



**REFERENCE:** 16/3/3/1/E2/37/1089/25  
**NEAS REFERENCE:** WCP/EIA/0001765/2025  
**DATE OF ISSUE:** 24 June 2026

The Board of Directors  
Omni King Investments (Pty) Ltd  
24 Sillery Street  
**STANFORD**  
7210

**Attention: Mr. Kevin King**

Cell: 083 656 0606  
Email: kevin@rex.co.za

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014: THE PROPOSED RESIDENTIAL DEVELOPMENT ON ERF NO. 438, STANFORD.**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation ("EA") and **adopt** the Maintenance Management Plan, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, (as amended), you are instructed to ensure, within 14 days of the date of the environmental authorisation, that all registered Interested and Affected Parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2025, which prescribes the appeal procedure to be followed. This procedure is summarized in the attached environmental authorisation.

Yours faithfully

**MR. ELDON VAN BOOM**  
**ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC:(1) Ms. Michelle Naylor (Lornay Environmental Consulting)  
(2) Mr. Chester Arendse (Overstrand Municipality)  
(3) Mr. Rhett Smart (CapeNature)  
(4) Mr. Vhengani Ligudu (BOCMA)

Email: michelle@lornay.co.za  
Email: carendse@overstrand.gov.za  
Email: rsmart@capenature.co.za  
Email: vligudu@bocma.gov.za

**REFERENCE:** 16/3/3/1/E2/37/1089/25  
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## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: THE PROPOSED RESIDENTIAL DEVELOPMENT ON ERF NO. 438, STANFORD.

With reference to your application for the abovementioned, find below the outcome with respect to this application.

#### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the Preferred Alternative described in the Basic Assessment Report ("BAR"), received on 3 March 2026.

In terms of the NEMA, viz, the EIA Regulations, 2014 (Listing Notices 1 and 3 of 2014 in Government Gazette No. 40772 of 7 April 2017) the Competent Authority hereby **adopts the Maintenance Management Plan** for the Stanford Eco Estate - Erf 438 Remainder of Erf 294, Erf 1151 & Remainder of Erf 645 Stanford, Caledon RD., dated 25 February 2026.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

#### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Omni King Investments (Pty) Ltd  
c/o Mr. Kevin King  
24 Sillery Street  
**STANFORD**  
7210  
Cell: 083 656 0606  
Email: kevin@rex.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

**B. LIST OF ACTIVITIES AUTHORISED**

Listed Activities	Project Description
<p><b>Listing Notice 1 – Activity Number: 12</b></p> <p>The development of—</p> <ul style="list-style-type: none"> <li>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</li> <li>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</li> </ul> <p>where such development occurs—</p> <ul style="list-style-type: none"> <li>(a) within a watercourse;</li> <li>(b) in front of a development setback; or</li> <li>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</li> </ul> <p>excluding—</p> <ul style="list-style-type: none"> <li>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</li> <li>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</li> <li>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</li> <li>(dd) where such development occurs within an urban area;</li> <li>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</li> <li>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</li> </ul>	<p>The proposed development will occur within 32m of a watercourse.</p>
<p><b>Listing Notice 1 – Activity Number: 19</b></p> <p>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <ul style="list-style-type: none"> <li>(a) will occur behind a development setback;</li> </ul>	<p>More than 10m<sup>3</sup> of material will be moved in a watercourse for the proposed development</p>

<p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	
<p><b>Listing Notice 1 – Activity Number: 27</b></p> <p>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—</p> <ul style="list-style-type: none"> <li>(i) the undertaking of a linear activity; or</li> <li>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</li> </ul>	<p>More than 1ha of indigenous vegetation will be removed for the proposed development.</p>
<p><b>Listing Notice 1 – Activity Number: 28</b></p> <p>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</p> <ul style="list-style-type: none"> <li>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</li> <li>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</li> </ul> <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p>	<p>The proposed development will occur on land which was previously used for agricultural purposes.</p>
<p><b>Listing Notice 3 – Activity Number: 4</b></p> <p>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <ul style="list-style-type: none"> <li>i. Western Cape <ul style="list-style-type: none"> <li>i. Areas zoned for use as public open space or equivalent zoning;</li> <li>ii. Areas outside urban areas; <ul style="list-style-type: none"> <li>(aa) Areas containing indigenous vegetation;</li> <li>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</li> </ul> </li> </ul> </li> </ul>	<p>The internal roads of more than 4m wide will be created.</p>

<p>iii. Inside urban areas:          (aa) Areas zoned for conservation use; or          (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</p>	
<p><b>Listing Notice 3 –          Activity Number: 6</b></p> <p>The development of resorts, lodges, hotels, tourism or hospitality facilities that sleeps 15 people or more.</p> <p>i. Western Cape          i. Inside a protected area identified in terms of NEMPAA;          ii. Outside urban areas;          (aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or          (bb) Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; -</p> <p>excluding the conversion of existing buildings where the development footprint will not be increased.</p>	<p>The proposed development includes tourist accommodation for more than 15 people that will be located within 5km from a formally protected area.</p>
<p><b>Listing Notice 3 –          Activity Number: 12</b></p> <p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>i. Western Cape          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;          ii. Within critical biodiversity areas identified in bioregional plans;          iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;          iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was</p>	<p>More than 300m<sup>2</sup> of endangered indigenous vegetation will be cleared for the proposed development.</p>

<p>zoned open space, conservation or had an equivalent zoning; or</p> <p>v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>	
<p><b>Listing Notice 3 - Activity Number: 14</b></p> <p>The development of —</p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</p> <p>where such expansion occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback adopted in the prescribed manner; or</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p> <p>i. Western Cape</p> <p>i. Outside urban areas:</p> <p>(aa) (aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Sites or areas listed in terms of an international convention;</p>	<p>The proposal incorporates the construction of a boardwalk and a deck and other associated infrastructure within 32m of a watercourse.</p>

<p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined</p>	
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The abovementioned list is hereinafter referred to as “**the listed activities**”.

The holder is herein authorised to undertake the following alternative that includes the listed activity as it relates to the development:

The proposal entails the development of 27 single residential erven, one Business Zone 3 erf for an eco-tourism lodge comprising 16 accommodation pods, and an erf to be utilised as a guesthouse, together with associated structures and infrastructure, private open space, internal roads and associated infrastructure within a 5.23 ha area (as shown in the Site Plan attached as Annexure 2).

Access to the development will be from the R43 using the existing access position. A 32m buffer area will be delineated along the wetland and stream bordering the development footprint and a wetland offset will be implemented as part of the proposed development.

**C. SITE DESCRIPTION AND LOCATION**

The authorised listed activities will be undertaken on Erf No. 438, Stanford, with the following co-ordinates:

Co-ordinates:	Latitude (S)	Longitude (E)
	34° 26' 41.75" South	19° 27' 28.55" East

SG Digit code of the proposed site: C01300210000043800000

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

The above is hereinafter referred to as “**the site**”.



## D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Lornay Environmental Consulting  
c/o Ms. Michelle Naylor  
Unit 5/1F, Hemel & Aarde Wine Village

### HERMANUS

7600

Cell: 083 245 6556

Email: Michelle@lornay.co.za

## E. CONDITIONS OF AUTHORISATION

### Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the Preferred Alternative (as shown in the Site Plan attached as Annexure 2) described in the Basic Assessment Report ("BAR"), received on 3 March 2026 on the site as described in Section C above.
2. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for-

- (a) A period of **five years** from the date of issue, during which period the holder must commence with the authorised listed activities.
  - (b) A period of **ten (10) years**, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities must be concluded.
3. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
  4. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

### Written notice to the Competent Authority

5. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities.
  - 5.1 The notice must make clear reference to the site details and EIA Reference number given above.
  - 5.2 The notice must also include proof of compliance with the following conditions described herein:

Conditions: 6, 7 and 12

### **Notification and administration of appeal**

6. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision—
  - 6.1 notify all registered Interested and Affected Parties ("I&APs") of –
    - 6.1.1 the outcome of the application;
    - 6.1.2 the reasons for the decision as included in Annexure 3;
    - 6.1.3 the date of the decision; and
    - 6.1.4 the date when the decision was issued.
  - 6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2025 detailed in Section G below;
  - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
  - 6.4 provide the registered I&APs with:
    - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
    - 6.4.2 name of the responsible person for this Environmental Authorisation,
    - 6.4.3 postal address of the holder,
    - 6.4.4 telephonic and fax details of the holder,
    - 6.4.5 e-mail address, if any, of the holder,
    - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2025 National Appeals Regulations.
7. The listed activities, including site preparation, may not commence within 20 (twenty) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

### **Management of activity**

8. The Environmental Management Programme ("EMPr") dated February 2026 and Addendum to the EMPr dated 25 February are hereby approved and must be implemented.
9. The Maintenance Management Plan ("MMP") accepted as part of this Environmental Authorisation must be implemented.
  - 9.1. The MMP applies strictly to maintenance activities as defined in the approved MMP and does not authorise the construction of new infrastructure or the expansion of existing infrastructure.
  - 9.2. Any activities or infrastructure not explicitly covered in the MMP, and which may trigger listed activities in terms of the EIA Regulations, 2014, must not be undertaken unless environmental authorisation has been obtained from the Competent Authority

10. The Wetland Offset, Rehabilitation and Management Plan and Western Leopard Toad Offset Determination must be implemented and adhered to.
11. The EMPr must be included in all contract documentation for all phases of implementation.

### **Monitoring**

12. The holder must appoint a suitably experienced environmental control officer ("ECO"), before commencement of any land clearing or construction activities to ensure compliance with the provisions of the EMPr and the conditions contained herein.
13. The ECO must conduct monthly site visits, and report on compliance with the EMPr to this Department and the relevant authorities, in writing, on a monthly basis during the construction phase.
14. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including a publicly accessible website.
15. Access to the site referred to in Section C above must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Auditing**

16. In terms of Regulation 34 of the NEMA EIA Regulations, 2014, the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr. The Environmental Audit Report must be prepared by an independent person with relevant expertise (other than the appointed Environmental Assessment Practitioner and Environmental Control Officer) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014.
  - 16.1. The holder must undertake biannual environmental audits during the construction phase and submit the first Environmental Audit Report to the Competent Authority within six months after commencement, and the final Environmental Audit Report within six months of completion of the construction activities.
  - 16.2. The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

### **Specific Conditions**

17. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or palaeontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or

antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

18. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
19. The Wetland Offset, Rehabilitation and Management Plan, including the Western Leopard Toad Offset Determination, must be implemented and adhered to.
  - 19.1. The holder must ensure that all agreements necessary to give effect to the implementation and long-term management of the offset areas are in place and maintained, insofar as these relate to the mitigation of environmental impacts assessed in the Basic Assessment Report.
  - 19.2. The implementation of the Wetland Offset, Rehabilitation and Management Plan must be undertaken in conjunction with the requirements of the approved EMPr, where applicable, to ensure integrated management of the wetland, buffer and offset areas.

## **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with a listed activity within the period referred to in Condition 2, this Environmental Authorisation shall lapse for those activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:  
Amendments to the EMPr, must be done in accordance with Regulations 35 to 37 of the EIA Regulations 2014 or any relevant legislation that may be applicable at the time.

## G. APPEALS

Appeals must comply with the National Appeal Regulations, 2025 (Government Notice No. R. 5985 in Government Gazette No. 52269 of 13 March 2025. Please note the provisions of Regulation 1(2) & (3) of the National Appeal Regulations 2025 when calculating the period of days.

1. The holder (applicant) of this decision must submit an appeal to the Appeal Administrator, any registered Interested and Affected Parties (I&AP's), and the decision maker (Competent Authority who issued the decision) within **20 calendar days** from the date this decision was sent by the decision maker.
2. The I&AP's (not the holder of this decision) must submit an appeal to the Appeal Administrator, the holder (applicant) of the decision, and the decision maker within **20 calendar days** from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision.
3. All appeals submitted must:
  - a. be in writing in the appeal form obtainable from the Departmental website;
  - b. include supporting documents referred to in the appeal; and
  - c. include proof of payment of the prescribed non-refundable appeal fee, if prescribed.
4. The holder (applicant) of the decision must:
  - a. notify registered I&AP's and affected organs of state of any appeal received, and make the appeal available to them, within 5 calendar days after the 20-day appeal period ends.
  - b. Submit proof of this notification to the Appeal Administrator within **5 calendar days** after sending the last notification.
5. The applicant, where applicable, the decision-maker, or any person notified under regulation 4 of the National Appeal Regulations, 2025 may submit a Responding Statement within **20 calendar days** from the date they received the appeal, in the form obtainable from the Department website to the Appeal Administrator and to the appellant, where the appellant is not the applicant.
6. Appeals, Responding Statements and supporting documents must be submitted to the Appeal Administrator by means of one of the following methods:
  - a. **By e-mail:**  
[DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or
  - b. **By hand** where that person submitting does not hold an electronic mail account:  
**Attention:** Mr Marius Venter  
Room 809, 8<sup>th</sup> Floor Utilitas Building,  
1 Dorp Street, Cape Town, 8001

**Note:** You are also requested to submit an electronic copy (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Administrator via email or to the address listed above.

A prescribed appeal form, responding statement form as well as assistance regarding the appeal processes is obtainable from the relevant website of the appeal authority: <http://www.westerncape.gov.za/eadp> or the office of the Minister at: Tel. (021) 483 3721 or email [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

## H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

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**MR. ELDON VAN BOOM**  
**ACTING DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

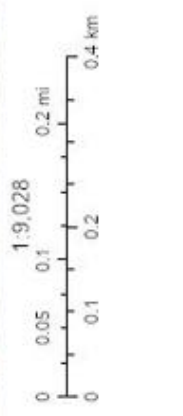
**DATE OF DECISION: 24 June 2026**

CC:(1) Ms. Michelle Naylor (Lornay Environmental Consulting  
(2) Mr. Chester Arendse (Overstrand Municipality)  
(3) Mr. Rhett Smart (CapeNature)  
(4) Mr. Vhengani Ligudu(BOCMA)

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Email: carendse@overstrand.gov.za  
Email: rsmart@capenature.co.za  
Email: vligudu@bocma.gov.za

ANNEXURE 1: LOCALITY MAP

Erf 438 Stanford



1:9,028

- Property Standard
- SG Approvals
- Overstrand
- Municipalities
- Districts
- Blue: Band\_3
- Red: Band\_1 Image
- Green: Band\_2
- Blue: Band\_3
- Red: Band\_2
- Green: Band\_1
- Boundary

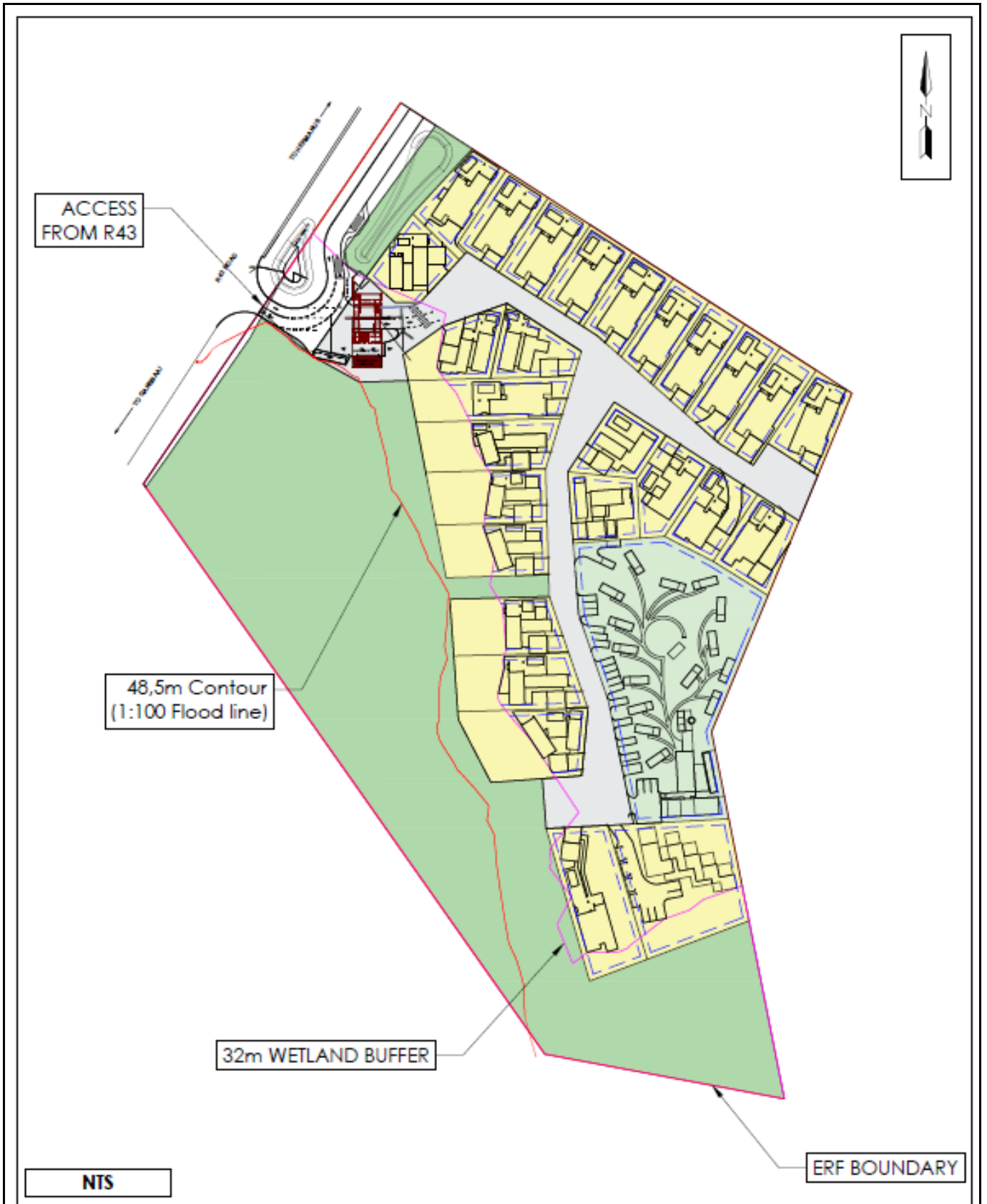
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Erf: South Africa, Erf: HERE, Garmin, USGS, NGA | Overstrand Environmental Section, Ashley Dink, Terrain Dry |



ANNEXURE 2: SITE PLAN





### **ANNEXURE 3: REASONS FOR THE DECISION**

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form received on 11 November 2025, and the EMPr and MMP submitted together with the final Basic Assessment Report on 3 March 2026, and the additional information received on 4 and 5 March 2026 and 28 May 2026.
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);
- d) The comments received from I&APs and responses to these, included in the final Basic Assessment Report received on 3 March 2026;
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

#### **1. Public Participation**

The Public Participation Process ("PPP") included:

- identification of and engagement with I&APs;
- placing noticeboards at the site where the listed activities are to be undertaken;
- placing of a newspaper advertisement in the Hermanus Times on 4 September 2024;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 4 September 2024; and
- circulating the pre-application and in-process draft BAR to I&APs for a 30-day commenting period from 4 September 2024 and 11 November 2025, respectively.

The Department is satisfied that the PPP that was followed met the minimum legal requirements, and the comments raised and responses thereto were included in the comments and response report.

Specific alternatives, management, and mitigation measures have been considered in this Environmental Authorisation and EMPr to adequately address the concerns raised.

#### **2. Alternatives:**

##### **Alternative 1**

The original development layout was prepared before detailed environmental and specialist investigations were undertaken. The proposal sought to maximize the development potential of the site and included approximately 44 residential units, comprising 34 single residential erven and 10 higher-density residential units. The layout did not adequately consider environmental constraints such as the

Mill Stream wetland, the Milkwood Forest, flood-lines, biodiversity, heritage resources or visual impacts. Following specialist investigations, it was concluded that this layout would result in greater impacts on sensitive environmental features and the surrounding landscape. Consequently, the original layout was revised and was not carried forward as the preferred development option.

**Alternative 2 - Preferred Alternative: (Herewith authorised):**

Alternative 2 entails the development of 27 single residential erven, one Business Zone 3 erf for an eco-tourism lodge comprising 16 accommodation pods, and an erf to be utilised as a guesthouse, together with associated structures and infrastructure, private open space, internal roads and associated infrastructure within a 5.23 ha area (as shown in the Site Plan attached as Annexure 2). Access to the development will be from the R43 using the existing access position. A 32 m buffer area will be delineated along the wetland and stream bordering the development footprint and a wetland offset will be implemented as part of the proposed development.

The preferred alternative was developed through an iterative design process informed by specialist studies, engineering input and the public participation process. The layout was redesigned to avoid environmentally sensitive areas while achieving the objectives of the proposed development. The layout ensures that the Mill Stream is incorporated into the development as a rehabilitated and functional green open space. No development will occur within portions of erven falling inside the regulated 32 m area of the delineated Mill Stream wetland, which will be retained as a no-go zone dedicated to conservation and ecological rehabilitation.

The preferred alternative significantly reduces impacts on wetlands, biodiversity, heritage resources and visual character while providing residential opportunities, supporting sustainable tourism and promoting long-term conservation of the site's natural resources. It was therefore identified as the environmentally preferred and most sustainable development alternative.

**No-go Option**

The no-go option was also assessed but was not deemed a feasible option. The opportunity to provide additional residential opportunities within the Stanford urban edge, support eco-tourism, or facilitate the rehabilitation and long-term management of the site's sensitive ecological features would not be realised. There would also be no associated additional employment opportunities created during the development and operational phases.

**3. Impact Assessment and Mitigation measures**

**3.1 Activity need and desirability**

The subject property is located within the municipal urban edge of Stanford. Although it is currently used for agricultural purposes, the site is earmarked for future residential development. The need for the residential development arose from the developer's vision to address the future housing demands outlined in the Overstrand Municipality Spatial Development Framework. The development will also provide job opportunities during the construction phase and during future maintenance operations. Furthermore, the preferred development proposal was informed by specialist and engineering input and comments received during the public participation process.

**3.2 Biophysical Impacts**

The site is mapped to contain Agulhas Limestone Fynbos, with a smaller area of Elim Ferricrete Fynbos identified toward the northwestern section of the property. More than half of the property is transformed by cultivation of roll-on lawn, internal roads, a single residential dwelling and associated infrastructure. Both the roll-on lawn business and the existing single residential dwelling will be demolished and discontinued once construction of the proposed development commences. The Botanical Assessment

dated 3 March 2025, compiled by Nick Helme Botanical Surveys, confirmed that the site's original vegetation was transitional between Agulhas Limestone Fynbos, Elim Ferricrete Fynbos, and Southern Coastal Forest. Due to extensive historical disturbance and transformation, the majority of the site is now dominated by lawn grass (buffalo and kikuyu) and alien vegetation, especially Eucalyptus along the Mill Stream. Only limited areas, particularly in the southern section, still contain remnants of indigenous vegetation, including protected Milkwood Trees (*Sideroxylon inerme*) and two Species of Conservation Concern ("SCC"). Based on the specialist findings, the southeast corner of the site is the only Very High sensitivity area, and both plant SCC are restricted to this area of the site. The Mill Stream wetland is deemed to be of Medium botanical sensitivity, as are the patches of milkwoods and other trees – but both are of high ecological value. The bulk of the vegetation on site is heavily disturbed and is of Low botanical sensitivity. The botanical significance of the construction phase loss is deemed to be low negative (before and after mitigation), as the extent and scale is very small. Minor mitigation could be implemented at the operational phase. No plant SCC will be impacted during the construction phase. A 32m buffer has been established around the delineated wetland area. Overall, the operational phase botanical impact of the development is rated to be of very low negative significance after mitigation. Subject to the implementation of and adherence to all the recommended mitigation measures the project is supported from a botanical impact perspective.

The Aquatic Biodiversity Impact Assessment dated August 2024, compiled by Delta Ecology, identified three distinct wetland systems associated with the site, i.e. the Mill Stream unchanneled valley-bottom ("UVB") wetland (moderately modified and a Present Ecological State ("PES") Category C); the tributary UVB wetland (good condition, moderately sensitive and with a PES Category C); and the hillslope seep wetland (seriously modified, with a PES Category E). Although the condition of the onsite UVB wetlands was moderately disturbed, the high to moderately high EIS and WES scores indicate that these wetlands are sensitive and important in terms of conservation planning or provision of ecosystem services. The small tributary UVB wetland, which crosses the southern corner of the site, is in the best condition of the three and exhibits a high ecological sensitivity. The hillslope seep wetland is seriously disturbed, and of moderate to low importance in terms of conservation planning or provision of ecosystem services. The proposed development will result in the loss of this degraded seep wetland. Based on the specialist findings, except for wetland loss, the freshwater impacts can be mitigated to a low and very low significance level. The loss of the wetland area within the development footprint was rated as medium impact significance. Ordinarily, wetland loss would fall within the 'high' category, but the limited area of wetland loss (0.87ha) and the degraded nature of the wetland have reduced the impact significance. To compensate for the wetland loss, the onsite UVB wetlands will be rehabilitated, maintained and protected in perpetuity as a wetland offset area.

The onsite wetland offset does not fully offset the loss of the seep wetland. To address this shortfall, an additional offsite portion of the Mill Stream UVB wetland has been identified and included in the overall wetland offset. The inclusion of the offsite wetland area ensures that the overall wetland offset achieves a positive balance. This offsite wetland area falls within the jurisdiction of the Overstrand Municipality. Following a series of engagements with relevant municipal officials, a lease agreement is in place between the applicant and the Overstrand Municipality regarding the required rehabilitation and offset actions required as well as a Memorandum of Understanding for the management agreement between the applicant and Stanford Conservation Trust. A detailed rehabilitation plan was drafted for the wetland offset areas, including the removal of alien invasive vegetation and foreign fill material, reshaping, revegetation with indigenous wetland plant species, and onsite water quality management. Implementing the rehabilitation measures will achieve an increase in the PES of the onsite wetland offset areas. The drafted management plan will be implemented to ensure that the gains achieved through establishment and rehabilitation are maintained or slowly increased.

A SCC offset determination was also compiled by Professor Jan Venter (2026) as an addendum to the Wetland Offset Rehabilitation and Management Plan to address the unique requirements of the Endangered Western Leopard Toad. This was in response to the loss of the seep wetland habitat that currently provides terrestrial refuge, foraging, and movement habitat for the species, although no confirmed breeding habitat will be directly impacted. Although the seep wetland affected by the development was assessed as seriously modified and degraded, the area still provides secondary habitat function for the Western Leopard Toad, triggering the requirement for a species-specific offset calculation. The offset determination followed the Wetland Offset Best Practice Guideline (2016) methodology, which allows for SCC offsets to be incorporated into wetland offsets where habitat function overlaps. The approach uses a Weighted Habitat Unit ("WHU") calculation to quantify habitat loss and offset gains based on habitat function and ecological importance. The residual impact to Western Leopard Toad habitat was calculated as 0.450 WHU. With the recommended interventions, these measures collectively generate a habitat gain of approximately 2.840 WHU for the Western Leopard Toad within the offset receiving environment, which is substantially greater than the required SCC offset quantum of 0.450 WHU. The species offset is not implemented as a separate intervention but is integrated into the Wetland Offset Rehabilitation and Management Plan. The Addendum will therefore be implemented in conjunction with the Wetland Offset, Rehabilitation and Management Plan to ensure all species-specific offset quanta and habitat targets are met.

Since the potential freshwater impacts associated with the proposed development can be reduced to an acceptable level with the implementation of the recommended mitigation measures, including the required wetland offset, it is supported from a freshwater impact perspective. The mitigation measures have been incorporated into the preferred alternative, the relevant sections of the EMPr, the Wetland Offset, Rehabilitation, and Management Plan, and MMP.

A Water Use Licence Application ("WULA") in terms of the National Water Act, 1998 (Act 38 of 1998) was submitted to the Department of Water and Sanitation that will also consider and address the freshwater related impacts.

Furthermore, a MMP has also been compiled to address routine maintenance activities taking place in the affected stretch of the watercourses. The maintenance of the structures authorised in this Environmental Authorisation forms part of this MMP. It must be noted that the accepted maintenance activities only relate to the activities described in the MMP. Should any new activities and associated infrastructure, not included in the MMP, require maintenance and if any of the applicable listed activities are triggered, an Environmental Authorisation must be obtained prior to the undertaking of such activities. It remains the responsibility of the proponent to determine if any other listed activities are triggered and to ensure that the necessary Environmental Authorisation is obtained.

The fact that the MMP is adopted by the Competent Authority does not absolve the applicant from its general "duty of care" set out in Section 28(1) of the NEMA, which states that *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."* (Note: When interpreting their "duty of care" responsibility, cognisance must be taken of the principles of sustainability contained in Section 2 of NEMA).

The development will result in both negative and positive impacts.

**Negative Impacts:**

- The development will result in potential botanical and freshwater impacts and disturbance/modification of aquatic habitat and potential for growth of invasive alien plants post-construction or during operation. The identified impacts and the potential construction and operational phase impacts will be mitigated to an acceptable level through the implementation of the preferred alternative, EMPr, the Wetland Offset, Rehabilitation and Management Plan and Western Leopard Toad Offset Determination, which must be implemented and adhered to and MMP, which have been informed by specialist and engineering input, as well as comments received during the public participation process.
- Construction phase impacts associated with the development are likely to be present, including traffic impacts, elevated noise and dust levels. These impacts will be of temporary duration, and mitigation measures have been incorporated into the EMPr for implementation during the construction phase.

**Positive impacts:**

- The provision of housing opportunities and access to amenities that will assist in addressing the demand within the municipal area.
- It will contribute towards the creation of temporary employment opportunities during the construction and future maintenance activities.

**4. National Environmental Management Act Principles**

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

**5. Conclusion**

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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