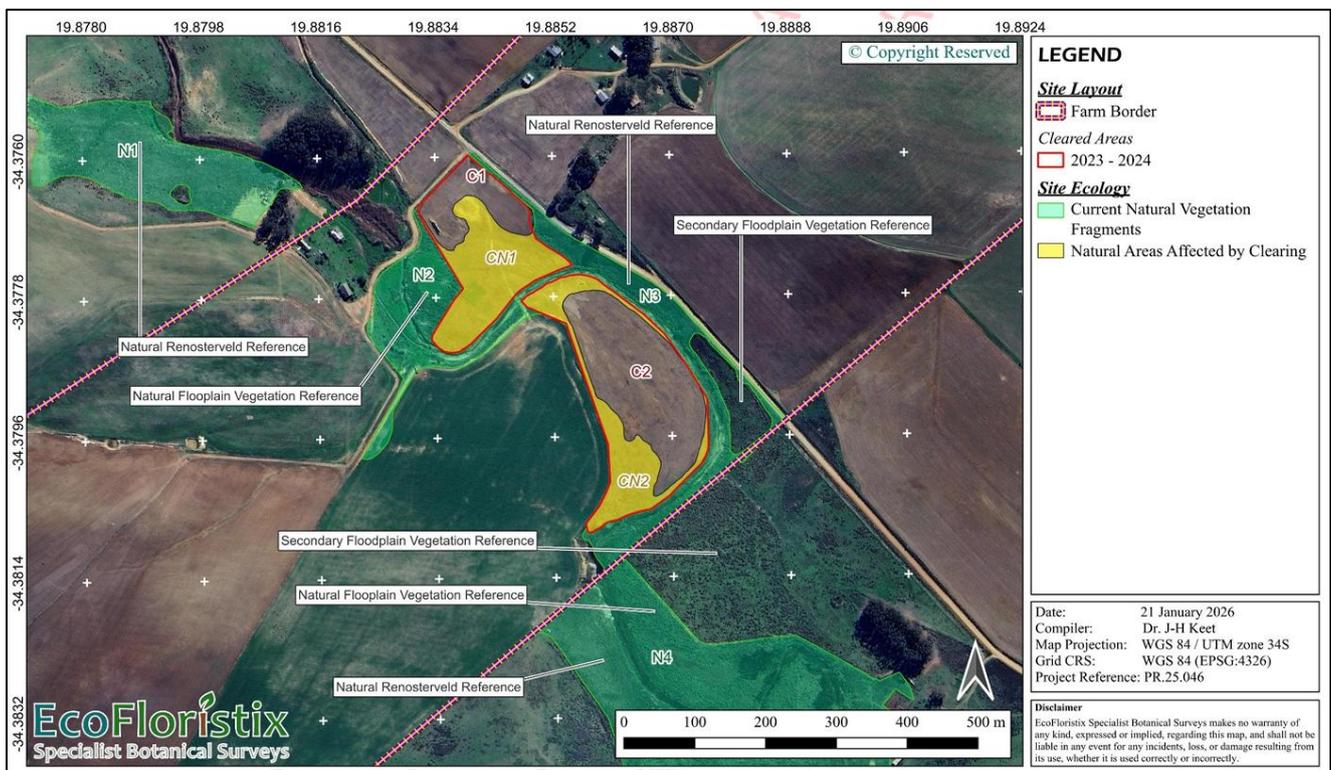
Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	YES x	NO
If yes, please describe:		
<p>According to the botanical specialist assessment, the portions of the site affected by vegetation clearance were not composed of intact Central Rûens Shale Renosterveld, and no remnants of this threatened vegetation type were confirmed within the cleared footprint. The vegetation present consisted of a combination of secondary floodplain vegetation and areas that were historically ploughed and subsequently revegetated, reflecting legacy impacts from past agricultural activities.</p> <p>The study area is mapped as falling within CBA2 (Terrestrial) and CBA2 (Aquatic) classifications. However, the CBA2 (Aquatic) classification is not considered accurate, as the site is entirely terrestrial in nature, despite supporting floodplain vegetation that may be subject to periodic flooding. Similarly, the CBA2 (Terrestrial) classification largely overlaps with historically disturbed areas (H2) and therefore does not represent intact or high-quality natural habitat.</p> <p>Furthermore, the vegetation present on site is not classified as a threatened ecosystem, and the area is not considered essential for achieving biodiversity conservation targets due to its modified condition and history of agricultural disturbance. While the site may provide some ecological support function to nearby areas of intact Central Rûens Shale Renosterveld (classified as CBA1), the cleared areas themselves were not pristine and did not constitute critical biodiversity areas.</p>		

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

The activity resulted in the clearance of approximately 7.4 ha of terrestrial vegetation. This relates to the clearance of approximately 3.9316 of secondary vegetation, and 3.5080 ha of indigenous vegetation (in areas labelled as C1 and C2 in Figure 5 below). According to the South African National Vegetation Map (2024), the site is mapped as Central Rûens Shale Renosterveld, which is listed as a Critically Endangered vegetation type. However, the botanical specialist confirmed through a detailed site assessment that the cleared areas were not composed of intact Central Rûens Shale Renosterveld. Instead, the vegetation consisted of a mix of secondary floodplain vegetation and natural floodplain vegetation, both of which have been influenced by historical agricultural disturbance. The cleared areas lacked the characteristic species composition associated with true renosterveld vegetation, and no species of conservation concern were identified within the affected footprint.

With respect to aquatic ecosystems, the site supports floodplain vegetation, but no wetlands, estuaries, or coastal ecosystems were directly impacted by the vegetation clearance. The mapped NFEPA river system does not traverse the cleared areas but rather flows adjacent to and between the affected portions. Furthermore, the unnamed wetland identified in the broader area is located upstream of the cleared footprint and was not impacted by the activity. Given the limited extent of the clearance and its terrestrial location, it is unlikely that the activity resulted in significant impacts on aquatic ecosystems, including the nearby FEPA river system.



**Figure 5:** Natural vegetation fragments that occurred on-site at the time of surveying. These are areas that not at all been ploughed in the past based on satellite imagery. Also indicated are the specific reference areas (used as proxies and for comparison) as well as natural areas that were affected by the clearing activities.

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 x
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If yes, please describe:

The vegetation clearance activity did not impact on any known populations of threatened plant or animal species, nor did it result in the loss of habitat containing a unique or irreplaceable signature of plant or animal species.

The botanical specialist assessment confirmed that the vegetation clearance did not impact on any known populations of threatened plant or animal species, nor did it result in the loss of habitat containing a unique or irreplaceable biodiversity signature. Although the South African National Vegetation Map (2024) broadly maps the site as Central Rûens Shale Renosterveld, which is classified as a Critically Endangered ecosystem, detailed field verification established that the vegetation within the cleared footprint was not representative of intact renosterveld vegetation. Instead, the affected areas comprised a combination of natural floodplain vegetation and secondary floodplain vegetation that had developed following historical agricultural disturbance, including ploughing that occurred prior to 2003. These vegetation communities lack the characteristic shrub, geophyte, and species assemblages typically associated with intact Central Rûens Shale Renosterveld and are indicative of a previously disturbed ecological system.

Floristic observations undertaken during the specialist site assessment confirmed that the vegetation within the cleared areas was dominated by common, widespread indigenous floodplain and disturbance-tolerant species, rather than habitat-specialist or conservation-dependent taxa. Indigenous species recorded onsite included generalist floodplain and disturbance-associated species such as *Galenia africana* (kraalbos), as well as indigenous grasses and herbaceous species characteristic of lowland floodplain environments. The presence of invasive and disturbance-associated species, including *Ricinus communis* (castor oil plant) and pasture-related species such as *Lolium spp.* (ryegrass), further reflects the modified ecological condition of the site and its history of agricultural use. Importantly, the botanical specialist specifically assessed the site for Plant Species of Conservation Concern and confirmed that no threatened or Red List plant species were recorded within the cleared footprint or immediate surrounding areas.

Furthermore, the specialist assessment concluded that the vegetation present did not constitute intact or conservation-critical habitat and did not support any unique or irreplaceable plant communities. While portions of the floodplain vegetation may contribute to ecological functioning at a broader landscape scale, particularly in supporting ecological processes and connectivity with nearby intact renosterveld remnants, the cleared areas themselves were already ecologically altered and of reduced conservation value. The Site Ecological Importance of the affected areas was therefore considered low relative to nearby intact Central Rûens Shale Renosterveld vegetation, which retains higher ecological integrity and conservation importance. Based on the specialist findings, the unauthorised vegetation clearance did not result in the loss of threatened species populations or habitat of unique biodiversity significance, and the impact on biodiversity conservation priorities is considered low.

Please describe the manner in which any other biological aspects were impacted:

The unauthorised vegetation clearance resulted in impacts limited to the removal of vegetation communities that were present within the affected footprint. According to the botanical specialist assessment, the cleared areas consisted of a combination of secondary floodplain vegetation and natural vegetation, both of which have been influenced by historical agricultural disturbance. The plant communities present were dominated by common, disturbance-associated indigenous species, including *Galenia africana*, *Cynodon dactylon*, *Nidorella foetida*, *Berkheya rigida*, *Asparagus retrofractus*, and *Lepidium africanum*, which are typical of floodplain and previously disturbed environments. The specialist also recorded the presence of alien and invasive species, including *Ricinus communis* (Category 2 invasive species), *Lolium multiflorum*, *Bromus diandrus*, and *Cirsium vulgare* (Category 1b invasive species), which are commonly associated with disturbed agricultural landscapes. The dominance of pioneer species such as *Galenia africana* and the occurrence of alien grasses and invasive plants reflect the modified ecological condition of the site and its history of agricultural use.

Importantly, the specialist confirmed that no Plant Species of Conservation Concern (SCC) or threatened plant species were recorded within the cleared footprint. Furthermore, the vegetation present did not represent intact Central Rûens Shale Renosterveld, despite its broader mapped classification. The affected plant communities lacked the species composition and ecological integrity characteristic of intact renosterveld vegetation and were therefore not considered to be of high conservation importance. The Site Ecological Importance assessment undertaken by the specialist classified the affected vegetation as having low ecological importance, particularly due to its secondary nature, the presence of invasive species, and the legacy effects of historical disturbance. As such, the biological impacts of the vegetation clearance were limited to the removal of already modified floodplain vegetation and did not result in the loss of threatened species, protected plant populations, or habitat of high ecological significance.

(c) Socio-Economic aspects:

What was the capital value of the activity on completion?	R Unknown	
What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?	R 0 – 100 000	
Has/will the activity have contributed to service infrastructure?	YES	NO X
How many new employment opportunities were/will be created in the construction phase of the activity?	3	
What was the value of the employment opportunities during the construction phase?	R 12 000	
What percentage of this accrued to previously disadvantaged individuals?	Unknown %	
How was this ensured and monitored (please explain):		
The contractor sourced labour locally to the extent possible. Although no formal monitoring register was maintained, the appointment of workers was done in line with fair labour practices. The construction phase was short-term and small-scale in nature.		
How many permanent new employment opportunities were/will be created during the operational phase of the activity?	0	
What is the current/expected value of the employment opportunities during the first 10 years?	R Unknown	
What percentage of this accrued/will accrue to previously disadvantaged individuals?	Unknown %	

How was/will this be ensured and monitored (please explain):
Mitigation and monitoring of long-term socio-economic benefits are included in the EMPr.
Any other information related to the manner in which the socio-economic aspects was/will be impacted:
N/A

(d) Cultural and historic aspects:

No heritage structures, graves, archaeological artefacts, palaeontological resources, or historically significant landscape features were identified within the cleared footprint. The activity was limited to vegetation clearance within an agricultural land use zone and did not involve earthworks associated with infrastructure development, structural construction, or alteration of built heritage resources.
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## 2. WASTE AND EMISSIONS

(a) Waste (including effluent) management

Did the activity produce waste (including rubble) during the construction phase?	YES	NO <input checked="" type="checkbox"/>
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	N/A m <sup>3</sup>	
The activity was limited to the clearance of vegetation within an agricultural land use area and did not involve construction, infrastructure development, or earthworks associated with building activities. As such, no construction-related waste, rubble, hazardous materials, or effluent were generated as a result of the activity. The vegetation clearance did not produce waste streams such as oils, fuels, building materials, packaging, or wastewater.		

Does the activity produce waste during its operational phase?	YES	NO <input checked="" type="checkbox"/>
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	N/A m <sup>3</sup>	

Where and how was/will the waste be treated / disposed of (describe)?		
NO		
Has the municipality or relevant authority confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? If yes, provide written confirmation from Municipality or relevant authority	YES	NO <input checked="" type="checkbox"/>
Does/will the activity produce waste that is/will be treated and/or disposed of at another facility other than into a municipal waste stream?	YES	NO <input checked="" type="checkbox"/>

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

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

(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
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The agricultural type comprises of dryland crops with no irrigation requirements.

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:		m <sup>3</sup>
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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:

The activity only involved clearance of indigenous vegetation on an agricultural land, no water was used for this activity.

#### 4. POWER SUPPLY

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

Eskom – activity does not use power.

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:

N/A. The activity relates to the clearance of indigenous vegetation.

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

No alternative energy sources have been taken into account.

#### 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

Two Activities have been assessed herein:

### ***Alternative 1 – No-Go Alternative (Non-Preferred) – Status quo remains***

This alternative would involve leaving the cleared area fallow and allowing natural rehabilitation to occur without proceeding with agricultural cultivation. While this would allow vegetation recovery over time, it would result in the land not being used for its intended agricultural purpose and would not contribute to agricultural productivity or socio-economic benefits associated with farming activities.

### ***Alternative 2 – Continue with Agricultural Use and Implement Mitigation Measures (Preferred):***

This alternative involves proceeding with agricultural cultivation on the cleared land following the retrospective rectification process. This option allows for the productive use of land already zoned and historically used for agriculture, while implementing appropriate environmental management and mitigation measures to minimise further impacts. According to the botanical specialist, the affected vegetation includes historically disturbed and secondary vegetation, and the site is not classified as a threatened ecosystem. Therefore, continued agricultural use, with appropriate management, represents a reasonable and sustainable option.

No other feasible activity alternatives exist, as the vegetation clearance has already occurred. The preferred alternative ensures that the land is used in accordance with its agricultural zoning while aligning with environmental management principles and municipal planning objectives.

## Alternative 1 : Non-Preferred

- (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.

<b>Impacts on biological aspects:</b>	<b>Loss of specific plant community types</b>  The unlawfully cleared areas would have consisted of either natural or secondary vegetation. The respective reference sites used to infer historic conditions both showed that the indigenous and often weedy <i>Galenia africana</i> becomes dominant, especially in secondary vegetation reestablishment. Alien grasses also dominate to some degree in the latter. Thus, it can be confirmed that this would have been the case prior to the commencement of clearing activities. Furthermore, various other indigenous and exotic/invasive weedy species (e.g., <i>Berkheya herbacea</i> and <i>Ricinus communis</i> ) currently dominate, and it is likely that they would have also been present to some degree.
Nature of impact:	Negative;
Extent and duration of impact:	Site specific; Short-term
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	Moderately reversible
Degree to which the impact may cause irreplaceable loss of resources:	No loss
Cumulative impact prior to mitigation:	Very low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> <li>→ Any landowners must adhere to their legal obligations to actively eradicate and manage alien vegetation infestations present on the applicable and surrounding properties.</li> <li>→ SCC and/or protected plant species should be avoided wherever possible. If individuals cannot be avoided, then a permit for their destruction must be obtained from the relevant local authority.</li> <li>→ No plant species, whether native or exotic, should be brought into, or removed from, the study area, to prevent the spread of exotic or invasive species or the illegal collection of plants.</li> </ul>

	<ul style="list-style-type: none"> <li>→ No plants may be translocated or otherwise uprooted or disturbed for rehabilitation or other purposes without express permission from the Contractor's ECO or without the relevant permits.</li> <li>→ Blanket clearing of vegetation must be limited to the already disturbed footprint; no clearing outside of permitted areas may take place.</li> <li>→ Immediately rehabilitate all areas outside of the proposed development site that were disturbed and implement mitigation measures to prevent associated impacts from re-occurring.</li> </ul>
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)
<b>Potential Loss of plant SCC</b>	
No SCC were observed in the respective reference sites; these areas also have a distinctly different vegetation compared to nearby Central Rûens Shale Renosterveld which does contain SCC (see sections 2.3.2 and 2.3.3 of the botanical report. No SCC were observed in the study area itself. Thus, it is concluded that no SCC occurred in the study area during the commencement of the clearing activities	
<b>Impacts on biological aspects:</b>	
Nature of impact:	Negative; Direct
Extent and duration of impact:	Site-specific; Short-term
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	N/A
Degree to which the impact may cause irreplaceable loss of resources:	No loss
Cumulative impact prior to mitigation:	Very Low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	N/A
Proposed mitigation:	→ N/A
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)

<b>Impacts on biological aspects:</b>	<p><b>Spread and/or establishment of alien and/or invasive species.</b></p> <p>A total of 2 NEM:BA A&amp;S Regulations listed invasive species were observed in the study area, namely, <i>Cirsium vulgare</i> (Spear thistle, Scotch thistle; Category 1b) and <i>Ricinus communis</i> (Castor-oil plant; Category 2). Of these species <i>Cirsium vulgare</i> was only observed in a few instances, whereas <i>Ricinus communis</i> occurred in larger abundances across the study area.</p>
Nature of impact:	Negative
Extent and duration of impact:	Site-specific
Probability of occurrence:	Highly probable
Degree to which the impact can be reversed:	Moderately reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	Low - Medium
Proposed mitigation:	<ul style="list-style-type: none"> <li>→ IAPs, wherever present, must be cleared as per NEM:BA requirements where applicable and must not be allowed to spread.</li> <li>→ Clearing methods should aim to keep disturbance to a minimum and must be undertaken in accordance with relevant guidelines.</li> <li>→ Any area that is cleared of IAPs must receive regular follow-up treatments (preferably at least three follow-ups) to ensure that populations do not re-establish after such initial clearing efforts.</li> </ul>
Cumulative impact post mitigation:	Medium
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium (-)
<b>Impacts on biological aspects:</b>	<p><b>Disruption of broad-scale ecological processes</b></p> <p>The subject area would not have been heavily fragmented prior to the activities. Thus, despite transformation from previous ploughing in the study area previously, it would have been in a moderate to good present ecological state and capable of having fulfilled some ecological functioning within the broader landscape.</p>

Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Short-term
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	Fully reversible
Degree to which the impact may cause irreplaceable loss of resources:	No Loss
Cumulative impact prior to mitigation:	Very – Low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> <li>→ Avoid unnecessary damage to vegetation wherever possible.</li> <li>→ Any signs of erosion resulting from this alternative must be rectified immediately and monitored thereafter to ensure that there is no re-occurrence.</li> <li>→ All affected areas resulting from the activity should be re-vegetated with locally occurring native species to bind the soil and limit erosion potential.</li> </ul>
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)
<b>Impacts on biological aspects:</b>	
<b>Reduced ability to meet conservation target</b>	
The study area is not a listed ecosystem and would also not qualify for CBA1 or CBA2 status. This, it would not have been eligible for contributing to conservation targets. Under this alternative the land is left to rehabilitate naturally over time.	
Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Short-term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	N/A
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss

Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> <li>→ Avoid unnecessary and additional disturbance to vegetation wherever possible.</li> <li>→ Any signs of erosion resulting from this Alternative 1, must be rectified immediately and monitored thereafter to ensure that there is no re-occurrence.</li> <li>→ All affected areas resulting from the activities, should be re-vegetated with locally occurring native species to bind the soil and limit erosion potential.</li> <li>→ Avoid No-Go areas wherever possible.</li> </ul>
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)

<b>Impacts on socio-economic aspects:</b>	<b>The status quo remains</b>  The site would remain in its current condition with no agricultural activities therefore no employment opportunities in the agricultural sector and no enhancement of agricultural land use.
Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Long-term
Probability of occurrence:	Highly probable
Degree to which the impact can be reversed:	N/A
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	High
Degree to which the impact can be mitigated:	N/A
Proposed mitigation:	N/A

Cumulative impact post mitigation:	Medium
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium (-)

<b>Impacts on cultural-historical aspects:</b>	No cultural-historical features, heritage resources, archaeological sites, or structures of heritage significance were identified within the affected area during site assessments.
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)	-

<b>Noise impacts:</b>	No noise impacts are expected
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)	-

<b>Visual impacts / Sense of Place:</b>	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)	-

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

<b>Impacts on the geographical and physical aspects:</b>	No operations will be taking place; the disturbed land will be left fallow and unfarmed.
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)	-

<b>Impact on biological aspects:</b>	<b>Risk of alien vegetation spread and increase in density.</b>  During the operational phase, the continued presence of disturbed and modified areas associated with the development will sustain conditions favourable to the establishment and proliferation of alien invasive plant species. The ongoing human activity, movement of vehicles and equipment, and maintenance of open or landscaped areas increases the risk of alien invasive species being introduced onto the site.
Nature of impact:	Negative
Extent and duration of impact:	Local; long-term
Probability of occurrence:	Likely
Degree to which the impact can be reversed:	Medium

Degree to which the impact may cause irreplaceable loss of resources:	Medium – High
Cumulative impact prior to mitigation:	The spread of alien invasive species from the operational development into adjacent naturally recovering or intact indigenous vegetation could result in the irreplaceable loss of indigenous plant communities, habitat structure, and associated faunal biodiversity.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium – High
Degree to which the impact can be mitigated:	Medium - High
Proposed mitigation:	→ Develop, implement, and maintain a long-term Alien Invasive Plant Management Plan (AIPMP) for the operational phase of the development.
Cumulative impact post mitigation:	Medium – Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium Low (-)

<b>Impacts on the socio-economic aspects:</b>	No agricultural activities therefore no job creation  The absence of agricultural activities on the subject site means that the potential employment and economic opportunities that could have been generated through active farming operations will not be realised. This loss of potential job creation is felt primarily at the local community level, affecting those who may have otherwise been employed in agricultural labour, seasonal harvesting, or related agri-processing activities.
Nature of impact:	Negative
Extent and duration of impact:	Local; long-term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	N/A
Degree to which the impact may cause irreplaceable loss of resources:	N/A
Cumulative impact prior to mitigation:	Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	Low

Proposed mitigation:	–
Cumulative impact post mitigation:	Medium
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium (-)

<b>Impacts on the cultural-historical aspects:</b>	No cultural-historical impacts identified
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)	-

<b>Noise impacts:</b>	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)	-

<b>Visual impacts / Sense of Place:</b>	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)	-

- (c) Impacts that may result from the **decommissioning and closure phase** (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.

There is no Decommissioning and closure phase applicable to Alternative 1

### Alternative 2 (Preferred)

- (b) 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.

<b>Impacts on biological aspects:</b>	<p><b>Loss of specific plant community types – although the cleared site was in a disturbed state already</b></p> <p>The unlawfully cleared areas would have consisted of either natural or secondary vegetation. The respective reference sites used to infer historic conditions both showed that the indigenous and often weedy <i>Galenia africana</i> becomes dominant, especially in secondary vegetation. Alien grasses also dominate to some degree in the latter. Thus, it can be inferred that this would have been the case prior to the commencement of clearing activities. Furthermore, various other indigenous and exotic/invasive weedy Species (e.g., <i>Berkheya herbacea</i> and <i>Ricinus communis</i>) currently dominate, and it is likely that they would have also been present to some degree during the clearing.</p>
Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Long-term
Probability of occurrence:	Highly probable
Degree to which the impact can be reversed:	Moderately reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	High

Proposed mitigation:	<ul style="list-style-type: none"> <li>→ All landowners must adhere to their legal obligations to actively eradicate and manage alien vegetation infestations present on the applicable and surrounding properties.</li> <li>→ SCC and/or protected plant species should be avoided wherever possible.</li> <li>→ Blanket clearing of vegetation must be limited to the already disturbed area only, no clearing outside of permitted areas may take place.</li> </ul>
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low to medium (-)
<b>Potential Loss of plant SCC</b>	
<b>Impacts on biological aspects:</b>	No SCC were observed in the respective reference sites; these also have a distinctly different vegetation compared to nearby Central Rûens Shale Renosterveld which does contain SCC. Furthermore, no SCC were observed in the study area itself. Thus, it was concluded that no SCC occur in the study area
Nature of impact:	Negative
Extent and duration of impact:	Site-specific
Probability of occurrence:	Improbable
Degree to which the impact can be reversed:	Fully reversible
Degree to which the impact may cause irreplaceable loss of resources:	No loss
Cumulative impact prior to mitigation:	High
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> <li>→ Any landowners must adhere to their legal obligations to actively eradicate and manage alien vegetation infestations present on the applicable area and surrounding areas</li> <li>→ SCC and/or protected plant species must not be disturbed elsewhere on site without the necessary approvals</li> <li>→ Clearing of vegetation must be confined to the applicable area only.</li> </ul>
Cumulative impact post mitigation:	Very low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)

<b>Impacts on biological aspects:</b>	<p><b>Spread and/or establishment of alien and/or invasive species as a result of the disturbance on site</b></p> <p>A total of 2 NEM:BA A&amp;IS Regulations listed invasive species were observed in the study area, namely, <i>Cirsium vulgare</i> (Spear thistle, Scotch thistle; Category 1b) and <i>Ricinus communis</i> (Castor-oil plant; Category 2). Of these species <i>Cirsium vulgare</i> was only observed in a few instances, whereas <i>Ricinus communis</i> occurred in larger abundances across the study area. These occur outside the cleared areas in various abundances.</p>
Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Short- term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Fully Reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Low – Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> <li>→ IAPs, must be cleared on the site and surrounding applicant land</li> <li>→ Clearing methods should aim to keep disturbance to a minimum and must be undertaken in accordance with relevant guidelines.</li> <li>→ Any area that is cleared of IAPs must receive regular follow-up treatments (preferably at least three follow-ups) to ensure that populations do not re-establish after such initial clearing efforts.</li> <li>→ No planting or importing of any alien species to the site for landscaping, rehabilitation, or any other purpose is permitted. Only the dryland crops applicable.</li> </ul>
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)
<b>Impacts on biological aspects:</b>	<b>Disruption of broad-scale ecological processes</b>

	Habitat destruction and fragmentation can potentially disrupt the connectivity of the landscape for fauna and flora and impair their ability to respond to environmental fluctuations. It can also eventually lead indirectly to the loss of local plant community types, SCC, protected plant species, and genetic diversity. However, the site in question has been farmed previously and has been part of the agricultural landscape for over ten years – records show that the area in question has been farmed since as early as 1993 at varied intervals. The site was initially farmed by the applicant himself in 2003 and then cleared in February and March 2023 and ploughed in April 2023 followed by the seeding of cover crops for grazing. It was ploughed and seeded again in April 2024.
Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Medium term
Probability of occurrence:	Highly Probable
Degree to which the impact can be reversed:	Moderately reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	High
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	Medium – High
Proposed mitigation:	<ul style="list-style-type: none"> <li>→ Avoid unnecessary damage to vegetation wherever possible.</li> <li>→ Any signs of erosion resulting from the project activities must be rectified immediately and monitored thereafter to ensure that there is no re-occurrence.</li> <li>→ All affected areas resulting from the proposed activities, and that are not part of the proposed activities, should be re-vegetated with locally occurring native species to bind the soil</li> <li>→ and limit erosion potential.</li> <li>→ Avoid No-Go areas wherever possible.</li> </ul>
Cumulative impact post mitigation:	Medium
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium Low (-)

<b>Impacts on socio-economic aspects:</b>	<p><b>Job creation</b></p> <p>Positive impact associated with enabling continued and lawful agricultural use of the property following rectification of the unauthorised vegetation clearance. The activity supports productive land use in accordance with the agricultural zoning of the property and contributes to local agricultural output. The activity</p>
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	also contributes to local economic activity through continued farming operations and associated employment opportunities, although these are expected to be limited.
Nature of impact:	Positive
Extent and duration of impact:	Local ; Short-term
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Irreversible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	N/A
Proposed mitigation:	<ul style="list-style-type: none"> <li>→ Employment of local unskilled and semi-skilled labourers from the surrounding community during the construction phase, with preference given to previously disadvantaged individuals residing in the local area.</li> <li>→ Prioritisation of local procurement of materials, equipment, and services associated with the ongoing agricultural operations, in order to maximise the economic multiplier effect within the local community.</li> <li>→ Provision of on-the-job training and skills development opportunities for local employees engaged in agricultural activities on the property, contributing to the long-term employability and economic resilience of the local workforce.</li> </ul>
Cumulative impact post mitigation:	Medium
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium (+)
<b>Impacts on cultural-historical aspects:</b>	No impacts on cultural-historical aspects – the farming activities are in line with agricultural activities in the area.
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)	-

<b>Noise impacts:</b>	Noise is less likely to affect sensitive receptors because the farms are far apart, agricultural activities and associated noise generated are the norm for the area.
Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Short-term
Probability of occurrence:	Likely
Degree to which the impact can be reversed:	High (noise stops after construction; no lasting effect on land)
Degree to which the impact may cause irreplaceable loss of resources:	Very Low (farmland and crops are generally resilient to short-term noise)
Cumulative impact prior to mitigation:	Minor disturbance to farm operations; minimal effect on livestock or crops
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> <li>→ Restrict construction to daytime hours</li> <li>→ Use mufflers/silencers on machinery</li> <li>→ Notify farm owners/workers of construction schedule</li> <li>→ Avoid sensitive periods (e.g., harvest or calving seasons)</li> </ul>
Cumulative impact post mitigation:	Negligible
Significance rating of impact after mitigation	Very Low (-)

(Low, Medium, Medium-High, High, or Very-High)	
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<b>Visual impacts / Sense of Place:</b>	<b>Landscape Transformation</b> Transformation of the landform from the one previously covered with secondary and natural vegetation type has already occurred. The property is situated in an agricultural area with long term and existing agricultural activities therefore no impacts are expected.
Nature of impact:	-
Extent and duration of impact:	-
Probability of occurrence:	-
Degree to which the impact can be reversed:	Irreversible
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)	-

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

<b>Impacts on biological aspects:</b>	<b>Landscape transformation</b> During the operational (post-clearance) phase, the site will remain in a transformed state with agricultural activities taking place.
Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Long-term

Probability of occurrence:	Likely
Degree to which the impact can be reversed:	Irreversible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Low – Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	High
Proposed mitigation:	→ Prevent further disturbance to surrounding areas consisting of indigenous vegetation. → Remove alien invasive plant species through ongoing management
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)

<b>Impact on biological aspects:</b>	Continued agricultural activities in an active agricultural landscape – risk of spread of farming in an unauthorised manner or too areas which have not been disturbed within the last ten years
Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Long-term
Probability of occurrence:	Low – the applicant is aware of the legislation now
Degree to which the impact can be reversed:	High
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low

Degree to which the impact can be mitigated:	High
Proposed mitigation:	→ Landowner has been made aware of the obligations ito of the NEMA and the clearance of vegetation which is natural or which has not been ploughed within the preceding ten years.
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)
<b>Impact on biological aspects:</b>	
Spread and/or establishment of alien and/or invasive species – ongoing agricultural activities risk the spread of alien vegetation to more natural areas in the landscape	
Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Short to long term
Probability of occurrence:	Possible
Degree to which the impact can be reversed:	Fully Reversible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Low – Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> <li>→ IAPs, wherever present, must be cleared as per NEM:BA requirements where applicable and must not be allowed to spread.</li> <li>→ Clearing methods should aim to keep disturbance to a minimum and must be undertaken in accordance with relevant guidelines.</li> <li>→ Any area that is cleared of IAPs must receive regular follow-up treatments (preferably at least three follow-ups) to ensure that populations do not re-establish after such initial clearing efforts.</li> </ul>
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)

<b>Impact on biological aspects:</b>	Disruption of broad-scale ecological processes – agricultural activities spread beyond the subject area in question. This risk is however low since the site is surrounded by existing lawful agricultural activities.
Nature of impact:	Negative
Extent and duration of impact:	Site-specific; Medium term
Probability of occurrence:	Possible
Degree to which the impact can be reversed:	With rehabilitation
Degree to which the impact may cause irreplaceable loss of resources:	Low given nature of surrounding land
Cumulative impact prior to mitigation:	Medium – continued unauthorised sprawl of agricultural activities.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	→ Ensure that the agricultural area in question is fenced to prevent expansion to unauthorised areas in the vicinity  → Avoid No-Go areas as identified by the botanical specialist
Cumulative impact post mitigation:	Medium
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)

<b>Impacts on the socio-economic aspects:</b>	<b>Job creation</b>  Continued agricultural activities will allow for continued job creation in the area
Nature of impact:	Positive
Extent and duration of impact:	Site-specific; Long-term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	N/A
Degree to which the impact may cause irreplaceable loss of resources:	N/A

Cumulative impact prior to mitigation:	Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	N/A
Proposed mitigation:	→ Prioritise employment of local labour from surrounding communities.
Cumulative impact post mitigation:	Medium
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium (+)

<b>Impacts on the cultural-historical aspects:</b>	<b>No impacts identified</b>
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)	-

<b>Noise impacts:</b>	<b>No noise impacts identified</b> Typical Agricultural activities with associate operational noise – typical and expected for the area.
Nature of impact:	Typical Agricultural activities with associate operational noise – typical and expected for the area.
Extent and duration of impact:	Local; adhoc
Probability of occurrence:	Likely
Degree to which the impact can be reversed:	Possible – if required
Degree to which the impact may cause irreplaceable loss of resources:	None
Cumulative impact prior to mitigation:	General noise associated with landscape wide agricultural activities
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	Possible
Proposed mitigation:	→ Contain any unusually loud activities to working hours and weekdays as far as possible
Cumulative impact post mitigation:	Continuation of general noise in the area – part of the norm for a agricultural landscape
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low -ve

<b>Visual impacts / Sense of Place:</b>	<b>No visual /sense of place impacts identified</b>
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)	-

- (d) Impacts that may result from the **decommissioning and closure phase** (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 and closure not applicable to the activity or alternative

- (d) Any other impacts:

N/A

**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:

### Extract from the Terrestrial Biodiversity Impact Assessment:

*"The retrospective ecological assessment concludes that the unauthorized clearing of 7.4 hectares of vegetation within the study area resulted in a lower environmental impact than suggested by initial high-level screening tools. The discrepancy between the "Very High" sensitivity rating of the screening tool and the "Very Low" Site Ecological Importance (SEI) determined through ground-truthing is primarily due to localized mapping errors regarding ecosystem types and the failure of broad datasets to account for historic agricultural disturbance. The site is characterized as a lowland floodplain rather than the Critically Endangered Central Rûens Shale Renosterveld, and more than half of the cleared area consisted of secondary vegetation recovering from previous ploughing. While the land is legally recognized as consisting of indigenous vegetation due to the duration of its fallow period (exceeding 10 years), the ecological reality is that these areas remain secondary successional communities with altered soil structures and reduced biological complexity compared to truly natural fragments.*

*There is no evidence to suggest that any Species of Conservation Concern (SCC) were lost during the clearing activities, as these species are strictly associated with the intact renosterveld fragments that remain undisturbed on the adjacent hill slopes. SCC were absent in both natural and secondary floodplain vegetation, for all reference areas. The primary impacts are localized to the loss of natural and secondary floodplain vegetation and the potential for increased infestation by invasive alien species. These impacts are considered moderately reversible due to the high resilience of the local pioneer plant communities. While the clearing represents a negative direct impact, it does not fundamentally compromise the regional ability to meet biodiversity targets, nor does it significantly fragment the landscape in a way that impairs broad scale ecological functioning.*

*Ultimately, the findings suggest that the most significant ecological value in the immediate vicinity lies not within the cleared footprint, but in the surrounding riparian zones and renosterveld fragments, which have remained unaltered and not impacted by the activities. To mitigate the residual impacts of the unauthorized clearing, future management should prioritize the protection of these high-sensitivity areas and implement an invasive alien plant control program. Such measures would ensure that the functional role of the study area as an Ecological Support Area is maintained, despite the reduction in indigenous vegetation cover. The study demonstrates that while the clearing occurred without authorization, the ecological sensitivity of the specific impacted hectares was relatively low, and the most critical component of the local biodiversity remains intact”.*

#### Mitigation measures

##### *Potential impacts on plant communities, and SCC and/or protected plant species.*

- Any landowners must adhere to their legal obligations to actively eradicate and manage alien vegetation infestation present on the applicable and surrounding properties.
- SCC and/or protected plant species should be avoided wherever possible. If individuals cannot be avoided, then a permit for their destruction must be obtained from the relevant local authority.
- No plant species, whether native or exotic, should be brought into, or removed from, the study area, to prevent the spread of exotic or invasive species or the illegal collection of plants.
- No plants may be translocated or otherwise uprooted or disturbed for rehabilitation or other purposes without express permission from the Contractor’s ECO or without the relevant permits.
- Blanket clearing of vegetation must be limited to the proposed footprint, and only where necessary; no clearing outside of permitted areas may take place.
- Clearing of vegetation should be minimized and avoided where possible.
- Immediately rehabilitate all areas outside of the proposed development site that were disturbed and implement mitigation measures to prevent associated impacts from re-occurring.

##### *Spread and/or establishment of alien and/or invasive species.*

- IAPs, wherever present, must be cleared as per NEM:BA requirements where applicable and must not be allowed to spread.
- Clearing methods should aim to keep disturbance to a minimum and must be undertaken in accordance with relevant guidelines.
- Any area that is cleared of IAPs must receive regular follow-up treatments (preferably at least three follow-ups) to ensure that populations do not re-establish after such initial clearing efforts.
- No use of chemicals/herbicides should
- No planting or importing of any alien species to the site for landscaping, rehabilitation, or any other purpose should be allowed.

##### *Reduced ability to meet conservation obligations and targets and Impacts on broad scale ecological processes.*

- Avoid unnecessary damage to vegetation wherever possible.
- Any signs of erosion resulting from the project activities must be rectified immediately and monitored thereafter to ensure that there is no re-occurrence.

- All affected areas resulting from the proposed activities, and that are not part of the proposed activities, should be re-vegetated with locally occurring native species to bind the soil and limit erosion potential.
- Avoid No-Go identified by the specialist.

## 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.

Impact Summary based on Alternative 2 – Apply for Retrospective Environmental Authorisation:

Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):
Loss of plant community types	Medium Low (-ve)
Loss of SCC and/or protected species	Low (-)
Spread and/or establishment of alien and/or invasive species.	Low (-)
Reduced ability to meet conservation targets	Low (-)
Disruption of broad-scale ecological processes	Medium Low (-)

## 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 site in question has been cleared and farmed various time previously and therefore did not represent a natural intact landscape at the time that the applicant cleared it.
- The site is mapped as Central Ruens Shale Renosterveld according to the South African Vegetation Map (2024). However, based on the specialist's field survey and ground-truthing, the vegetation currently present on site does not represent intact Central Ruens Shale Renosterveld. Instead, the vegetation is consisting largely of secondary and disturbance-associated species.
- No Species of Conservation Concern (SCC) were identified during the site assessment. The vegetation present is largely composed of common indigenous and disturbance-tolerant species, with some alien and invasive elements.
- The majority of the cleared area spatially overlaps with mapped Critical Biodiversity Areas (CBA2) (Terrestrial and Aquatic). However, the specialist notes that the aquatic CBA classification is a error as the entire site comprises vegetation rather than a distinct aquatic system. The terrestrial CBA2 designation reflects moderate biodiversity importance and ecological functioning, but the site was already in a transformed or secondary condition prior to clearance.
- The unlawful clearance resulted in the removal of secondary vegetation and associated ecological structure. While this has reduced vegetation cover and ecological integrity within the affected footprint, the

impact is considered localised and does not involve the loss of intact renosterveld or confirmed species of conservation concern.

## 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.

N/A

**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.

The assessment methods are in line with the NEMA provisions and informed by the specialist input.

(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	<b>On site</b> – impacts that are limited to the boundaries of the development site.
	<b>Local</b> – impacts that affect an area in a radius of 20 km around the Development site.
	<b>Regional</b> – impacts that affect regionally important environmental resources or are experienced at a regional scale as determined by administrative boundaries, habitat type/ecosystem.
	<b>National</b> – impacts that affect nationally important environmental resources or affect an area that is nationally important/ or have macro-economic consequences
Duration	<b>Temporary</b> – 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.
	<b>Long-term</b> – impacts that will continue for the life of the Project but ceases when the project stops operating
	<b>Permanent</b> – 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
	<b>Negligible</b> – the impact on the environment is not detectable.
	<b>Low</b> – the impact affects the environment in such a way that natural functions and processes are not affected.
	<b>Medium</b> – where the affected environment is altered but natural functions and processes continue, albeit in a modified way.
Intensity	<b>High</b> – where natural functions or processes are altered to the extent that they will temporarily or permanently cease
	SOCIO-ECONOMIC
	<b>Negligible</b> – there is no perceptible change to people's livelihood
	<b>Low</b> - people/communities are able to adapt with relative ease and maintain pre-impact livelihoods
	<b>Medium</b> – people/communities are able to adapt with some difficulty and maintain pre-impact livelihoods but only with a degree of support
<b>High</b> - 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		Unlikely	Likely	Definite
Magnitude	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.

No gaps have been identified.

(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 the opinion of the Environmental Assessment Practitioner (EAP) that the activity should be allowed to continue and be authorised, subject to the outcome of the Section 24G application process and any conditions imposed by the competent authority, specialists and EAP.

The activity has already been undertaken within an established agricultural precinct, with the surrounding properties also zoned and utilised for agricultural purposes. The site itself has been farmed various times in the past and did not represent a natural intact landscape. The activity on Portion 2 of Farm 39 is therefore consistent with the existing land use and does not introduce a land use that is incompatible with the character of the area.

The impacts associated with the clearance and ploughing are considered to be localised and of low to moderate significance after mitigations. The activity primarily affected secondary and previously transformed vegetation that had already been degraded by historical agricultural practices. There is no evidence to suggest that the activity resulted in significant impacts on intact sensitive habitats, threatened or protected species, or any heritage resources.

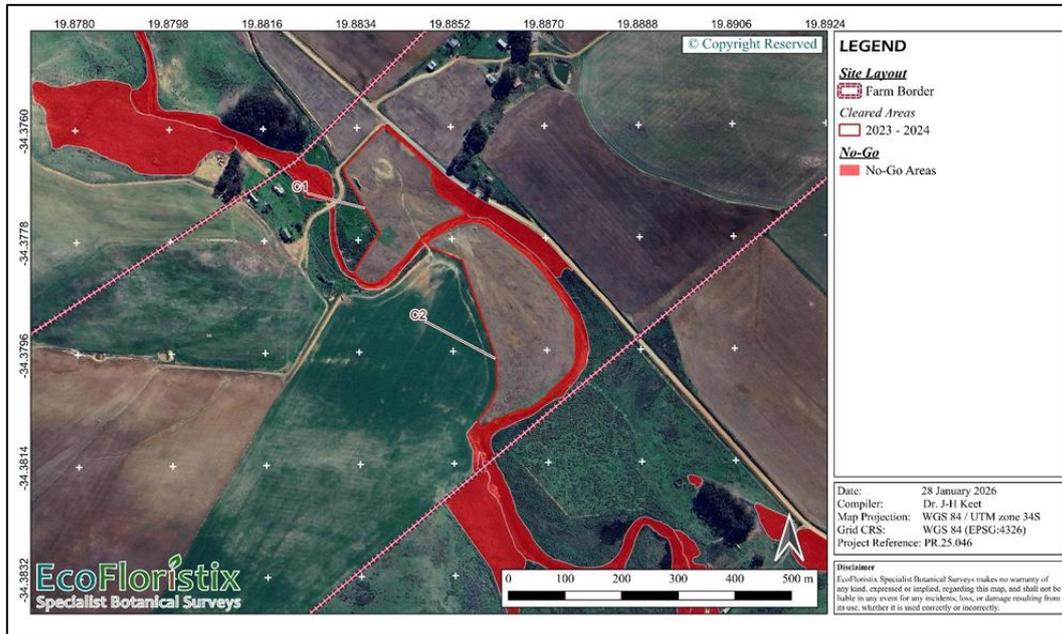
The activity did not alter the broader ecological functioning of the surrounding environment, including the nearby non-perennial river traversing between the cleared portions. The non-perennial drainage line on the southern boundary of the subject site has not been affected by these activities and no hard infrastructure, infilling or depositing has taken place within the regulated area of the drainage line which would have resulted in ecological impacts.

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.

It is recommended that the activity at the subject area on Portion 2 of Farm 39, Napier, must be authorised subject to the implementation of the following conditions and mitigation measures to ensure that environmental impacts are managed and minimised:

- No vegetation clearance shall be undertaken outside the footprint of the area already cleared, except in accordance with an approved Environmental Authorisation. Any additional clearance will require prior written approval from DEA&DP.

- An Invasive Alien Vegetation (IAV) Management Plan shall be implemented on the property to control and remove alien and invasive species. This should be undertaken in accordance with recognised best-practice guidelines to prevent further spread and ensure ecological restoration.
- Ploughing, cultivation, or other agricultural activities shall not occur within the buffer zones of mapped watercourses on the property, specifically the non-perennial drainage lines, to prevent erosion, sedimentation, and degradation of aquatic and riparian habitats.
- Avoid No-go areas identified by the botanical specialist, refer to the image below.



No go areas identified by the botanical specialist during site investigation.

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

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

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 be followed in the case of emergency situations.

## SECTION J: PUBLIC PARTICIPATION

### 1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED

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

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

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

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

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

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

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

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

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

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

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

Public participation is undertaken in line with Regulation 8 and the NEMA:

- All relevant organs of state and adjacent landowners notified via email and / or registered post of the application
- A noticeboard erected at the site in a visible place with details of the activity and relevant contact details
- An advertisement was placed in the Suiderpers on the 13 March 2026. regarding the application and commenting opportunity.
- The documents were loaded onto the EAP's Website
- The applicant does not have a website.

→ A Comments and Response report and register for I&APs was opened.		
→ A 30-day commenting opportunity was provided.		
Please indicate whether the applicant has a website (please tick relevant box):	YES	NO X
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.		
N/A		

**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	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	DEVIATION	N/A X
(c) placing an advertisement in -			
(i) one local newspaper; or	YES X	DEVIATION	

(ii) any official <i>Gazette</i> 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			

<b>1. Provide a list of all the state departments that has been / will be consulted:</b>		
<b>List of State Depts.</b>	<b>Comment obtained (YES/NO)</b>	<b>If not, provide reasons</b>
DEAD&DP	Pending	To be included after PPP
Cape Nature	Pending	To be included after PPP
BOCMA	Pending	To be included after PPP
Department of Agriculture	Pending	To be included after PPP
Overberg District Municipality	Pending	To be included after PPP
Cape Agulhas Municipality	Pending	To be included after PPP

<b>2. Provide a summary of the issues raised by I&amp;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.)</b>
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	
DEA&DP	Najah Ben Jeddou	Tel	
		Fax	
		E-mail	<a href="mailto:Najah.BenJeddou@westerncape.gov.za">Najah.BenJeddou@westerncape.gov.za</a>
Cape Nature	Rhett Smart	Tel	
		Fax	
		E-mail	<a href="mailto:rsmart@capenature.co.za">rsmart@capenature.co.za</a>
BOCMA	R. le Roux/ Fabion Smith	Tel	
		Fax	

		E-mail	<a href="mailto:rleroux@bocma.co.za">rleroux@bocma.co.za</a> <a href="mailto:fsmith@bocma.co.za">fsmith@bocma.co.za</a>
Department of Agriculture	Cor van Der Walt	Tel	
		Fax	
		E-mail	<a href="mailto:Cor.VanderWalt@westerncape.gov.za">Cor.VanderWalt@westerncape.gov.za</a>
Overberg District Municipality	Rulien Volschenk	Tel	
		Fax	
		E-mail	<a href="mailto:rvolschenk@odm.org.za">rvolschenk@odm.org.za</a>
Cape Agulhas Municipality	Sunel Nel	Tel	
		Fax	
		E-mail	<a href="mailto:info@capeagulhas.gov.za">info@capeagulhas.gov.za</a> <a href="mailto:suneln@capeagulhas.gov.za">suneln@capeagulhas.gov.za</a>

**Please note:**

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

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

### SECTION A: DIRECTIVES

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

i	<i>immediately cease the activity pending a decision on the application submitted in terms of this subsection</i> No further actions have been undertaken following the initial clearance and ploughing of vegetation.
ii	<i>investigate, evaluate and assess the impact of the activity on the environment</i> The investigation, evaluation, and assessment of the impacts associated with the unlawful activity are being undertaken through this Section 24G application process. An Environmental Assessment Practitioner (EAP) has been appointed to facilitate the process, and a suitably qualified botanical specialist has conducted a site assessment to evaluate the ecological characteristics of the site and determine the significance of impacts resulting from the vegetation clearance. The findings of the specialist studies and impact assessment are included in this report.
iii	<i>remedy any adverse effects of the activity on the environment</i>

	<p>Based on the botanical specialist assessment, the affected area is characterised as lowland vegetation rather than intact Critically Endangered Central Rûens Shale Renosterveld. Furthermore, a significant portion of the cleared area comprised secondary and previously disturbed vegetation, indicative of historical agricultural activities. No Species of Conservation Concern were identified within the cleared footprint.</p> <p>Given the ecological condition of the site and the absence of significant biodiversity features requiring rehabilitation, full ecological restoration to a natural state is not considered feasible or necessary. Instead, appropriate mitigation measures will be implemented, including the prevention of further unauthorised vegetation clearance, management of invasive alien vegetation, and protection of adjacent sensitive areas such as the non-perennial drainage line.</p> <p>No infilling, excavation, depositing took places within 32m of the non-perennial drainage line on site.</p>
iv	<p><i>cease, modify or control any act, activity, process or omission causing pollution or environmental degradation</i></p> <p>Vegetation clearance and ploughing have already occurred and have since been ceased. However, the option of ceasing the activity and continuing with the rehabilitation of the site is not a preferred option.</p>
v	<p><i>contain or prevent the movement of pollution or degradation of the environment</i></p> <p>No sources of pollution were identified as a result of the unlawful activity. Ho</p>
vi	<p><i>eliminate any source of pollution or degradation</i></p> <p>N/A</p>
vii	<p><i>compile a report containing-</i></p>
	<p>aa a description of the need and desirability of the activity <b>In-Process</b></p>
	<p>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 <b>In-Process</b></p>
	<p>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 <b>In-Process</b></p>
	<p>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 <b>In-Process</b></p>
	<p>ee an environmental management programme <b>In-Process</b></p>
viii	<p>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. <b>In-Process</b></p>

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:

<p>Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that <u>is not subject to this application</u> and in any province in the Republic?</p>	<p>YES</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>NO X</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>UNCERTAIN</p> <hr style="width: 80%; margin: 0 auto;"/>
<p><i>If yes provide details of the offence being investigated and authority conducting the investigation.</i></p> <p><i>If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i></p>			
<p>N/A</p>			
<p>Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that <u>is not subject to this application</u> and in any province in the Republic?</p>	<p>YES</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>NO X</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>UNCERTAIN</p> <hr style="width: 80%; margin: 0 auto;"/>
<p><i>If yes provide details of the offence being investigated and authority conducting the investigation.</i></p> <p><i>If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i></p>			
<p>N/A</p>			
<p>Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA <u>in terms of which this application directly relates</u>?</p>	<p>YES</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>NO X</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>UNCERTAIN</p> <hr style="width: 80%; margin: 0 auto;"/>

<p>If yes provide details of the offence being investigated and authority conducting the investigation.</p> <p>If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</p>			
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 authorisation or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

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

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

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

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

Index	Socio Economic Impact	Place an "x" in the appropriate box
Description of variable		
	The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	
	Continued agricultural activity within the agricultural landscape will provide positive 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.	
<p>Motivation:</p> <p>The activity, which included the clearance of indigenous vegetation on site, has not generated negative socio-economic impacts, as the affected area is located within a privately owned agricultural property and does not support any residential communities, public infrastructure, or socio-economic services. The activity did not result in the displacement of people, loss of livelihoods, or restriction of access to natural resources relied upon by surrounding communities.</p> <p>Furthermore, the site has historically been used for agricultural purposes and is situated within an established agricultural landscape. Continued agricultural activity within the agricultural landscape will provide positive impacts</p>	

Index	Biodiversity Impact	Place an "x" in the appropriate box
Description of variable		
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	X
	The activity is giving, has given or could give rise to localised biodiversity impacts	X
	The activity is giving, has given or could give rise to significant biodiversity impacts	
	The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	
<p>Motivation:</p> <p>The unauthorised clearing of approximately 7.4 hectares of vegetation within the study area resulted in localised biodiversity impacts. According to the botanical specialist assessment, the vegetation present onsite is representative of lowland vegetation and <b>does not</b> constitute intact Central Rûens Shale Renosterveld, which is listed as Critically Endangered. The majority of the affected area comprised secondary and previously disturbed vegetation, with evidence of historical agricultural activities.</p> <p><b>No plant Species of Conservation Concern</b> were identified during the site assessment, and the ecological integrity of the affected area was already moderately to highly transformed prior to the recent clearance. While a portion of the site is mapped as Critical Biodiversity Area (CBA2) (terrestrial and aquatic), the aquatic component was identified as likely being inaccurately mapped, as confirmed by the specialist.</p> <p>Therefore, although the clearing resulted in the loss of vegetation and associated ecological functions at a local scale, the impact is considered localised and of low ecological significance and does not result in the irreversible loss of a recognised biodiversity hotspot nor does it threaten the survival of any species or sub-species.</p>		

In addition, the historical aerial images indicate that the site had been actively farmed previously and therefore was not in an intact natural state when the 2023 clearance took place by the applicant.

Index	Sense of Place Impact and / or Heritage Impact	Place an "x" in the appropriate box
Description of variable		
	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	
<p>Motivation:</p> <p>The activity is considered to be in keeping with the surrounding environment and does not negatively impact the affected area's sense of place. The site is located within a rural landscape that has historically and currently been influenced by agricultural activities, including cultivation and land preparation. As such, the ploughing and associated vegetation clearance are consistent with the established land use patterns and do not introduce elements that are visually or culturally incongruent with the surrounding environment.</p>		

Index	Pollution Impact	Place an "x" in the appropriate box
Description of variable		
	The activity is not giving, has not given and will not give rise to any 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.	
<p>Motivation:</p> <p>The activity did not involve the use, storage, or disposal of hazardous substances, chemicals, or materials that could result in contamination of the soil, surface water, groundwater, or air.</p>		

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

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

	appropriate box
Previous applications in terms of section 24G of NEMA were submitted by the applicant.	X
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.	X
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	Place an "x" in the appropriate box
	Description of variable	
	The applicant is a natural person.	X
	The applicant is a firm.	
	Describe the firm:	

Index	Any other relevant information that the applicant would like to be considered.
	<p>Motivate and explain fully:</p> <p>The clearance of the site contributed to the loss of previously disturbed vegetation, which primarily comprised secondary and transformed vegetation. The affected vegetation was largely degraded due to historical agricultural activities. The site did not represent intact or pristine floodplain habitat. As such, the ecological sensitivity and conservation value of the affected vegetation were considered to be low.</p> <p>The activity was limited in extent and confined to a defined footprint within Portion 2 of Farm 39, and did not result in the loss of any known threatened or protected plant species, no species of conservation concern, nor did it impact on any identified critical biodiversity areas of high conservation priority. Furthermore, the activity did not alter the hydrological functioning of the broader system, as no infilling, depositing, or excavation of natural drainage features occurred. The site did not represent an intact site prior to clearance.</p>

**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 C:	Colour photographs	X
Appendix D:	Biodiversity overlay map	X
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:	Environmental Management Programme	x
Appendix G:	Specialist Report(s) Botanical Impact Assessment	x
Appendix H:	Screening Tool Report/ SSVR	x
Appendix I:	Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc.	X
Appendix:	Certified copy of Identity Document of Applicant	
Appendix:	Certified copy of the title deed (or title deeds in the case of linear activities)	
Appendix:	Permit(s) / license(s) from any other organ of state including service letters from the municipality	

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

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

## NEMA SECTION 24G APPLICATION AND ASSESSMENT REPORT

DECLARATIONS

## DECLARATION OF THE APPLICANT

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

I, Daniel Jacobus Fouche, ID number 8012 085142088 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;
- I 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.

  
 Signature of the Applicant: \_\_\_\_\_ Date: 2026.02.26

\_\_\_\_\_  
 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;



**12-03-2026**

Signature of the EAP:

Date:

**Lornay Environmental Consulting**

Name of company (if applicable):

**PART 4****ANNEXURE B – SUPPORTING INFORMATION WHERE THE ACTIVITY BEING APPLIED FOR IS A LISTED WASTE MANAGEMENT ACTIVITY/IES (IF RELEVANT)****1. WASTE QUANTITIES**

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

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

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

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

Determined from volumes

Determined with weighbridge/scale

Estimated


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

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

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


## 2. GENERAL

Prevailing wind direction (e.g. N/W)

November – April

May – October

The size of population to be served by the facility:

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

### LANDFILL PARAMETERS (If applicable)

The method of disposal of waste:

Land building  Land filling  Both

### The dimensions of the disposal site in metres

	At commencement	After rehabilitation

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

Volume Available	Mark with "X"	Source of information (Determined by surveyor/ Estimated)
Up to 99		

100-34 999		
35 000-3,5 million		
>3,5 million		

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

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

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

**The Salvage method**

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

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

**Fatal flaws for the site:**

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

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

Within 1km from the wetland	Yes	No
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Indicate the distance to the boundary of the nearest residential area

metres
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Indicate the distance to the boundary of the industrial area

metres
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**Wettest six months of the year**

November – April

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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
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "