



SECTION 24G APPLICATION FORM AND ASSESSMENT REPORT

Clearance of indigenous vegetation for the establishment of a Macadamia nut grove on
Portion 57 of the Farm Rocklands No. 633, Caledon RD.

03 August 2026

Consultant:

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EXECUTIVE SUMMARY

Project Background

The current 24G application relates to the unauthorised clearance of vegetation for the establishment of a Macadamia nut orchard on Portion 57 of Farm Rocklands No. 633, situated in the Overstrand Municipality, Western Cape. The landowner purchased the property in October 2020 and commenced the agricultural activity following a review of historical land use, which indicated prior disturbance of the areas proposed for the orchard. The applicant was under the impression that prior disturbance exempted the project from requiring an Environmental Authorisation.

The property is located adjacent to the Waterfall Private Nature Reserve, forming part of a larger ecological landscape with endangered vegetation types and ecological connectivity importance. As confirmed by the botanical specialist, portions of the site contain Agulhas Sand Fynbos, Elim Ferricrete Fynbos, and with Overberg Sandstone Fynbos outside the development footprint, all of which are recognised for their high conservation value.

Project Description

The agricultural development involved the planting of Macadamia nut trees within highly disturbed areas of the property. Importantly:

- No heavy machinery was used to prepare the soil; no ploughing or large-scale earthworks were undertaken.
- Vegetation was brush cut, and trees were planted amongst existing indigenous vegetation, allowing natural vegetation to persist between planting sites.
- The total cleared area for planting is approximately 9 ha, representing only a portion of the site, with the remainder retained in a natural state.

Environmental Impacts and Mitigation Measures

A Terrestrial Biodiversity assessment (Crabtree, 2025) assessed the impact of vegetation clearance as Medium negative prior to mitigation. Following the implementation of the mitigation and rectification measures undertaken by the applicant, the impacts of the activity have been addressed. Mitigation measures include:

- Natural restoration of indigenous vegetation within the nut orchard.
- Ongoing alien invasive species (AIS) removal within the orchard and surrounding natural areas.
- Erosion and stormwater management measures to prevent sedimentation and watercourse degradation.
- Long-term stewardship management of remaining natural areas to conserve biodiversity and support ecological connectivity with the adjacent reserve.

Biodiversity Offset and Stewardship Outcome (Long-term management)

Based on the findings of the Addendum to the Terrestrial Biodiversity Impact Assessment by Crabtree (2025), the clearing undertaken for the establishment of the orchard resulted in a medium residual impact, which then triggered the requirement for a Biodiversity Offset. In terms of the applicable offset ratios for the affected vegetation type Agulhas Sand Fynbos and Elim Ferricrete Sandstone, a 1:30 offset ratio would ordinarily be required to adequately compensate for the loss of indigenous vegetation.

Based on the revised vegetation mapping undertaken by Crabtree (2025), approximately 80–90% of the orchard footprint (± 7.65 ha) supported Agulhas Sand Fynbos, a Critically Endangered vegetation type, with the remaining portion (± 1.35 ha) supporting Elim Ferricrete Fynbos, listed as Endangered in terms of the National List of Ecosystems that are Threatened and in Need of Protection. Given the threatened status and restricted distribution of both vegetation types within the broader landscape, the standard offset ratios prescribed under the applicable provincial and national biodiversity offset guidelines would ordinarily require a 1:30 offset ratio for the Agulhas Sand Fynbos component and a 1:10 offset ratio for the Elim Ferricrete

Fynbos component of the impacted footprint. However, in determining an appropriate and defensible offset outcome, the historical context of the orchard footprint, the impacted area was subject to established Eucalyptus (gum) infestation prior to the recent clearing activities, which had already substantially altered the ecological condition and functioning of the footprint. The cleared area was therefore not representative of pristine or fully intact natural vegetation at the time of disturbance, and this context was considered in arriving at the agreed offset outcome. In this instance, two significant modifiers have been applied in the determination of the final offset requirement, both of which are supported by the findings of the Botanical Impact Assessment and the evidence of the site's land use history.

The first and most significant modifier relates to the historical Eucalyptus (gum) infestation of the orchard footprint. Prior to the clearing activities that triggered the offset requirement, the affected area was subject to an established and dense stand of alien invasive gum trees (*Eucalyptus* spp.), which had already substantially degraded the ecological condition and functioning of the natural vegetation within that footprint over an extended period. The presence of a dense Eucalyptus canopy suppresses indigenous understorey vegetation, depletes soil moisture, alters soil chemistry, and significantly reduces both the diversity and the functional integrity of indigenous plant communities. As a direct consequence of this historical infestation, the ecological condition of the cleared area at the time of disturbance was already materially compromised and was not representative of intact, pristine, or even moderately intact natural vegetation.

The second modifier relates to the broader history of alien plant infestation across the property and the legacy land use context of the site as a whole. Historical aerial photography and ground-truthing confirm that alien invasive species, including Eucalyptus and associated pioneer species, have a documented history of occurrence across portions of the property beyond the immediate orchard footprint, further contextualising the relative ecological condition of the affected area within the landscape.

Taking these modifiers into account, and applying the modifier framework as prescribed in the Western Cape Biodiversity Offset Guideline (2015), it is indicated that if the condition of terrestrial habitat on impact site is degraded, of which this is applicable for this project, a ratio could be reduced by as much as 50% by biodiversity specialist in collaboration with Cape Nature. Therefore, a ratio of 15:1 for impacted area underlain by Agulhas Sand Fynbos as well as a ratio of 5:1 for an impacted area covered by Elim Ferricrete Fynbos, were applied. However, as per the Cape Nature's recommendations from their final comment dated 18 March 2026, a ratio of 6:1 has been applied. This relates to the remaining extent of the property which is approximately 54 ha that will be included under Cape Nature Stewardship programme.

During the Stewardship Review Committee meeting held on 24 February 2026, it was agreed that, rather than implementing a conventional biodiversity offset, the remaining natural areas on the property can be secured under Cape Nature's Stewardship Programme. Cape Nature confirmed that the majority of the remaining natural vegetation proposed for conservation is in good ecological condition and that it qualifies to be designated as a Nature Reserve. The property forms part of a broader, ecologically connected landscape. It directly abuts Waterfall Private Nature Reserve to the east and Maanschynkop Nature Reserve to the north, thereby contributing to landscape-scale habitat connectivity and ecological resilience.

Given the property's strategic location, ecological condition, and direct connectivity with adjacent protected areas, the formal declaration and long-term management of approximately 54 ha area onsite under Cape Nature's stewardship options (Biodiversity Agreements) represents a substantial and meaningful conservation outcome. The formal protection of the remainder of the property under the Level 2 – Biodiversity Agreement stewardship category has therefore been identified as a condition of authorisation, ensuring long-term biodiversity protection, alien vegetation management, and ongoing ecological stewardship of the site. Further engagements between the applicant and Cape Nature regarding the conservation of the site are ongoing.

Applicant's Broader Conservation Contribution

Beyond the formal on-site stewardship commitment, the applicant has demonstrated a sustained and voluntary commitment to biodiversity conservation at a landscape scale, materially exceeding the regulatory obligations arising from this application. This includes facilitating large-scale alien vegetation clearing on the Mountain Face north of the subject property; actively exploring the acquisition of a portion of 17/633 at the property entrance specifically to clear existing dense Blue Gum stands; and voluntarily undertaking alien vegetation clearing on the marsh extension at the south-eastern boundary of the property, on

adjacent properties (Portions 21 and 23 of Farm 633, and the Remainder of Farm 632). Although these areas fall outside the applicant's title, this clearing directly enhances the ecological function of the freshwater system associated with the subject property. Taken together, these actions reflect the applicant's genuine and ongoing role as a conservation custodian within a broader landscape with recognised ecological importance, linking the estuary to mountain corridors and adjoining formally protected areas.

Public Participation

A first round of public participation has already been undertaken – refer to Appendix E for the proof of public participation.

In addition to this, and in line with DEA&DP's Pre-Directive dated 22 July 2026, a further 21-day public participation is hereby conducted.

Conclusion

The unauthorised vegetation clearance associated with the establishment of the Macadamia orchard has been assessed and appropriately addressed through this Section 24G application. While the activity resulted in a medium negative impact prior to mitigation, the limited extent of clearing (approximately 9 ha), the absence of large-scale earthworks, and the retention of indigenous vegetation within the orchard footprint reduce the overall ecological impact. It is important to also highlight that the indigenous vegetation has since reestablished on the impacted footprint which will also result to functional landscape connectivity for fauna and flora.

Importantly, the applicant's commitment to the formal conservation of approximately 54 ha of high-quality natural habitat under Cape Nature's Biodiversity Agreements stewardship programme represents a significant, and landscape-scale biodiversity benefit that extends well beyond the boundaries of the impacted orchard footprint. The formal protection of this area in perpetuity ensures that the ecological gains associated with this outcome cannot be reversed, alienated, or diminished by any future change in ownership, land use intent, or development pressure.



The area highlighted in green in the Form represents the remainder of the property that will be set aside for Biodiversity Agreements under Cape Nature Stewardship.



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

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

No.	Application Requirements	Please tick for confirmation	
1.	Requirements of Preliminary Advertisement (pre-application public participation requirements including register of all I&APs), in accordance with Annexure A, Section D of the Section 24G Fine Regulations. (Note: Failure to meet the Regulation 8 will result in rejection of the application)	☒	
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 similarly listed activities in terms of the current EIA regulations (if applicable).	☒	
	2.3. A description of the receiving environment before commences of the activity(ies).	☒	
	2.4. A description of the receiving environment after commences of the activity(ies).	☒	
	2.5. All appendices and annexures:	☒	
	2.5.1. Locality map	☒	
	2.5.2. Site plans or/and Layout plan	☒	
	2.5.3. Building plans (if applicable)		NA
	2.5.4. Colour photographs	☒	
	2.5.5. Biodiversity overlay map	☒	
	2.5.6. Permit(s) / license(s) from any other organ of state including service letters from the municipality	☒	
	2.5.7. Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information	☒	
	2.5.8. Environmental Management Programme	☒	
	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?	☒	☐ N
	3.1. If yes, has the specialist assessment report been attached to the application?	☒	
4.	An assessment of the impacts of the activity or activities in terms of the following categories:		
	• Socio-economic	☒	
	• Biodiversity	☒	
	• 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).		

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7.	Completed and attached representations in terms of Annexure A, Section B (Deferral) of the S24G Fine Regulations.	X
8.	Completed and attached representations in terms of Annexure A, Section C, Part 1 (Fine Quantum based on the assessment as specified above (4).	X
	Confirmation that Annexure A, Section C, Part 1 has been completed by an environmental assessment practitioner (EAP)	X
9.	Compliance history of the applicant:	X
	9.1. Completed Annexure A, Section C, Part 2 and 3; namely:	X
	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).	X
	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;	X
	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	X
	9.1.4. Whether the applicant is a firm or a natural person. (see Section 24G Fine Regulations for definition of "firm")	X
	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;	X
	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.	X
10.	Consultation with relevant State departments in terms of section 24O(2) & 24O(3) of the NEMA.	X
	10.1 Proof of Consultation with relevant State departments, including, <i>inter alia</i> , notices, adverts etc.	X
	10.2 Copies of comments and responses included in the application.	X
	10.2 Comments and Response report attached to the application.	X
11.	Public Participation Process undertaken in terms of Chapter 6 of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") (GN No. R.326 of 7 April 2017) (if conducted/undertaken)	X



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 24O of the NEMA** will be required and public participation with interested and affected parties to inform the application. Any comments received must be compiled in a Comments and Response Report.
- f) In terms of the provisions of section 24G of NEMA, the applicant must pay an administrative fine up to a maximum of R5 million before the MEC/Competent Authority decides on the application.
- g) The applicant **must within 14 days** of receipt of the determination of the quantum of the fine, ensure that all registered interested and affected parties are notified of the determination of the quantum of the fine, including the reasons and provided with access to the determination.
- h) The administrative fine **must be paid within the time period stipulated** in the determination. Failure to pay the fine within the specified period, will result in the lapse of the application and any partial amounts paid in will not be refunded.
- i) **Proof of payment of the fine must be submitted to the Department.** Upon payment of the administrative fine, the MEC/Competent Authority may-
 - refuse to issue an environmental authorisation; or
 - issue an environmental authorisation to such person to continue, conduct or undertake the activity subject to such conditions as may be deemed necessary, which environmental authorisation shall only take effect from the date on which it has been issued; or
 - direct the applicant to provide further information or take further steps prior to making a decision provided for above;
 - together with the above decision the MEC/Competent Authority may direct a person to rehabilitate the environment within such time and subject to such conditions as may deem necessary or take any other steps necessary under the circumstances.

CIRCULARS, GUIDELINES AND TOOLS:

1. The Department's latest Circulars pertaining to the "One Environmental Management System" and the EIA Regulations and guidelines must be taken into account when completing this Application Form.

2. The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link <https://screening.environment.gov.za/screeningtool> to generate the Screening Report. The Screening Report must be attached to this Application Form as an Appendix.

PLEASE NOTE THE FOLLOWING:

1. Failure to comply with a directive may result in the institution of appropriate legal action as is deemed necessary and as provided for in the legislation.
2. The submission of an application or the granting of an environmental authorisation shall in no way derogate from—
 - (a) the environmental management inspector's or the South African Police Services' authority to investigate any transgression in terms of NEMA or any specific environmental management Act;
 - (b) the National Prosecuting Authority's legal authority to institute any criminal prosecution.
3. If, at any stage after the submission of an application it comes to the attention of the Minister, Minister for mineral resources or MEC that the applicant is under criminal investigation for the contravention of or failure to comply with section 24F(1) or section 20(b) of the *National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)*, the Minister, Minister for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time that the investigation is concluded and—
 - (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
 - (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of such contravention or failure has been instituted; or
 - (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.
4. A person is guilty of an offence if that person:
 - Prior to submission of a section 24G application:
 - 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
1st Floor Utilitas Building
1 Dorp Street,
Cape Town

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

DEPARTMENTAL REFERENCE NUMBER(S) (for official use)

File Reference number (S24G)	
Administrative Fine Reference	

DEPARTMENTAL REFERENCE NUMBER(S) (to be completed by the EAP)

File Reference number (Enforcement), if applicable	14/1/1/E2/7/9/3/0733/22
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/eado> for the latest version of the documents

PART 1

PROJECT TITLE AND GENERAL DESCRIPTION OF THE DEVELOPMENT

CLEARING OF INDIGENOUS VEGETATION WITHOUT ENVIRONMENTAL AUTHORISATION ON PORTION 57 OF THE FARM ROCKLANDS NO. 633, CALEDON 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			

Applicant's details (duplicate this section where there is more than one applicant)				MR THOMAS IGNATIUS SIEBERT (IGNO SIEBERT)	
Applicant Name:				AS ABOVE	
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 – (In the list below, delete the firms that are not applicable to this application)	
◆ Directors of a company; or ◆ Members of the board; or ◆ Executive committee or other managing body of a corporate body or parastatal; or ◆ Members of close corporation; or ◆ Partners of a partnership; or ◆ Trustees of a trust				Name: Name: Name: Name: Name: Name:	
Postal address:				25 JAPONIKA AVENUE	
				Postal code:	2530
Telephone:				021 913 3223	Cell: 072 436 0736

E-mail:	igno@sun.ac.za	Fax:	-
Project Consultant	N/A		
Contact person:	-		
Postal address:	-		
	-	Postal code:	
Telephone:	()	Cell:	
E-mail:	-	Fax:	()
Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:	MICHELLE NAYLOR		
Company name (if any):	LORNAY ENVIRONMENTAL CONSULTING PTY LTD		
Postal address:	PO BOX 1990 HERMANUS		
		Postal code:	7200
Telephone:	083 245 6556	Cell:	083 245 6556
E-mail:	michelle@lornay.co.za	Fax:	()
EAP Qualifications	Master of Science (Rhodes University)		
EAP Registrations/Associations and registration number/s	EAPASA. 2019/698,, SACNASP., IAIASA		
Name of the Landowner:	AS ABOVE		
Name of the contact person for the land owner (if other):	-		
Postal address:	-		
	-	Postal code:	-
Telephone:	()	Cell:	-
E-mail:	-	Fax:	()
Person in control of land:	AS ABOVE		
Contact person:	-		
Postal address:	-		
	-	Postal code:	-

Telephone:	()	Cell:	-
E-mail:	-	Fax:	()

Please note:

In instances where there is more than one landowner, please attach a list of landowners with their contact details to the back of this form.

A certified copy of the applicant's (if natural person), alternatively a director's (as defined), Identity Document must be attached to the application.

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

Municipality in whose area of jurisdiction the activity falls:	OVERSTRAND MUNICIPALITY		
Contact person, if known:	PENELOPE APLON / CHESTER ARENDSE		
Postal address:	PO BOX 20		
	HERMANUS	Postal code:	7200
Telephone	021 313 8000	Cell:	
E-mail:	paplon@overstrand.gov.za carendse@overstrand.gov.za	Fax:	()

Please note:

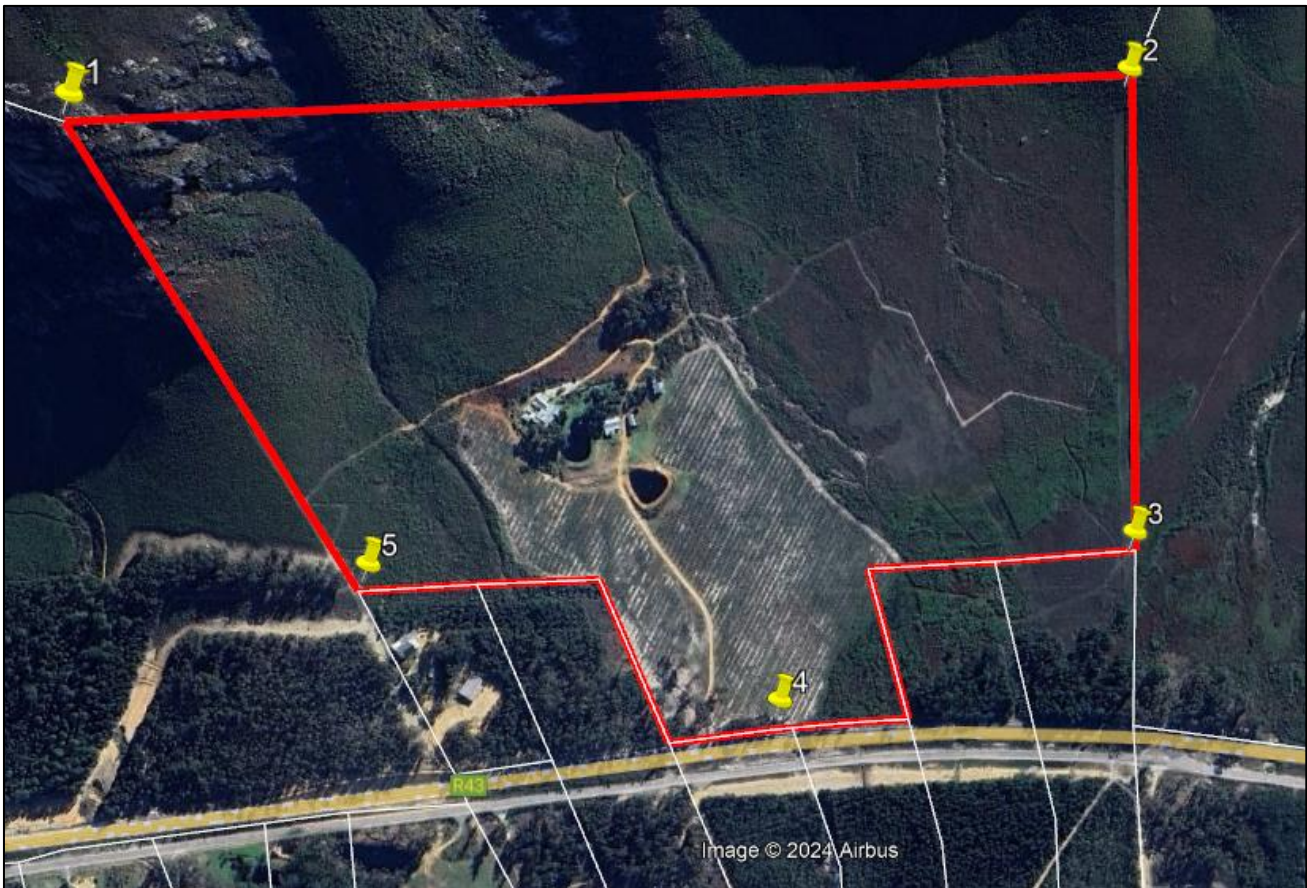
In instances where there is more than one Municipality involved, please attach a list of Municipalities with their respective contact details to the form.

Property location(s):	R43 BETWEEN HERMANUS AND STANFORD
Farm/Erf name(s) & number(s) including portion(s)	PORTION 57 OF THE FARM ROCKLANDS NO. 633, CALEDON RD
Property size(s) (m ²)	63 HA
Development footprint size(s) (m ²)	9 HA
SG21 Digit code(s)	C013000000000633000057

Property boundary:

Point	Latitude (S)	Longitude (E)
1	34 ° 23 ' 56.17 " South	19 ° 21 ' 46.55 " East
2	34 ° 23 ' 52.34 " South	19 ° 22 ' 26.24 " East

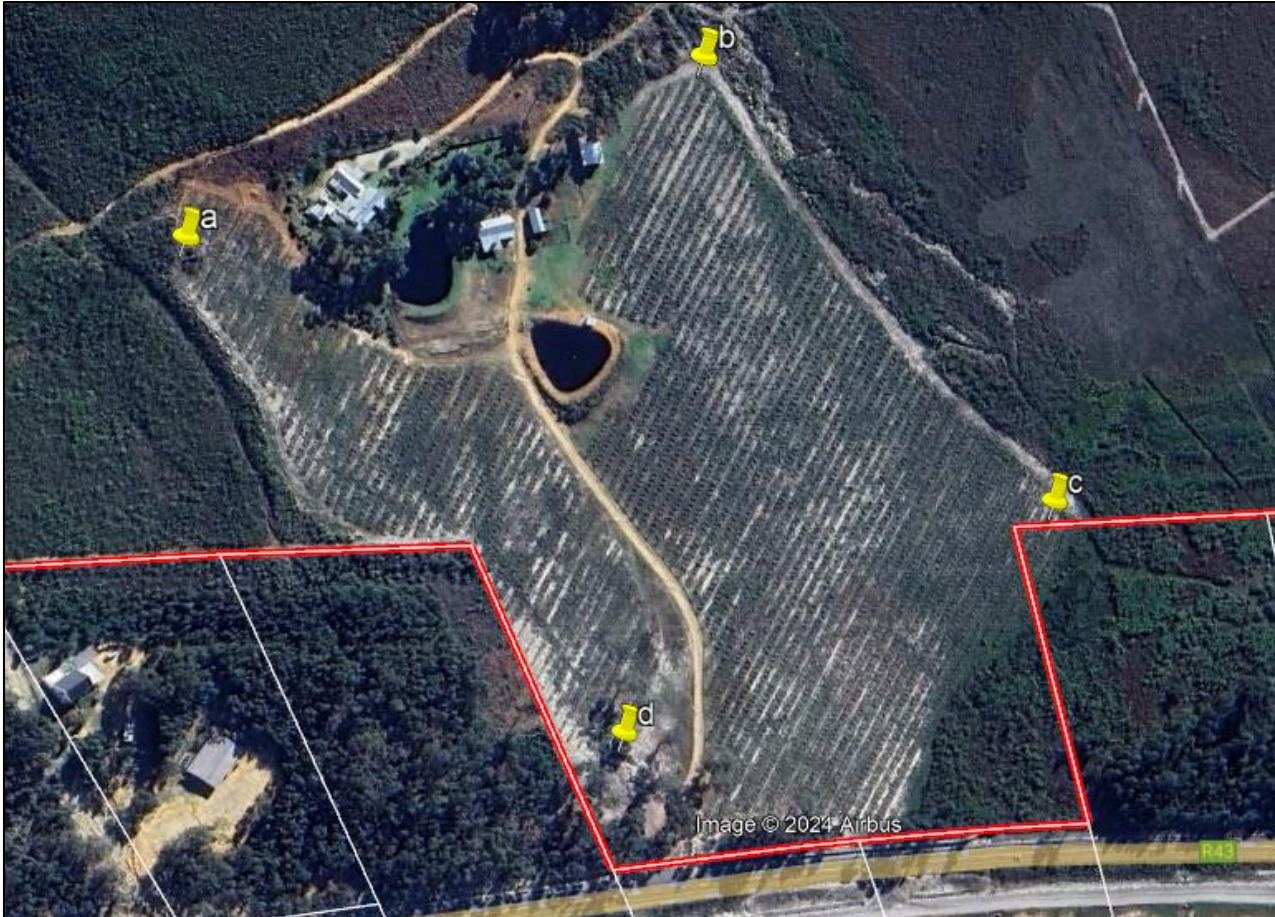
3	34 ° 24 ' 8.28 " South	19 ° ' 27.13 " East
4	34 ° 24 ' 14.39 " South	19 ° 22 ' 12.15 " East
5	34 ° 24 ' 9.92 " South	19 ° 21 ' 55.14 " East



The co-ordinates for the site boundary are:

Point	Latitude (S)	Longitude (E)
a	34 ° 24 ' 4.99 " South	19 ° 21 ' 59.00 " East
b	34 ° 24 ' 1.69 " South	19 ° 22 ' 9.16 " East

c	34 ° 24 ' 8.99 " South	19 ° 22 ' 16.71 " East
d	34 ° 24 ' 13.21 " South	19 ° 22 ' 7.82 " 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:	R43 BETWEEN HERMANUS AND STANFORD		
Magisterial District or Town:	HERMANUS, CALEDON RD		
Closest City/Town:	HERMANUS AND STANFORD	Distance	5 (km)
Zoning of Property:	AGRICULTURAL ZONE 1		

Please note:

In instances where there is more than one zoning applicable, please attach a list or map of the properties indicating their respective zoning to the Application Form.

Was the property rezoned after commencement of activities?	YES	NO x
If yes, what was the previous zoning?		

N/A		
Is a rezoning application required?	YES	NO X
Is a consent use application required?	YES	NO X
Locality map:	A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following: • an accurate indication of the project site position as well as the positions of the alternative sites, if any; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; • the prevailing wind direction; and • GPS co-ordinates (Indicate the position of the proposed activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)	
Landowner(s) Consent:	If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated. Note: The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the <i>Infrastructure Development Act, 2014 (Act No. 23 of 2014)</i>.	

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 or refused? If so provide a list of the successful and unsuccessful application/s and the reasons for decision(s).	Yes	No
N/A		
Provide detail on the period of validity of decision and expiry dates of the above applications/ permits etc.		

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): Thomas Ignatius Smit Signature: 

Place: Pinebords Date: 6/2/2024



EAP (Full names): MICHELLE NAYLOR

Signature: 

Place: HERMANUS

Date: 02/02/2024

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

1.1 Applicable EIA listed activities

ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002			
Activities commenced with on or after 08 September 1997 and before end 09 May 2002: EIA regulations promulgated in terms of the ECA, Act 73 of 1989			
Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant listed activity/ies in writing as per GN No. 1182 of 1997	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A			
ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006			
Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA regulations promulgated in terms of the ECA, Act 73 of 1989,			
N/A			
NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010			
Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA			
GN R386 Activity No(s): (Listing Notice 1 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 386 of 2006 ("NEMA 2006 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A			
Government Notice No. R387 Activity No(s): (Listing Notice 2 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 387 of 2006 ("NEMA 2006 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A			
NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014			
Activities unlawfully commenced with on or after 02 August 2010 and before end 07 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 544 Activity No(s): (Listing Notice 1 of 2010)	Describe the relevant listed activity(ies) in writing as per GN No. R. 544 of 2010 ("NEMA 2010 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A			
GN No. R. 545 Activity No(s): (Listing Notice 2 of 2010)	Describe the relevant listed activity/ies in writing as per GN No. R. 545 of 2010. (NEMA 2010 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A			

GN No. R. 546 Activity No(s): (Listing Notice 3 of 2010)	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A			
NEMA EIA Contraventions: on or after 08 December 2014			
Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 983 Activity No(s): (Listing Notice 1 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
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.	Approximately 9 ha of indigenous vegetation was cleared	Applicant purchased the property in October 2020, the activities commenced in December 2020
GN No. R. 984 Activity No(s): (Listing Notice 2 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
N/A			
GN No. R. 985 Activity No(s): (Listing Notice 3 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
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; 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	Approximately 9 ha of indigenous vegetation was cleared	Applicant purchased the property in October 2020, the activities commenced in December 2020

	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 zoned open space, conservation or had an equivalent zoning; or 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.		
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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

There are no waste management activities applicable to the case file

List the relevant waste management activity/ies applied for:

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

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
N/A			
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
N/A			

Please note:

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

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

1.3 Activities listed similarly in terms of the EIA Regulations

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

The similarly listed activities in terms of the EIA Regulations promulgated in terms of the NEMA, Act 107 of 1998,		
GN No. R. 327 Activity No(s): (Listing Notice 1 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
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.	Approximately 9 ha of Critically Endangered and Endangered indigenous vegetation types were cleared, confirmed as highly degraded condition prior to clearance
GN No. R. 325 Activity No(s): (Listing Notice 2 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
	N/A	
GN No. R. 324 Activity No(s): (Listing Notice 3 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.
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	Approximately 9 ha of Critically Endangered and Endangered indigenous vegetation types were cleared.

	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 zoned open space, conservation or had an equivalent zoning; or 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.	
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Please note:

Where approvals for the activity have been obtained in terms of any other legislation (e.g. National Water Act, Act 36 of 1998), certified copies of such approvals must be attached to this form.

2. ACTIVITY DESCRIPTION

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

Is/are the activity(ies) complete or is/are the activity(ies) still to be completed?	Completed X	Incomplete
(a) Is/was the project a new development or an upgrade of an existing development? Also indicate the date (e.g. 2 August 2010) when the activity commenced <u>as well as</u> the original date of commencement if the application is an upgrade.	New X	Upgrade

The applicant purchased the property in 2020 and the activities commenced in December 2020

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

The applicant purchased the property in October 2020. The activities commenced in December 2020.

The applicant has planted Macadamia Nut trees covering an area of approximately 9 ha, which was completed in September 2021. It is important to note that due to the type of planting, the actual footprint of the activity is much less since the natural vegetation still exists between the Macadamia trees.

The site was prepared by brush cutting only. No ploughing or mechanical intervention was implemented. This was done to ensure that the natural vegetation would grow in a natural manner between the planted Macadamia trees. The

trees were then planted. No chemicals have been applied and the aim is to create a natural orchard where the fynbos thrives amongst the trees.

Landbouweekblad issued an article about the mechanism of environmentally friendly and the use of the natural vegetation between the trees as a natural windbreak (Landbouweekblad, 9 Februarie 2023, Landbou.com).



3



Photo 1- 3. Current state of the site as of March 2023. The nut trees are established with the natural indigenous vegetation evident in between the trees.

A pre-compliance notice was subsequently issued alleging that the landowner had cleared approximately 9 ha of critically endangered vegetation, specifically identified at that time as Elim Ferricrete Fynbos and Agulhas Limestone Fynbos, without the requisite Environmental Authorisation. In response to this notice, Lornay Environmental Consulting was appointed to manage and facilitate the Section 24G rectification application process, and a specialist botanist was appointed to conduct a formal Botanical Impact Assessment to determine the nature, extent, and significance of any vegetation disturbance associated with the orchard establishment.

For the purposes of this report and the determination of impacts associated with the activity, the findings of the revised botanical assessment by Crabtree (2025) which form as an addendum to the initial Terrestrial Biodiversity Assessment undertaken for the site have been adopted as the definitive baseline. The revised vegetation mapping presented by Crabtree (2025) reflects a more accurate characterisation of the vegetation types present within the orchard footprint than was available at the time the pre-compliance notice was issued. Specifically, the revised mapping indicates that approximately 80–90% of the orchard footprint (± 7.65 ha) supported Agulhas Sand Fynbos, a Critically Endangered vegetation type, and that the remaining portion (± 1.35 ha) supported Elim Ferricrete Fynbos, listed as Endangered. This revised characterisation replaces the earlier reference to Agulhas Limestone Fynbos, which was found upon closer specialist investigation not to be present within the orchard footprint, and forms the factual basis for all impact assessment, offset calculation, and mitigation planning presented in this application.

The orchard establishment is complete. No further clearing, ploughing, chemical application, or soil disturbance is planned or proposed. The outstanding obligations associated with this rectification application relate exclusively to the implementation of the agreed mitigation, rehabilitation, and stewardship measures described elsewhere in this report, including ongoing alien invasive species management, natural vegetation restoration within the orchard, continuing with the activity (nut grove) and the formal registration of the Level 2 Biodiversity Agreement over the remaining 54 ha of natural habitat on the property.

(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

Provide brief description:

The activity only involved the planting of the macadamia nut trees and establishment of the nut grove. No machinery was used in the preparation of the area and the site was not ploughed. There are no new buildings or other infrastructure applicable.

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

The activity only involved the planting of the macadamia nut trees and establishment of the nut grove.

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

The activity only involved the planting of the macadamia nut trees and establishment of the nut grove

Storage facilities for raw materials and products (e.g. volume and substances to be stored)

Provide brief description	YES	NO x
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The activity only involved the planting of the macadamia nut trees and establishment of the nut grove

Storage and treatment facilities for solid waste and effluent generated by the project	Yes	No x
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Provide brief description

The activity only involved the planting of the macadamia nut trees and establishment of the nut grove

(d) Other activities (e.g. water abstraction activities, crop planting activities)	Yes	No x
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Provide brief description

The activity only involved the planting of the macadamia nut trees and establishment of the nut grove

3. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	Total footprint: ~ 9 ha Removal of Agulhas Sand Fynbos vegetation: 7.65 ha Removal of Elim Ferricrete Fynbos vegetation: 1.35 ha
Total area:	9 ha The disturbed area should be considered to be significantly less, since the natural vegetation was brush cut and no machinery was used to prepare the land prior to planting. The natural fynbos vegetation has now re-established alongside the macadamia trees.

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)	m
	(width)	m
Describe the type of access road constructed:		
No new access has been constructed.		

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)	DEA&DP	Authorisation	-
NEMBA (10 of 2004) – The Revised National List of Ecosystems that threatened and in need of protection	Cape Nature	Comment	Pending
National Water Act (Act 36 of 1998)	BOCMA	Comment/ Authorisation	-

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
OVERSTRAND MUNICIPALITY BY LAW ON MUNICIPAL LAND USE PLANNING, 2015	Overstrand Municipality
EIA GUIDELINE AND INFORMATION DOCUMENT SERIES, DATED MARCH 2013: APPLIED TO VARIOUS COMPONENTS IN THE BASIC ASSESSMENT PROCESS. THE FOLLOWING GUIDELINES WERE CONSIDERED THROUGHOUT THIS 24G APPLICATION 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
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If yes, has an application been submitted to the licensing authority? N/A	YES	NO
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)? Correspondence received from the Breede-Olifants Catchment Management Agency (BOCMA) dated 27 June 2024 confirmed that the matter had been referred to the Compliance Monitoring and Enforcement (CME) Directorate for a compliance investigation on the subject property. The Application is currently awaiting further instruction from BOCMA. In terms of the water use see below: The applicant utilises water via the historical allocation as outlined in title: "(a) In respect of the water to which the farm Rocklands situate in the Division of Caledon was heretofore entitled out of the Rocklands Stream which flows over Portion 4 of the farm Rocklands, situate in the Division of Caledon, this day transferred (No 4778) and indicated on the diagram thereof No 1943/1943. Lexis® Convey 17.2.7.1 	YES	NO X

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(i) the said Portion 4 of the farm Rocklands situate as above, this day transferred (No 4778) shall be entitled to four and one half (4½) days water in each week; and

(ii) the property hereby conveyed shall be entitled to two and one half (2½) days water in each week.

And shall be used as follows:

PORTION 4:

Monday from 6 a.m. to Tuesday 6 a.m.

Wednesday from 6 a.m. to Friday 6 a.m.

Saturday from 6 a.m. to Sunday 6 p.m.

REMAINING EXTENT:

Tuesday from 6 a.m. to Wednesday 6 a.m.

Friday from 6 a.m. to Saturday 6 a.m.

Sunday from 6 p.m. to Monday 6 a.m.

(b) In respect of the water to which the farm Rocklands situate in the Division of Caledon was heretofore entitled out of the stream known as the Waterfall Stream which flows over the property hereby conveyed.

(i) Portion 4 of the farm Rocklands situate in the Division of Caledon this day transferred (No 4778) shall be entitled to two and one half (2½) days water in each week, and

(ii) The property hereby conveyed shall be entitled to four and one half (4½) days water in each week.

And shall be used as follows:

PORTION 4

Tuesday from 6 a.m. to Wednesday 6 a.m.

Friday from 6 a.m. to Saturday 6 a.m.

Sunday from 6 p.m. to Monday 6 a.m.

Lexis® Convey 17.2.1

CR

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REMAINING EXTENT

Monday from 6 a.m. to Tuesday 6 a.m.

Wednesday from 6 a.m. to Friday 6 a.m.

Saturday from 6 a.m. to Sunday 6 p.m.

- (c) The owner of Portion 4 of the farm Rocklands situate in the Division of Caledon this day transferred (No 4778) and his successors in title shall construct and maintain a Chamber for the division of the Rocklands Stream water and shall give the owner of the property hereby conveyed the right to build and maintain a furrow over his land with rights of access thereto and to the said Chamber.

In like manner the owner and her successors in title of the property hereby conveyed shall construct and maintain a Chamber for the division of the "Waterfall Stream" water and shall give to the owner and his successors in title of Portion 4 of the farm Rocklands situate as above, this day transferred (No 4778) the right to build and maintain a furrow over the property hereby conveyed with the right of access thereto and to the said Chamber."

- D. SUBJECT FURTHER to the endorsement dated 13th May 1965 on Deed of Partition Transfer No T 4779/1944, reading as follows:

"Remainder of 118.1830 morgen

By Deed of Transfer No T12289/65 dated this day Portion 16 in extent 10,0005 morgen held thereunder is entitled to 20 hours water week out of the Rocklands Stream, out of the water to which the Remainder of Rocklands held hereunder is entitled to; As will more fully appear on reference to the said Deed of Transfer."

- E. SUBJECT FURTHER to the endorsement dated 13th May 1965 on Deed of Partition Transfer No T4779/1944, which endorsement reads as follows:

"Remainder of 108.1825 morgen

By Deed of Transfer No T12290/1965 dated this day, Portion 17 in extent 9,9999 morgen held hereunder is entitled to 20 hours water per week out of the Rocklands Stream out of the water to which the Remainder of Rocklands held hereunder is entitled to; As will more fully appear on reference to said Deed of Transfer."

Lexis® Convey 17.2.7.

C
B

5

Page 5 F. ENTITLED to the endorsement dated 13 May 1965 on said Deed of Partition Transfer No T4779/1944 reading as follows: "Portion 16 = 10,0005 mgn transferred 13.5.1965 to LG Rousseau No 12289 Remainder 118,1830 mgn B without water right re Waterval Stream" G. ENTITLED FURTHER to the endorsement dated 13 May 1965 on said Deed of Partition Transfer No T 4779/1944 reading as follows: "Portion 17 = 9,9999 mgn transferred 13.5.1965 to JE Fiederman bn Crozier M O C P No 12290 Remainder 108.1831 mgn without water rights re Waterval Stream". H. SUBJECT FURTHER to the following endorsement dated 7th February 1977, on said Deed of Partition Transfer No T4779/1944, which endorsement reads as follows: "By Notarial Deed No K0078/1977S, the property held hereunder is subject to a right in favour of the Electricity Supply Commission to convey electricity thereover together with ancillary rights and subject to conditions as will more fully appear from reference to the said Notarial Deed, grosse whereof is annexed hereto." (as qualified by the undermentioned Notarial Deed No K741/85S B see condition J below). I. SUBJECT FURTHER to the terms of a servitude referred to in an endorsement dated 20 March 1985 on said Deed of Partition Transfer No T4779/1944, reading as follows: "By Notarial Deed of Servitude No K278/85S dated 21-12-1984 the owners and their successors in title the within property is entitled to construct weirs, structures, furrows, canals and pipelines necessary for the purpose of collecting water from the Stream flowing over Rem of the Farm 632 meas. 135,8058 ha held by T14044/1939 which stream transverses the lines ab and BA on diagram B487/1836 Deed of Grant 19-5-1836 Swellendam Quits Vol 11 No 12 with Ancillary Rights. As will more fully appear from said No Deed." Lexis® Convey 17.2.7		
If yes, has an application been submitted to the licensing authority?	YES	NO
If no, please provide evidence of existing water use rights (if applicable) with this application form.	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? N/A	YES	NO
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

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. pending/ granted/ refused)

SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT**Site/Area Description**

For linear activities (pipelines, etc.) as well as activities that cover very large sites, it may be necessary to complete copies of this section for each part of the site that has a significantly different environment. In such cases please complete copies of Section C and indicate the area which is covered by each copy No. on the site plan.

Section C Copy No. (e.g. 1, 2, or 3):

1. THE GEOLOGICAL FORMATIONS UNDERLYING THE SITE (Tick the appropriate box)

GRANITE		QUARTZITE	
SHALE		DOLOMITE	
SANDSTONE		DOLERITE	
OTHER (specify)	PENINSULA, PAKHUIS AND CEDARBERG FORMATIONS		

	Lithology: Pebbly quartz arenite, diamictite, minor conglomerate, mudrock, siltstone and shale
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2. GRADIENT OF THE SITE

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

Flat	Flatter than 1:10	1:10 – 1:5 X Approximately 10 percent slope	Steeper than 1:5
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3. LOCATION IN LANDSCAPE

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

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

Gradual sloping plain from mountain base



Photo 4 of the site from approximately 2000 prior to activity

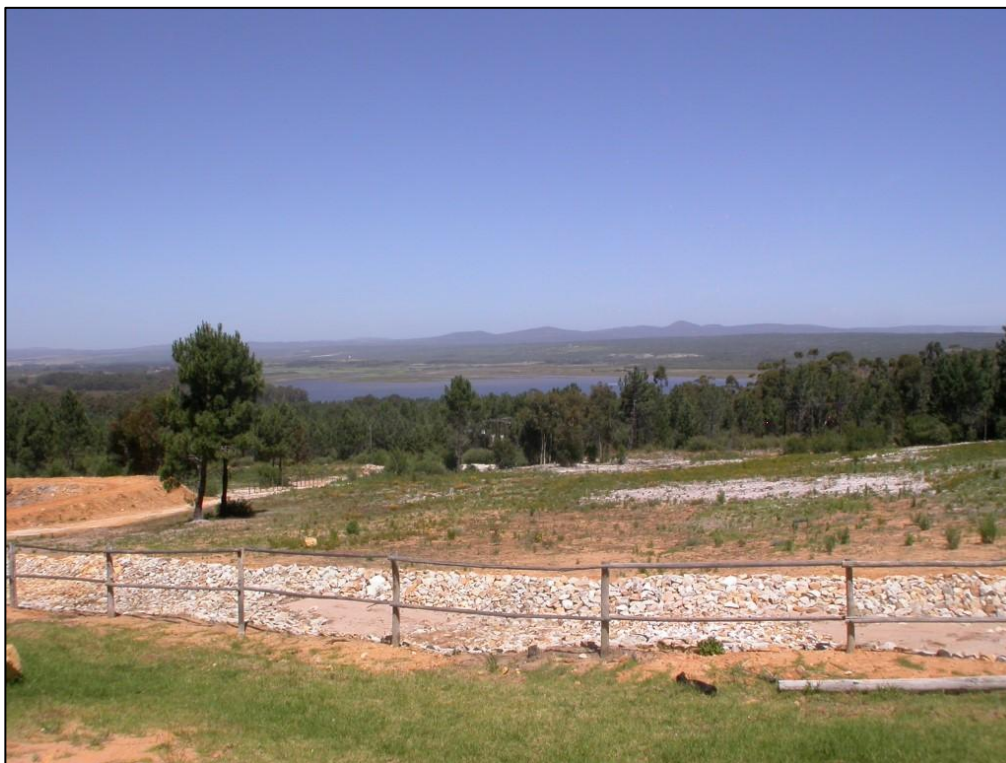


Photo 5. View of the site prior to planting



Photo 6. 2023 view of the site post planting



Photo 7. Taken in April 2024 showing current status of the Macadamia grove.

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 ("X") the appropriate boxes)?

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

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

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

If any of the answers to the above are "YES" or "unsure", specialist input may be requested by the Department. (Information in respect of the above will often be available at the planning sections of local authorities. Where it does not exist, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

5. SURFACE WATER**5.1. SURFACE WATER (PRE-COMMENCEMENT)**

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out ("X") the appropriate boxes)?

Perennial River	YES	NO x	UNSURE
Non-Perennial River			
GIS mapping indicated the presence of 2 non-perennial streams on the outside of the impacted area to the east and west	YES x	NO	UNSURE
Permanent Wetland	YES	NO x	UNSURE
Seasonal Wetland	YES	NO x	UNSURE

Artificial Wetland	YES X	NO	UNSURE
Estuarine / Lagoonal wetland	YES	NO x	UNSURE

5.2. SURFACE WATER (POST-COMMENCEMENT)

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out ("X") the appropriate boxes)?

Perennial River	YES	NO x	UNSURE
Non-Perennial River	YES x	NO	UNSURE
GIS mapping indicated the presence of 2 non-perennial streams on the outside of the impacted area to the east and west			
Permanent Wetland	YES	NO x	UNSURE
Seasonal Wetland	YES	NO x	UNSURE
Artificial Wetland	YES X	NO	UNSURE
Estuarine / Lagoonal wetland	YES	NO x	UNSURE

6. VEGETATION AND/OR GROUNDCOVER

Please note: The Department may request specialist input/studies depending on the nature of the biodiversity occurring on the site and potential impact(s) of the activity/ies. To assist with the identification of the biodiversity occurring on site and the ecosystem status consult <http://bgis.sanbi.org.za> or BGIShelp@sanbi.org.za. Information is also available on compact disc ("cd") from the Biodiversity-GIS Unit, Ph (021) 799 8738. This information may be updated from time to time and it is the applicant/ EAP's responsibility to ensure that the latest version is used. A map of the relevant biodiversity information (including an indication of the habitat conditions as per (b) below) and must be provided as an overlay map to the property/site plan as an **appendix** to this form.

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

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

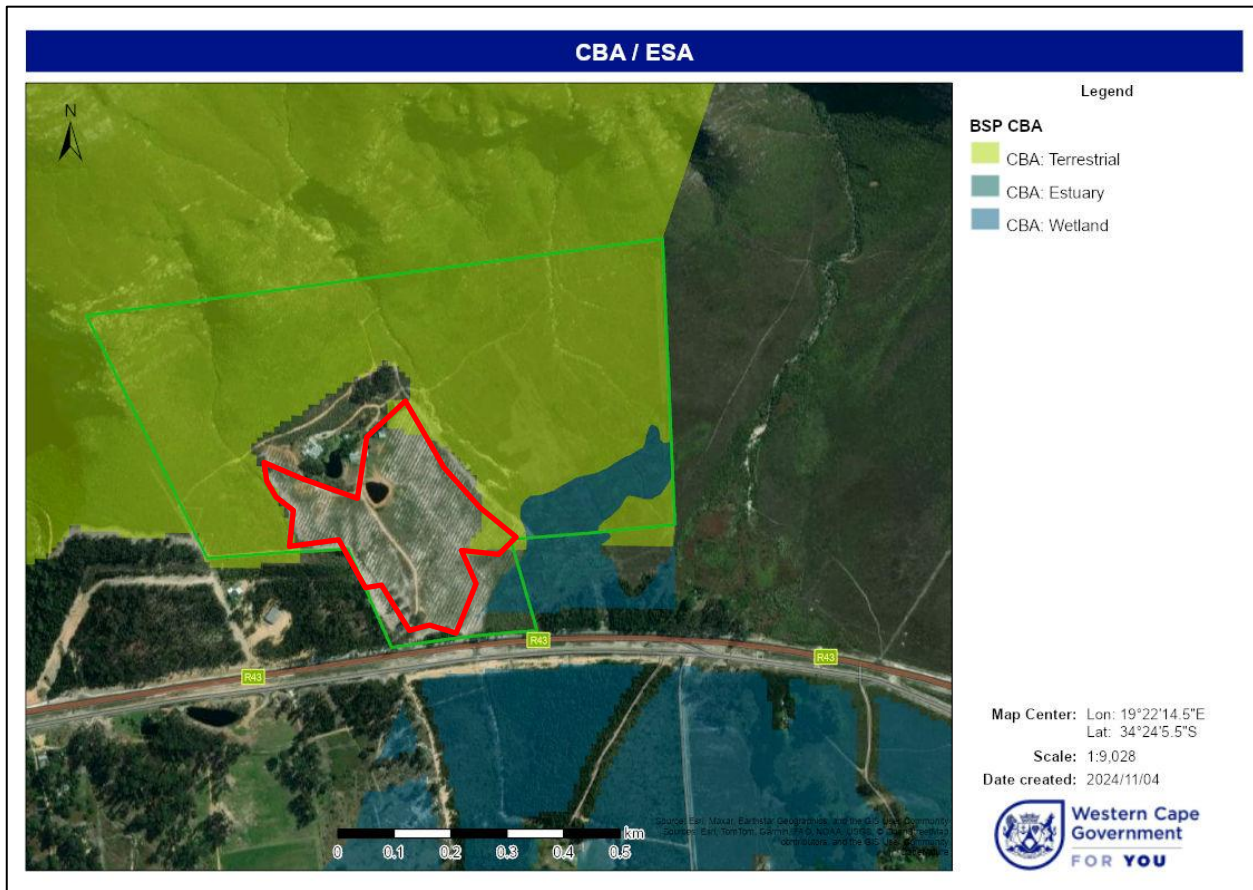
Indigenous Vegetation - good condition		Indigenous Vegetation with scattered aliens	x	Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above:		Describe the vegetation type above:		Describe the vegetation type above:	
		Elim Ferricrete Fynbos			
		Agulhas Sand Fynbos			
Provide ecosystem status for above:		Provide ecosystem status for above:		Provide Ecosystem status for above:	
		Endangered			
		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
Bare soil	Building or other structure	Sport field
Other (describe below) Degraded site conditions	Cultivated land	Paved surface

- (a) Highlight the applicable pre-commencement biodiversity planning categories of all areas on site and indicate the reason(s) provided in the biodiversity plan for the selection of the specific area as part of the specific category.

Systematic Biodiversity Planning Category				If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan
Critical Biodiversity Area (CBA)	Ecological Support Area (ESA)	Other Natural Area (ONA)	No Natural Area Remaining (NNR)	Critical Biodiversity Areas Category 1: CBA: Terrestrial Category 2: CBA: Terrestrial Definition: Areas in a natural condition that are required to meet biodiversity targets, for species, ecosystems or ecological processes and infrastructure. Objective: Maintain in a natural or near-natural state, with no further loss of natural habitat. Degraded areas should be rehabilitated. Only low-impact, biodiversity-sensitive land uses are appropriate.

As per the map below, only a very small section in the southeast section of the nut grove fell within the CBA area.



(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	10 %	Very limited sections were in a natural state due to alien vegetation and previous impacts.
Near Natural (includes areas with low to moderate level of alien invasive plants)	60 %	Some areas were semi-intact where the macadamias were planted
Degraded (includes areas heavily invaded by alien plants)	20 %	Some areas where the macadamias were planted included old roads, paddocks etc
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	10 %	Some areas where the macadamias were planted included old roads, paddocks etc

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

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

- (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 Plant Species Assessment by Jacques van Rensburg

Initially, a Terrestrial Plant Species Assessment was undertaken by Jacques van Rensburg of Nature Works Environmental Consultancy following a site visit in October 2023. This was conducted in response to the DEA&DP compliance requirements following the unauthorised clearance of approximately 9 ha of indigenous vegetation. The national Screening Tool identified the plant species theme as medium sensitivity, with a high likelihood of Species of Conservation Concern (SCC) occurring on site. The assessment utilised South African Vegetation Map (2018) which confirmed the presence of Critically Endangered vegetation types, specifically Elim Ferricrete Fynbos and Agulhas Limestone Fynbos within the 9-ha cleared area. The botanical specialist highlighted that of the 9 ha of indigenous vegetation cleared onsite for the establishment of the macadamia nuts, approximately 6.43 ha of Elim Ferricrete Fynbos and 2.98 ha of Agulhas Limestone was lost (refer to **Figure 1** below).

Furthermore, the botanical specialist made specific reference to the Western Cape Biodiversity Spatial Plan (WCBSP, 2017), which was the applicable conservation planning tool at the time of the assessment. According to this plan, the site falls within three important biodiversity categories: Critical Biodiversity Area 1 (CBA1) and Critical Biodiversity Area 2 (CBA2). The assessment highlights that a significant portion of the cleared area, as illustrated in **Figure 2**, is located within CBA2: Terrestrial, with additional parts falling within CBA1. These areas are considered vital for maintaining ecosystem function, supporting threatened species, and ensuring landscape connectivity. As such, they are not considered appropriate for high-impact development.

In addition to the terrestrial biodiversity features, the assessment confirmed, with reference to Rivers (NGI) and NWM5, the presence of non-perennial drainage lines to the east and west of the affected site, as well as a seep wetland located to the south of the impacted area (**Figure 3**). These aquatic features contribute to the ecological sensitivity of the site. The specialist further notes that the extent of the wetland is likely underrepresented in existing datasets, suggesting that a more detailed delineation would be necessary to accurately define its boundaries.

The botanical specialist further characterised the site's habitat condition into five distinct categories, namely: intact, semi-intact, degraded, highly degraded, and transformed, as illustrated in **Figure 4**. Due to the site's conversion from natural vegetation to agricultural land, a direct assessment of its current habitat condition was deemed impractical. To overcome this, the specialist undertook a historical habitat assessment using available Google Earth satellite imagery, which provided valuable insight into the site's condition prior to clearing.

The imagery analysis, dating back to 2003, reveals a pattern of progressive disturbance. In 2003, Invasive Alien Plants (IAPs) were already present in the affected area. By 2006, the infestation had spread significantly, and further anthropogenic disturbance was evident in the form of an access road constructed to facilitate dwelling development and the establishment of two small dams directly north of the impacted zone. In 2020, alien clearing and land rehabilitation efforts were initiated by the landowner, improving the ecological condition of the site prior to the unauthorised vegetation clearance, see **Figure 5**. Based on this sequence of events, the specialist concluded that the habitat condition of the area prior to the illegal clearing could be reasonably described as semi-intact, offering some degree of biodiversity value and restoration potential at the time.

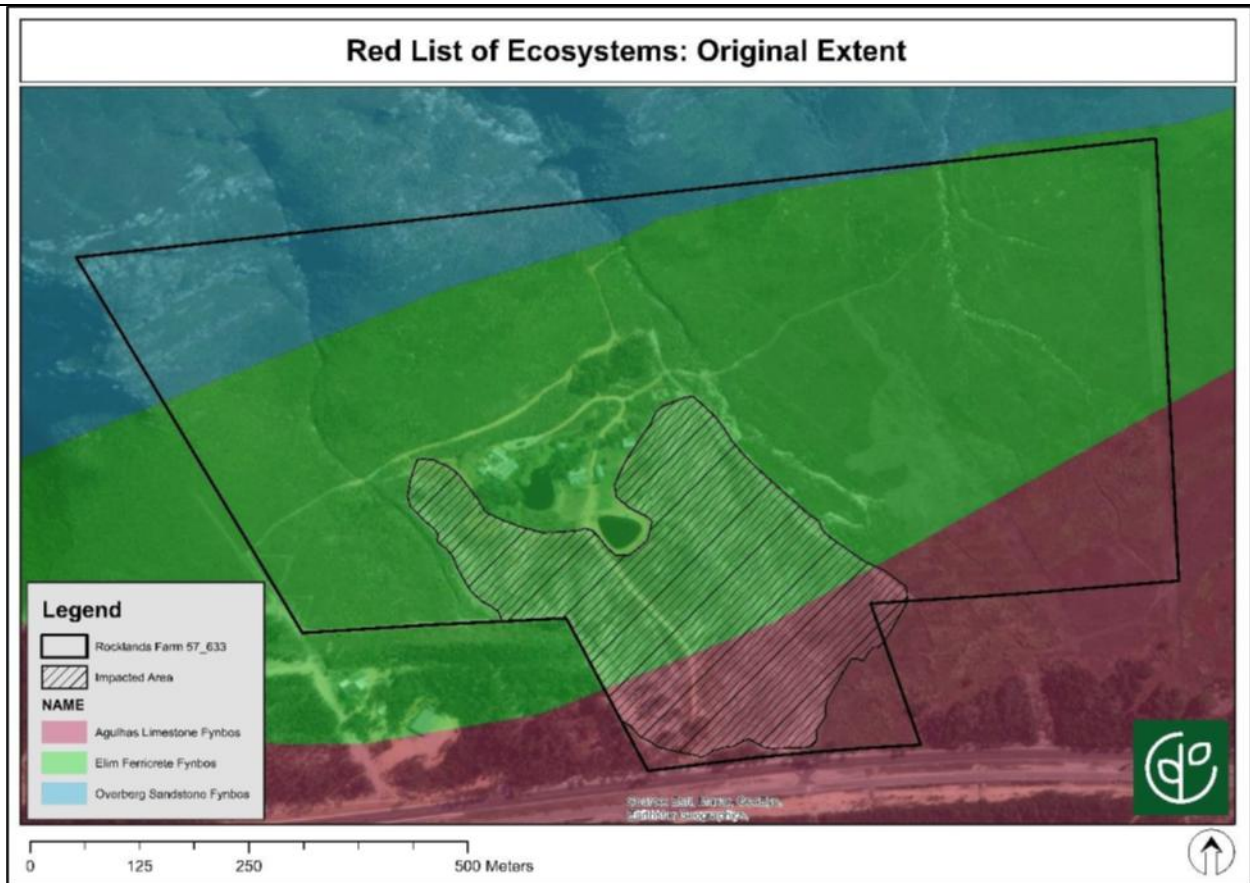


Figure 1: Vegetation types within the impacted area and immediate surrounds; *Source:* (van Rensburg, 2023)

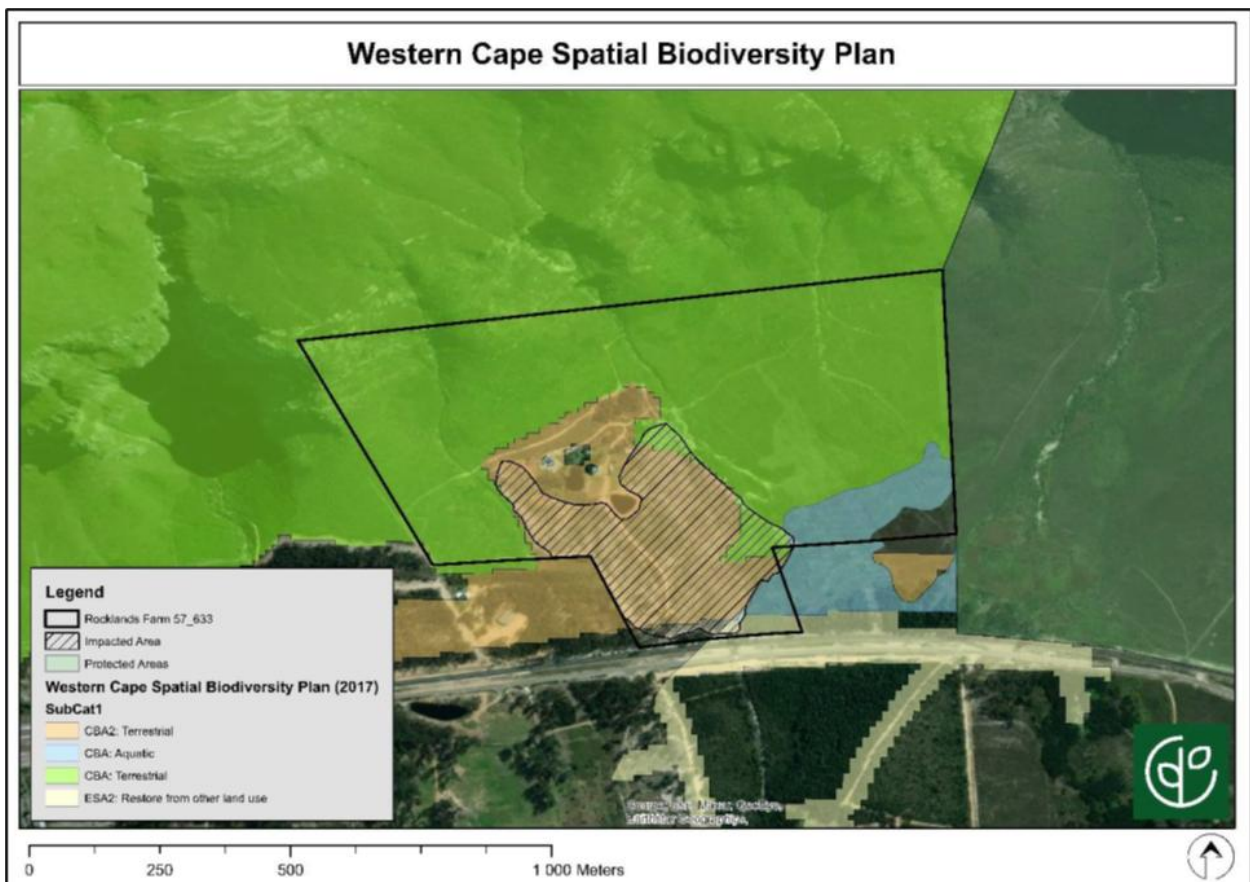


Figure 2: The map shows that the site falls within CBAs. *Source:* (van Rensburg, 2023)

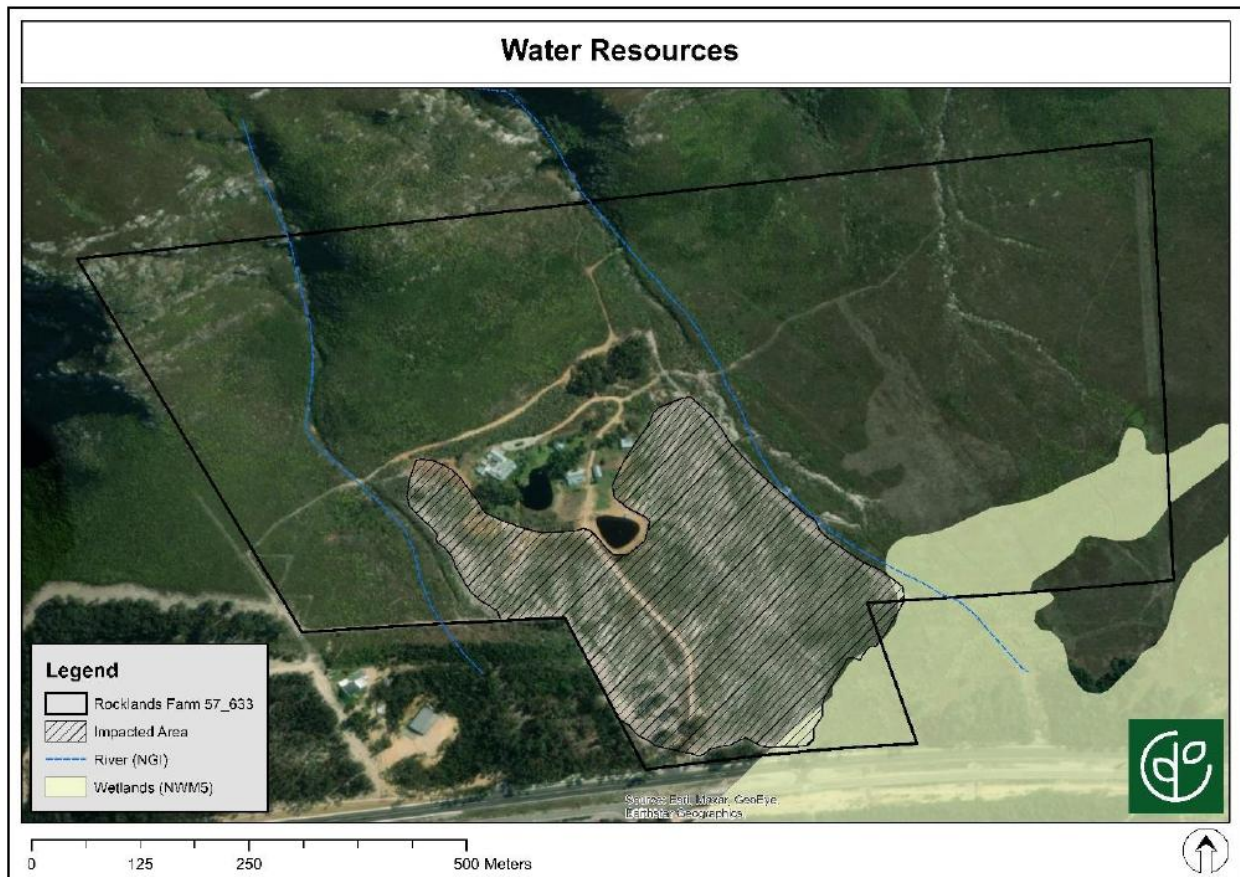


Figure 3: Water resources. *Source:* (van Rensburg, 2023).

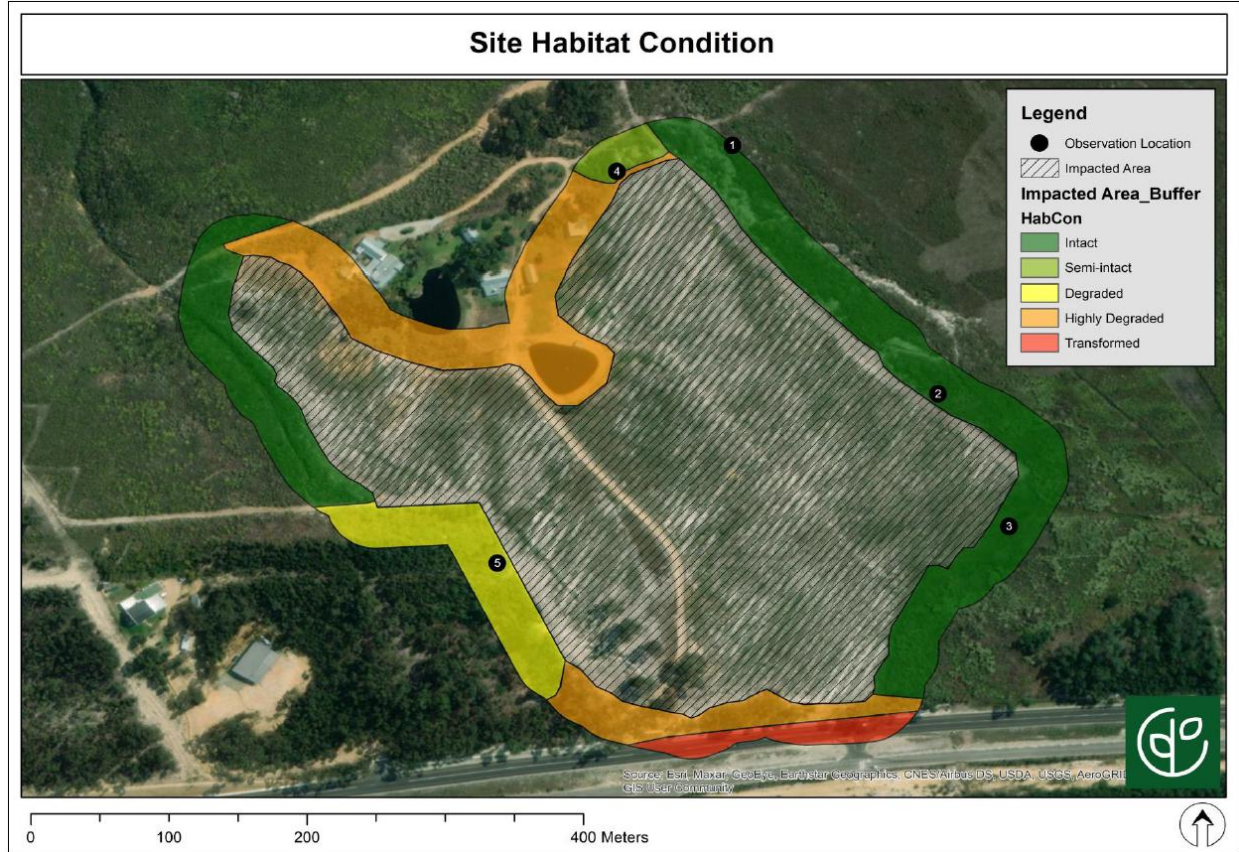


Figure 4: The site habitat condition within a 30m buffer area of the impacted site. *Source:* (van Rensburg, 2023).

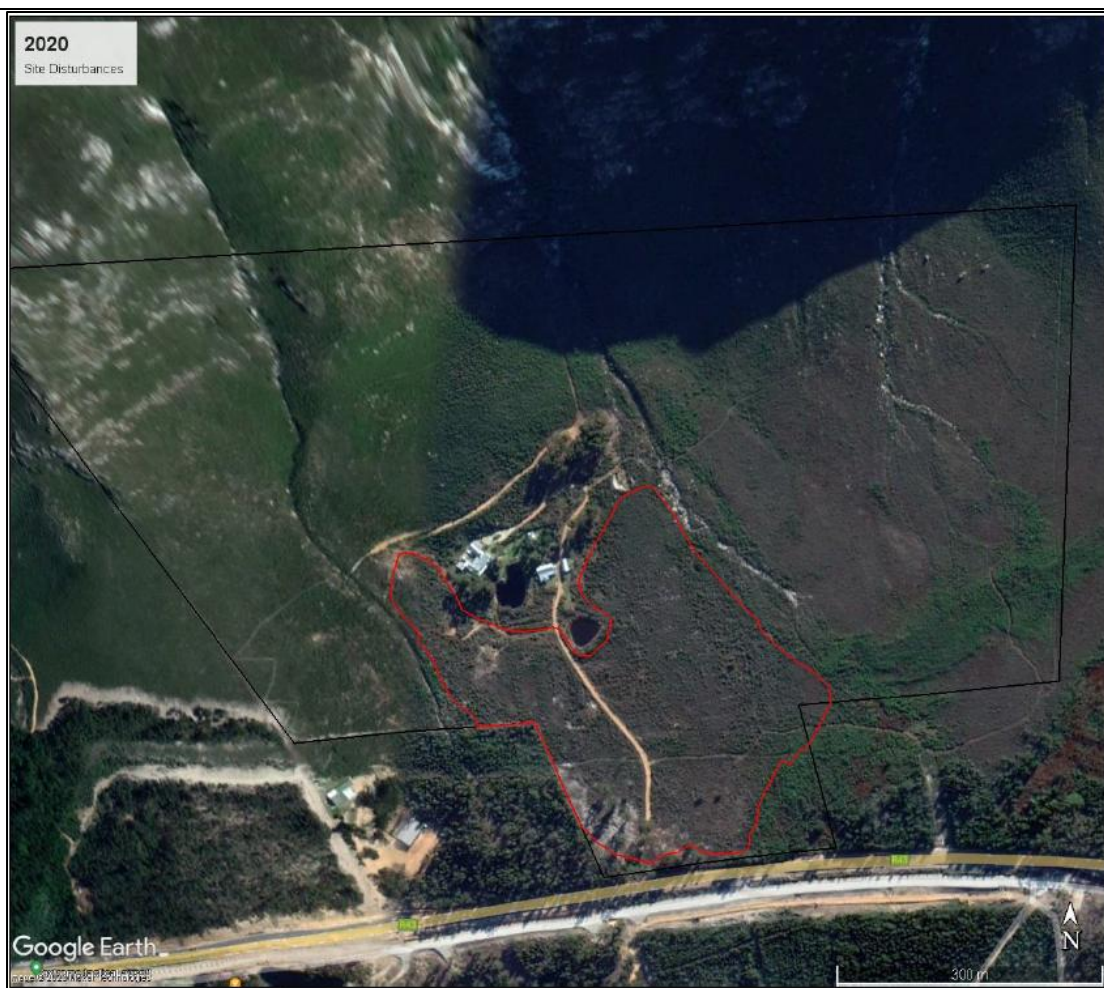


Figure 5: The 2020 Google Earth imagery offers a visual representation of the site's habitat condition before the vegetation was cleared. *Source:* (van Rensburg, 2023).

Five habitat conditions have been identified and discussed in more detailed below:

Intact Habitat

The area directly adjacent to the western boundary of the impacted site contains a pristine remnant of the Elim Ferricrete Fynbos ecosystem. This vegetation unit is primarily characterised by shrubland, with a mixture of low-growing and tall shrub species typical of structurally diverse fynbos. Notably, this portion of the site supports a high level of plant species richness, representing the full spectrum of structural fynbos components. Based on field observations, this area displays minimal evidence of historical ecological disturbance, maintaining a largely undisturbed natural state. Its ecological integrity is further enhanced by the fact that it forms part of a broader, continuous natural corridor, connecting westward to a larger, untransformed expanse of vegetation. This corridor ultimately links to a nearby private nature reserve, thereby maintaining ecological connectivity at the landscape scale, as depicted in **Figure 2**.

During the botanical field survey, a non-exhaustive species list was compiled within the relatively undisturbed area west of the development footprint. Within this area, two Species of Conservation Concern (SCC) were positively identified: *Serruria rubricaulis* (Vulnerable) and *Leucospermum prostratum* (Near Threatened). The assessment also notes that, due to time constraints and the extensive size of the site, it was not feasible to conduct a complete, square metre-level botanical inventory. As such, it is reasonable to assume that additional SCCs as identified in the National Screening Tool report may also occur within the impacted area, particularly prior to the unauthorised vegetation clearance.



Photo 1: Intact habitat on the western boundary of the site.

The habitat within the study area exhibits a clear transition from typical terrestrial fynbos vegetation to zones displaying characteristics of freshwater-associated habitats. This transitional zone is notably densely vegetated with *Berzelia lanuginosa*, a species commonly associated with wetter soil conditions. Additionally, scattered occurrences of *Aspalathus carnosa* and *Psoralea pinnata* were recorded throughout this area, further indicating a shift in soil moisture and habitat type.



Photo 2. Image showing vegetation observed during site visit.

The south-eastern corner of the site exhibits distinct wetland seep characteristics, with surface water visibly present in certain areas, particularly following rainfall or seasonal saturation. This portion of the property supports typical hydrophilic vegetation, including prominent stands of sedges (*Carex* species) and rushes (*Juncus* species), which are indicative of wetland hydrology. These are accompanied by *Berzelia lanuginosa*, a species commonly associated with saturated soils and seepage zones. Additionally, the area contains scattered individuals of *Aspalathus carnosa*, *Psoralea pinnata*, and *Osmitopsis afra*, all of which are characteristic of transitional ecotones between terrestrial fynbos and seasonally wet environments. The vegetation is further enriched by dense clusters of *Erica perspicua*, suggesting a strong floristic response to local moisture gradients.

**Photo 3.** Vegetation observed on the southeast corner of the site.

Semi-intact Habitat

The observed area within the semi-intact habitat shares a strong resemblance to the surrounding intact vegetation in terms of its structural characteristics and species composition; however, it shows evidence of historical disturbance. The dominant species recorded within this semi-intact zone include *Passerina corymbosa*, *Dicrothamnus rhinocerotis*, and *Cliffortia atrata*. These species are typically associated with disturbed or recovering habitats and were observed to be particularly prevalent in areas where past anthropogenic activities such as grazing, ploughing, or clearing have altered the natural vegetation structure. Their dominance in this zone reflects a partial loss of ecological integrity, yet the persistence of indigenous species suggests that the area retains moderate ecological resilience and may have restoration potential under appropriate management interventions.



Photo 4. Image showing vegetation condition within the semi-intact area.

Degraded Habitat

The specialist identifies the vegetation within the degraded area and highlights that it lacks native plant species that are representative of the original vegetation type. The vegetation cover in this area is dominated by dense stands of Invasive Alien Plants (IAPs), particularly *Eucalyptus species*, *Acacia saligna*, and *Leptospermum laevigatum*.



Photo 5. Alien invasive species within the degraded area.

Highly degraded and Transformed Habitat

According to the botanical specialist's findings, a portion of the site specifically in the southern corner has been classified as highly degraded. This area is heavily invaded by *Eucalyptus* species, with no visible presence of native vegetation representative of the historical fynbos vegetation types originally occurring on the site.

In addition, the specialist identified transformed habitat further south of the impacted area, coinciding with the location of the R43 provincial road. This area has been significantly altered due to road construction and associated land-use changes, rendering it ecologically transformed and unsuitable for conservation-related activities.

Summary of the habitat conditions of the areas surrounding the impacted site

The assessment of both historical and current habitat conditions provides a comprehensive understanding of the site's broader ecological context. Historical aerial imagery analysis dating back to 2003 revealed early signs of disturbance within the impacted area, particularly the presence of Invasive Alien Plants (IAPs) such as *Eucalyptus*. By 2006, these impacts had intensified, with the proliferation of alien plant infestations, the construction of an access road for new dwellings, and the creation of two small dams directly to the north of the impacted footprint. Subsequent management and rehabilitation efforts were undertaken in 2012, including alien clearing and ecosystem recovery initiatives. These interventions suggest that, immediately prior to the unauthorised vegetation clearance, the site had reached a semi-intact ecological condition, retaining some restoration potential.

Currently, the habitats surrounding the impacted area display a range of habitat conditions, which have been categorised into five distinct habitat classes. The intact habitats, located primarily to the west and east of the cleared area, represent pristine Elim Ferricrete Fynbos. These areas show minimal historical disturbance, support a high diversity of indigenous plant species, and maintain strong ecological connectivity to adjacent natural areas, including a private nature reserve to the west.

Semi-intact habitats Semi-intact areas closely resemble the native vegetation but have experienced some historical disruption. Degraded habitats show no evidence of native plants species and are dominated by IAPs, especially *Eucalyptus* and *Acacia saligna*, leading to a reduction in biodiversity and ecological resilience.

Highly degraded habitats are located in the southern and northern corners of the site and are marked by dense alien plant invasions with little to no native vegetation remaining. These transformed habitat extends southward beyond the impacted area, where the R43 provincial road and associated infrastructure represent permanent land transformation and complete ecological alteration.

The closing statement of the specialist suggest that the site and its surrounding areas reflect a spectrum of habitat conditions, ranging from pristine and conservation-worthy habitats to severely degraded and transformed landscapes.

Site Ecological Importance (SEI) of the site

The specialist notes that since the site has already undergone transformation, the assessment of historical habitat conditions and site sensitivity was extrapolated based on the current surrounding habitats' biodiversity importance and receptor resilience for a semi-intact to intact habitat.

Site Conservation Importance (CI)

Two plants species have been identified nearby the impacted area and it is the specialist assumption that there is likelihood that these species may have occurred in the cleared area. Therefore the CI was rated to be **Very-High**.

Site Functional Integrity (FI)

The impacted area is described as part of a well-connected and intact natural region to the north, east and west of the site, including the notable Maanschynkop Nature Reserve to the west and Waterfall Private Nature Reserve to the east. The development has resulted in the loss of approximately 9 hectares of semi-intact habitat. The location of the impacted site has not caused significant fragmentation of the larger landscape's natural areas and is not expected to significantly impact the landscape's fire regimes or species distribution. The site has experienced some historical disturbances in the form of the introduction and spread of invasive alien species (IAPs). Rehabilitation actions have been implemented and have had a positive impact on the habitat structure and functionality. Further habitat disturbances are evident to the south and southwest of the impacted area due to densely invaded IAPs areas and agricultural activities. Partial recovery may begin if the agricultural area (impacted area) is left fallow. This was observed during the site visit, as I noted the recruitment of native species within the impacted area. The evolution of the current conditions of the site by the specialist, based on the factors and conditions of the site described above, resulted to the Biodiversity Importance which is determined to be **High**.

Site Receptor Resilience (RR)

Fynbos is fire-dependent, and complete regeneration will only commence after the next fire. A 5-10-year period is, therefore, not applicable. Partial recovery may commence if agricultural land is left fallow. Native vegetation recruitment between the orchard rows was observed, and the site is connected with intact representation of the original vegetation type, which may allow natural recruitment.

The SEI was therefore determined through the combination of BI and RR assessments. Based on the HIGH BI and MEDIUM RR, the SEI for the habitat is classified as **HIGH**.

Impact Assessment

The specialist assessment confirms that the unauthorised clearance of approximately 9 ha of indigenous vegetation on site has resulted in the loss of Critically Endangered Elim Ferricrete Fynbos and Agulhas Limestone Fynbos both of which are listed as Critically Endangered ecosystems. As a result, the impact significance of the vegetation clearance was rated as Medium, based on the severity, extent, and irreplaceability of the affected biodiversity features. Furthermore, two Species of Conservation Concern (SCC) namely *Serruria rubricaulis* (Vulnerable) and *Leucospermum prostratum* (Near Threatened) were

recorded within the surrounding intact habitats. Given the ecological continuity and shared vegetation type, it is highly likely that these SCC occurred within the impacted area prior to clearing.

The impact on ecosystem structure and functionality resulting from the unauthorised clearance of indigenous vegetation has been assessed as having a medium negative significance prior to the implementation of proposed mitigation measures. However, it is anticipated that, through the implementation of targeted rehabilitation measures and the protection of adjacent intact habitats, the structure and functionality of the local ecosystem can be substantially improved. As a result, the residual impact is expected to be reduced to a very low negative impact significance. A notable aspect of the current management approach is that the landowner has permitted the natural regeneration of indigenous vegetation between the rows of planted macadamia nuts. These vegetated inter-row spaces act as ecological corridors, enhancing connectivity between the remaining natural habitat patches.

Addendum to the original Terrestrial Species Assessment

Following Cape Nature's review of the original report, additional site verification and botanical clarity were requested. Since the original specialist had relocated overseas, an Addendum Report was compiled by Derek Crabtree. The addendum provided refined classification of the vegetation and expanded on site conditions in more detail below:

Vegetation type

Based on the revised vegetation mapping (Crabtree, 2025), approximately 80–90% of the orchard footprint (± 7.65 ha) supported Agulhas Sand Fynbos (Critically Endangered) and the remainder (± 1.35 ha) supported Elim Ferricrete Fynbos (Endangered). The assessment determined that most of the natural vegetation on the southern sections of the property is Agulhas Limestone Fynbos, as well as the prominent seep wetland component in the south-eastern corner of the property. The northern portion of the property, above the firebreaks is characterised by Elim Ferricrete Fynbos vegetation type. While the upper reaches of the mountain would be considered to be Overberg Sandstone Fynbos.

Approximately five plant species of conservation concern were recorded on the property during the site survey with a likelihood of more species being present. The property includes a diversity of habitats, terrestrial and aquatic Critical Biodiversity Areas and has high local and regional conservation value.

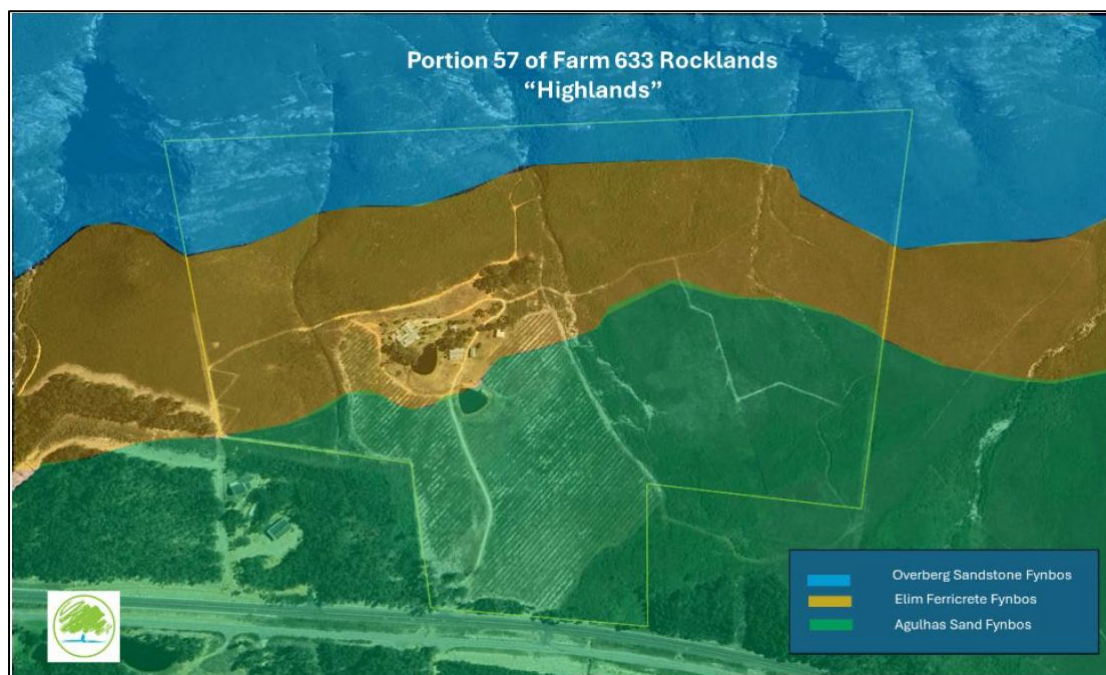


Figure 6: Vegetation present in the property.

The botanical specialist notes the previous disturbances that have occurred onsite prior to commencement of the activities in question, which includes past impacts associated with sand mining, conversion to grazing fields through past ploughing and regular mowing, invasion by alien invasive species, augmentation of natural fynbos with commercially valuable fynbos species and alteration of natural drainage. These associated impacts contributed to the variety of natural vegetation condition on site from highly degraded with low conservation value to near pristine areas with high conservation value (Crabtree, 2025), as shown in **Figure 7** below.

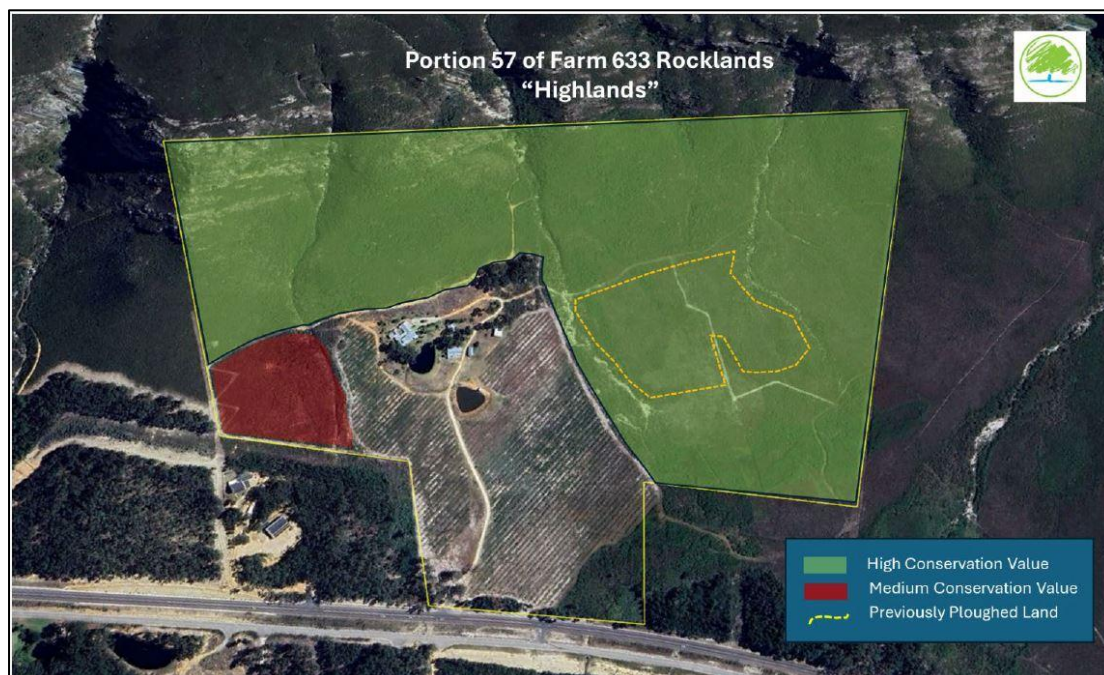


Figure 7: A map of the property showing the current conservation value of the various areas of the farm: *Source*; (Crabtree, 2025).

From the various site visits over the last few years, historically there has been several farming activities and practices undertaken that has led to portions of the property being completely transformed. Overgrazing and the lack of runoff management also leading to serious topsoil erosion allowing for the extensive uncontrolled infestation of invasive alien flora species depositing a seedbank that will never be eradicated without persistent and dedicated alien vegetation eradication management plans.

The two veld fires and subsequent storms have all contributed to the disturbed areas being degraded further resulting in the alien vegetation infestation of the lower portions of the property. Adjacent properties on both the western boundary as well as the south-eastern boundary remain heavily infested indicating what the Portion 57 of farm 633 (Highlands) would have looked like prior to the alien vegetation removal by the current owners of the property. Further historical evidence also found are the stone cairns packed in rows which indicates that the areas on the central and lower slopes for the property were extensively ploughed and cultivated historically.

Plants Species

According to the Addendum by Crabtree (2025), the site survey refuted the initial classification of the natural vegetation as Agulhas Limestone Fynbos. Instead, the vegetation across most of the site is more accurately characterised as Agulhas Sand Fynbos, a Critically Endangered ecosystem under the Revised National List of Ecosystems That are Threatened and In Need of Protection (2022). The variation in plant species composition across the property reflects differences in drainage patterns and soil moisture conditions. While the drier, better-drained sections are dominated by *Leucadendron xanthoconus* and *Erica laeta*, the wetter areas particularly in and around the seep wetland in the south-eastern corner are defined by species such as *Erica perspicua latifolia* and *Berzelia lanuginosa*, which are indicative of higher soil moisture content. Although there is

some variability in structure and species, all-natural vegetation on the site except for the distinct seep wetland vegetation can be broadly classified as Agulhas Sand Fynbos.

The most abundant species identified by the specialist on site, which are indicative of the Agulhas Sand Fynbos were:

Shrubs and Herbs:

Sensitivity	Feature(s)	Sensitivity	Feature(s)
High	<i>Leucospermum prostratum</i>	Medium	<i>Nemesia versicolor</i>
High	<i>Protea longifolia</i>	Medium	<i>Orphium frutescens</i>
High	<i>Protea scabra</i>	Medium	<i>Dimorphotheca nudicaulis</i>
High	<i>Lachnaea densiflora</i>	Medium	<i>Orbea variegata</i>
Medium	<i>Anthospermum aethiopicum</i>	Medium	<i>Plecostachys serpyllifolia</i>
Medium	<i>Aspalathus microphylla</i>	Medium	<i>Aspalathus angustifolia angustifolia</i>
Medium	<i>Athanasia trifurcata</i>	Medium	<i>Senecio subcanescens</i>
Medium	<i>Erica barbigeroides</i>	Medium	<i>Senecio halimifolius</i>
Medium	<i>Erica discolor</i>	Medium	<i>Senecio triquetus</i>
Medium	<i>Erica quadrangularis</i>	Medium	<i>Pelargonium candicans</i>
Medium	<i>Erica villosa</i>	Medium	<i>Seriphium plumosum</i>
Medium	<i>Erica muscosa</i>	Medium	<i>Centella macrocarpa</i>
Medium	<i>Erica laeta</i>	Medium	<i>Lobelia pinifolia</i>
Medium	<i>Erica nudiflora</i>	Medium	<i>Prismatocarpus brevilibus</i>
Medium	<i>Erica imbricata</i>	Medium	<i>Senecio elegans</i>
Medium	<i>Erica plukenetii plukenetii</i>	Medium	<i>Carpobrotus edulis</i>
Medium	<i>Erica rhopalantha</i>	Medium	<i>Searsia laevigata</i>
Medium	<i>Oxalis polyphylla</i>	Medium	<i>Passerina vulgaris</i>
Medium	<i>Aulax umbellata</i>	Medium	<i>Pteridium aquilinum</i>
Medium	<i>Leucadendron salignum</i>	Medium	<i>Pelargonium cucullatum</i>
Medium	<i>Serruria fasciflora</i>	Medium	<i>Cliffortia sp.</i>
Medium	<i>Gnidia pinifolia</i>	Medium	<i>Osteospermum moniliferum</i>
Medium	<i>Erepsia anceps</i>	Medium	<i>Metalasia muricata</i>
Medium	<i>Oedera pungens</i>	Medium	<i>Artopus echinata</i>
Medium	<i>Diosma hirsute</i>	Medium	<i>Chrysocoma ciliata,</i>
Medium	<i>Orbea variegata</i>	Medium	<i>Crassula sp.</i>
Medium	<i>Muraltia heisteria</i>	Medium	<i>Plecostachys serpyllifolia</i>
Medium	<i>Arctotis scabra</i>	Medium	<i>Penaea mucronate</i>
Medium	<i>Lobelia erinus</i>	Medium	<i>Gnidia oppositifolia</i>
Medium	<i>Phyllica plumosa</i>	Medium	<i>Muraltia filiformis</i>
Medium	<i>Pelargonium capitatum</i>	Medium	<i>Complex Oxalis multicaulis-reticulis</i>
Medium	<i>Stoebe plumosa</i>	Medium	<i>Complex Oxalis eckloniana -nidulans</i>
Medium	<i>Stoebe capitata</i>	Medium	<i>Oxalis truncatula</i>
Medium	<i>Plecostachys serpyllifolia,</i>	Medium	<i>Polygala garcinia</i>
Medium	<i>Cliffortia ruscifolia</i>	Medium	<i>Asparagus asparagoides</i>
Medium	<i>Protea nitida</i>	Medium	<i>Asparagus rubicundus</i>
Medium	<i>Myrsine africana.</i>		

Geophytes:

Sensitivity	Feature(s)
Medium	<i>Gladiolus carneus</i>
Medium	<i>Haemanthus sanguineus</i>
Medium	<i>Eriospermum nanum</i>
Medium	<i>Strumaria spiralis</i>
Medium	<i>Euphorbia ecklonii</i>
Medium	<i>Watsonia sp.</i>
Medium	<i>Wachendorfia paniculata</i>
Medium	<i>Aristea glauca.</i>

Graminoids:

Sensitivity	Feature(s)
Medium	<i>Pteridium aquilinum</i>
Medium	<i>Zantedeschia aethiopica</i>
Medium	<i>Rapanea melanophloes</i>
Medium	<i>Nidorella</i> sp.
Medium	<i>Searsia laevigata</i>
Medium	<i>Prionium serratum</i> .

Animal species

According to the National Screening Tool, the Animal Species Theme for the site is classified as having High Sensitivity. This sensitivity rating is primarily due to the potential presence of three avifaunal species of conservation concern, namely: *Circus maurus* (Black Harrier), *Neotis denhami* (Denham's Bustard), and *Circus ranivorus* (African Marsh Harrier). These species are associated with open natural landscapes, wetlands, and fynbos ecosystems, which may have historically been supported within or near the site. However, the site-specific faunal observations indicate that Denham's Bustard and African Marsh Harrier have not been observed on the property nor have they been officially recorded in the surrounding area for many years. This suggests that these two species are no longer present in the immediate landscape, potentially due to habitat degradation or broader population shifts. During site survey, one notable species, *Falco peregrinus* (Peregrine Falcon), was recorded within the area.

The specialist notes that the faunal and floral species lists were compiled with the assistance of suitably qualified specialists and local biodiversity enthusiasts, which provided additional confidence in the identification and accuracy of the observations.

Avian species list

Sensitivity	Feature(s)	Sensitivity	Feature(s)
High	Black Harrier (R)	Medium	Horus Swift
High	Peregrin Falcon (R)	Medium	Little Swift
High	Victorin's Warbler (R)	Medium	Alpine Swift
Medium	Hadea Ibis	Medium	Speckled Mousebird
Medium	Yellow billed Kite	Medium	White backed Mousebird
Medium	Black Shouldered Kite	Medium	Red-faced Mousebird
Medium	Black Eagle	Medium	Brown hooded Kingfisher
Medium	Steppe Buzzard	Medium	African Hoopoe
Medium	Jackal Buzzard	Medium	Greater Honeyguide
Medium	African Goshawk	Medium	Ground Woodpecker
Medium	Lanner Falcon	Medium	Cardinal Woodpecker
Medium	Rock Kestrel	Medium	Olive Woodpecker
Medium	Cape Francolin	Medium	European Swallow
Medium	Helmeted Guinea fowl	Medium	White throated Swallow
Medium	Striped Flufftail	Medium	Greater Striped Swallow
Medium	Rock Pigeon	Medium	Rock Martin
Medium	Redeye Dove	Medium	House Martin
Medium	Cape Turtle Dove	Medium	Black Saw wing Swallow
Medium	Red chested Cuckoo	Medium	Black Cuckoo Shrike
Medium	Klaas's Cuckoo	Medium	Fork tailed Drongo
Medium	Spotted Eagle Owl	Medium	Pied Crow
Medium	Fiery necked Nightjar	Medium	White necked Raven
Medium	Black Swift	Medium	Cape Bulbul
Medium	White-rumped Swift	Medium	Sombre Bulbul

Sensitivity	Feature(s)	Sensitivity	Feature(s)
Medium	Olive Thrush	Medium	Cape Sugarbird
Medium	Cape Rock Thrush	Medium	Malachite Sunbird
Medium	Familiar Chat	Medium	Orangebreasted Sunbird
Medium	Stone Chat	Medium	Lesser D- collar Sunbird
Medium	Cape Robin	Medium	Greater D-C Sunbird
Medium	Cape Rockjumper	Medium	Cape White-eye
Medium	Barthroated Apalis	Medium	Cape Sparrow
Medium	Greybacked Cisticola	Medium	Cape Weaver
Medium	Neddicky	Medium	Yellowrumped Widow
Medium	Karoo (Spotted) Prinia	Medium	Common Waxbill
Medium	Spotted Flycatcher	Medium	Pintailed Wydah
Medium	Dusky Flycatcher	Medium	Cape Canary
Medium	Fiscal	Medium	Cape Siskin
Medium	Cape Batis	Medium	Cape Bunting
Medium	Bluemantled Flycatcher		
Medium	Paradise Flycatcher		
Medium	Cape Wagtail		
Medium	Grassveld Pipit		
Medium	Fiscal Shrike		
Medium	Southern Boubou		
Medium	Southern Tchagra		
Medium	Bokmakierie		
Medium	Eurasian Starling		

Mammals

Sensitivity	Feature(s)	Sensitivity	Feature(s)
Medium	Tatera afra	Medium	Crocidura flavescens
Medium	Panthera pardus	Medium	Myosorex varius
Medium	Felis caracal	Medium	Chrysochloris asiatica
Medium	Aonyx capensis	Medium	Eptesicus capensis
Medium	Genetta tiorina	Medium	Lepus saxatilis
Medium	Atilax paludinosus	Medium	Pronolagus rupestris
Medium	Galerella pulverulenta	Medium	Cryptomys hottentotus
Medium	Herpestes ichneumon	Medium	Georchus capensis
Medium	Procavia capensis	Medium	Hystrix africae australis
Medium	Silvicapra grimmia	Medium	Acomys subspinosus
Medium	Oreotragus oreotragus	Medium	Rhabdomys pumilio
Medium	Raphiceros melanotis	Medium	Mus minutoides
Medium	Pelea capreolus	Medium	Praomys verreauxii
Medium	Papio ursinus		

Reptiles

Sensitivity	Feature(s)	Sensitivity	Feature(s)
High	Psammobates geometricus (R)	Medium	Mabuya capensis
Medium	Lamprophis aurora	Medium	Afrogecko paryhyreus
Medium	Bitis atropos	Medium	Pachydactylus geitje
Medium	Dispholidus typus	Medium	Mabuya homalocephala
Medium	Lamprophis fuliginosus	Medium	Tetradactylus seps
Medium	Naja nivea	Medium	Agama atra.a.
Medium	Lycodonomorphus rufus	Medium	Chersina angulata
Medium	Dasyplectis scabra		
Medium	Duberria lutrix		
Medium	Psammophis crucifer		
Medium	Philithamus hoplogaster		
Medium	Pseudaspis cana		
Medium	Causus rhombeatus		
Medium	Lamprophis inornatus		
Medium	Bitis arietans		
Medium	Crotaphopeltis hotamboeia		
Medium	Hemachatus haemachatus		
Medium	Homoroselaps lacteus		
Medium	Psammophylax rhombeatus		
Medium	Prosymna sundevalli		
Medium	Pseudocordylus microlepidotus		
Medium	Bradypodion pumilum		
Medium	Chamaesaura anguina		
Medium	Cordylus cordylus		
Medium	Acontias meleagris..m.		

Amphibians

Sensitivity	Feature(s)
Medium	Capensibufo sp.
Medium	Bufo rangeri
Medium	Bufo garioensis
Medium	Breviceps montanus
Medium	Xenopus laevis
Medium	Heleophryne purcelli
Medium	Semnodactylus wealii
Medium	Arthroleptella drewesii

Invertebrate

Sensitivity	Feature(s)
Medium	Zosteraeschna minuscula
Medium	Anax imperator
Medium	Anax speratus
Medium	Syncordulia venator
Medium	Orthetrum cafferum
Medium	Orthetrum chrysostigma
Medium	Crocothemis erythraea
Medium	Crocothemis sanguinolenta
Medium	Trithemis arteriosa
Medium	Trithemis furva
Medium	Trithemis kirbyi
Medium	Trithemis stictica
Medium	Chlorolestes umbrata
Medium	Chlorolestes conspicua
Medium	Ceragrion glabrum
Medium	Pseudagrion massaicum
Medium	Ischnura senegalensis

Scorpions

Sensitivity	Feature(s)
Low	Uroplectes lineatus
Low	Opisthophthalmus macer

Crabs

Sensitivity	Feature(s)
	Potamonantes perlatus

Lepidoptera

Sensitivity	Feature(s)	Sensitivity	Feature(s)
Low	Danaus chrysippus	Low	Capys alphas
Low	Pseudonympha magus	Low	Lampides boeticus
Low	Pseudonympha trimenii	Low	Lepidochrysops methymna
Low	Cassionympha detecta	Low	Lepidochrysops robertsoni
Low	Charaxes pelias	Low	Tarucus thespis
Low	Vanessa cardui	Low	Colias electo electo
Low	Aloeides thyra	Low	Pontia helice
Low	Aloeides almeida	Low	Papilio demodocus
Low	Aloeides aranda		

Arachnids

Sensitivity	Feature(s)
Low	Araneus apricus
Low	Argiope australis
Low	Caerostris sexcupidata
Low	Euprostenopsis pulchella
Low	Cyrtophora citricola
Low	Gasteracantha sanguinolenta
Low	Gnaphosidae sp.
Low	Latrodectus geometricus
Low	Palystes kreutzmanni
Low	Menemerus bivittatus
Low	Steatoda capensis
Low	Smeringopus sp.
Low	Thomisus citrinellus

Impact Assessment Rating

The impact assessment for the project site was undertaken in accordance with the requirements of the NEMA EIA Regulations, using a structured significance rating methodology, which were considered by the specialist. This approach considered both the Consequence (C) of the impact and the Probability (P) of the impact occurring to determine the overall Environmental Risk (ER) associated with the unauthorised clearance of indigenous vegetation onsite.

The consequence score (C) was calculated based on five critical components:

- Nature of the impact (positive or negative),
- Extent (the spatial area affected),
- Duration (timeframe over which the impact occurred),
- Magnitude and intensity (severity of impact), and
- Reversibility (ability to recover or restore the ecosystem).

Each of these components were assigned a rating in accordance with the standard impact rating table (refer to **Table 1** of the Terrestrial Species Report Addendum), resulting in a calculated consequence score of -3.5. This score reflects the medium

negative impact of the unauthorised activity, acknowledging both the ecological sensitivity of the affected area and the potential for partial restoration.

The Environmental Risk (ER) was calculated using the formula $ER = C \times P$, where P refers to the probability of the impact occurring. For the Highlands site, the ER was calculated as 10.5, placing it within the Medium significance category. Importantly, this ER score was determined without considering any relevant management and mitigation measures (pre-mitigation), as well as post-implementation of relevant management and mitigation measures (post-mitigation), allowing for an understanding of the effectiveness of proposed management interventions.

The specialist concluded that, due to the prior transformation of the site and the clearance of approximately 9 hectares of critically endangered fynbos ecosystems, offset measures will be required. These offsets should include the creation, restoration, or protection of ecologically significant areas on-site that were not impacted, and long-term conservation management to ensure no net loss of biodiversity. These efforts must align with the broader objectives of the Critical Biodiversity Areas (CBAs) identified in the Western Cape Biodiversity Spatial Plan.

It is also the specialist's view that there are some additional elements that may influence the process toward mitigating the impact of the macadamia plantation, specifically relating to the work done in preparation for the plantation. In the specialist's opinion, despite the extensive preparatory activities, the impact on the biodiversity of the area was minimal. It is acknowledged that an area has been lost, and this would require substantive inputs and management actions to prevent further habitat degradation or loss. Concluding engagements are still ongoing between Cape Nature and the applicant regarding the finalisation of the Stewardship mechanism, but the site has qualified at the highest level.

What remains encouraging, however, is that the rest of the property has been vastly improved in terms of biodiversity condition. Since the commencement of mechanical removal and consistent vegetation management, the alien plant infestation has been kept in check, and the natural veld condition has shown remarkable improvement and recovery. The specialist emphasises that maintaining this momentum is of critical importance, and that doing so requires the implementation of adopted management plans and mitigation interventions.

After intensive species research and field recordings, it is also clear to the specialist that the biodiversity of the property is unique in many respects, reinforcing the need for appropriate and sustained ecological management moving forward.

Extract from Aquatic Biodiversity Assessment:

The site under evaluation is located within the Breede-Olifants WMA, quaternary catchment G40L. The applicable sub-quaternary catchment is not demarcated as a Freshwater Ecosystem Priority Area (FEPA) (CSIR, 2011). The regional setting, in terms of the Level 1 Department of Water Affairs (DWA) (now Department of Water and Sanitation) Ecoregions, is within the Southern Coastal Belt.

According to the NGI river line vector data, two non-perennial rivers border the development area, one to the east and the other to the west (**Figure 8**). Two additional non-perennial rivers are present within the 500 m proximity thereof but were not impacted upon by the onsite activities.

The South African National Biodiversity Institute (SANBI, 2018) NWM5 and the NFEPA spatial data (CSIR, 2011) indicates a seep wetland within the site and extending south of the site, within the 500 m regulated proximity thereof (**Figure 8 & Figure 9**). Additionally, a small portion of the Klein River Estuary is within the 500 m regulated proximity of the development area but would not have been impacted by the onsite activities.

The WCBSP (2017) indicates the development area primarily overlays a terrestrial Critical Biodiversity Area 2 (CBA), and small areas demarcated as an aquatic CBA 1, terrestrial CBA (**Figure 10**). Additionally, the Coppull Private Nature Reserve is located within the 500 m regulated proximity of the development area. This would indicate that the site is of high biological value for conserving biodiversity and maintaining ecosystem functioning.

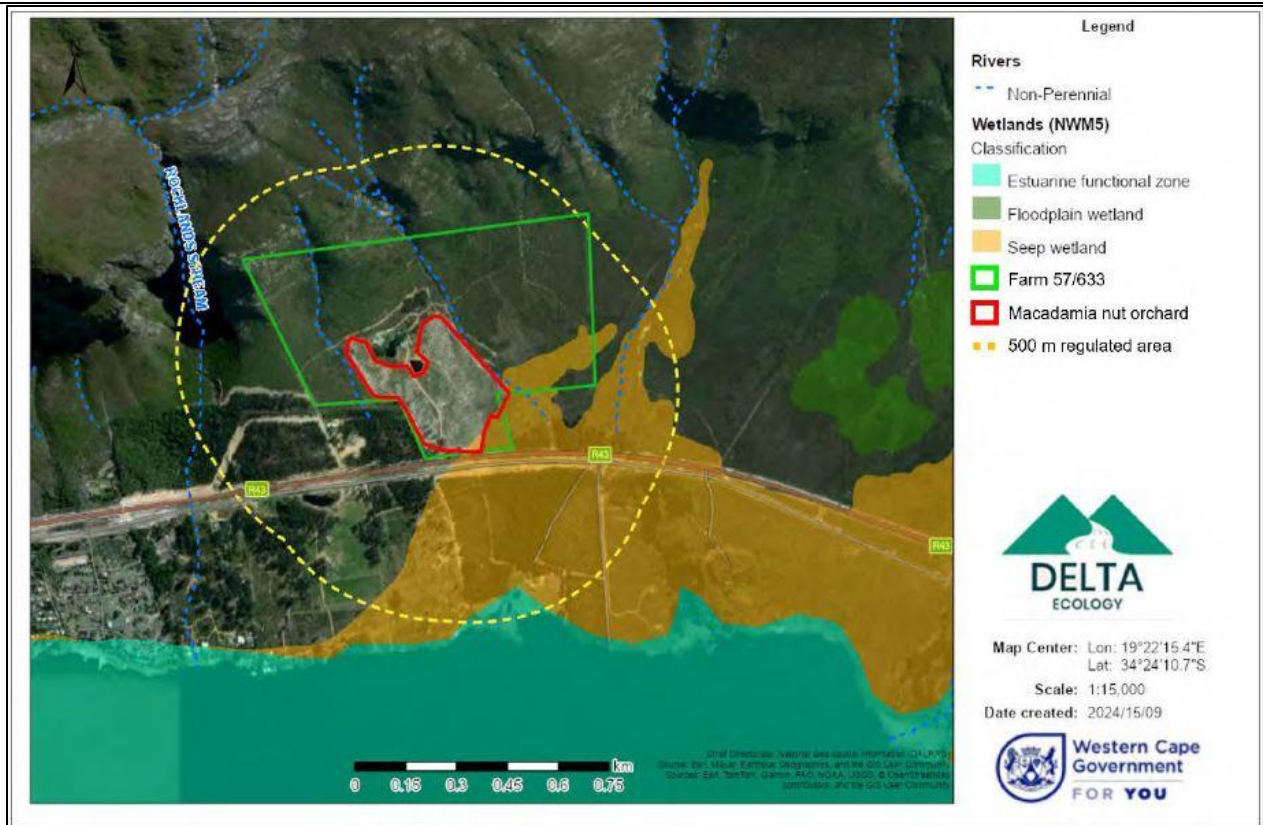


Figure 8: Watercourses indicated by desktop resources.

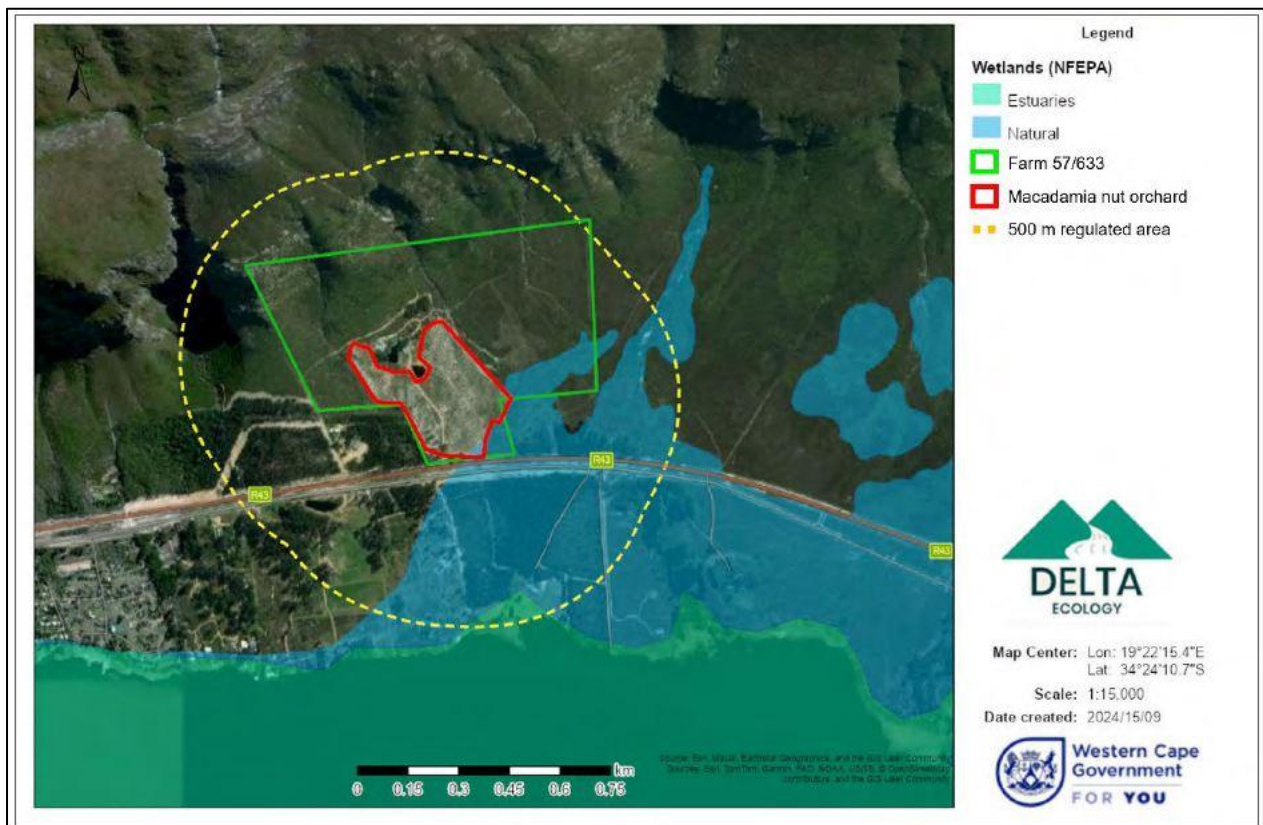


Figure 9: NFEPA map.

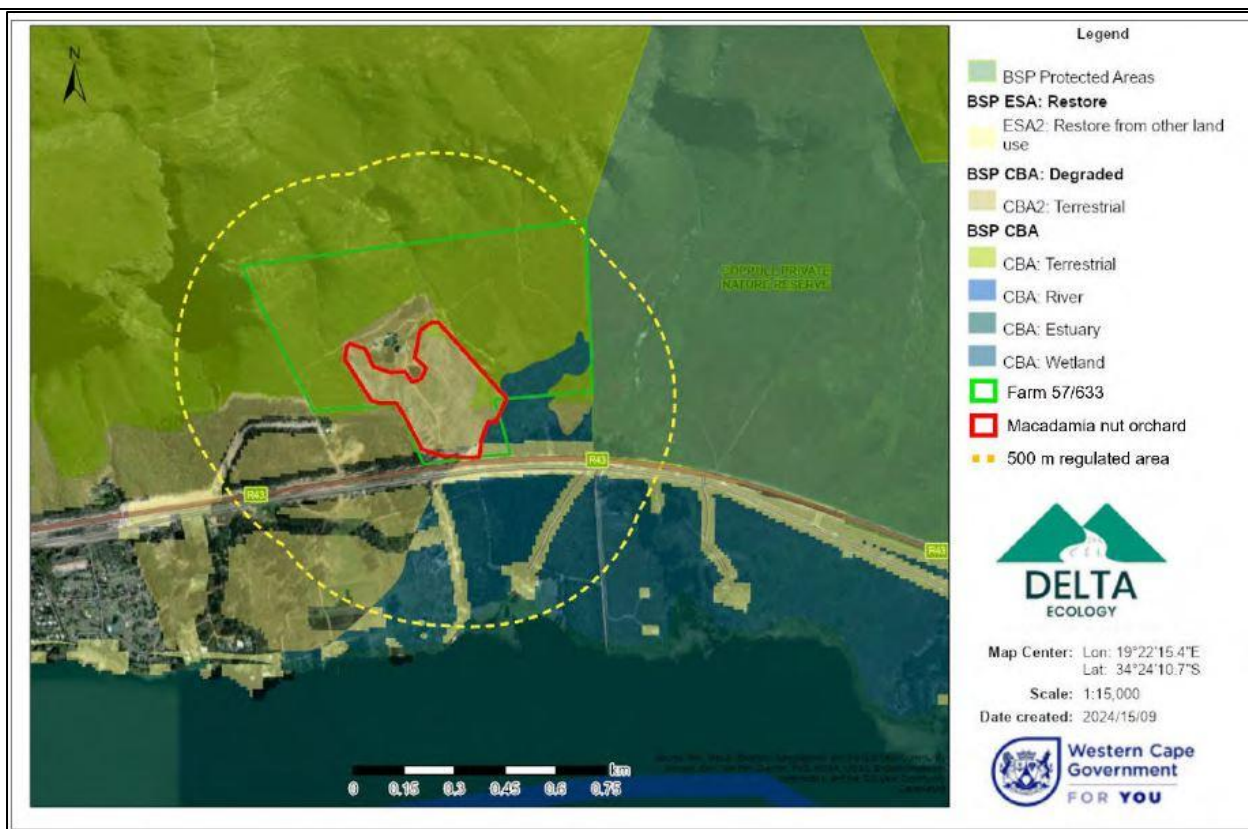


Figure 10: WCBSP Map.

Historical Context of the Site

An analysis of historical aerial imagery from 1901 to 1997 was conducted to assess the presence of watercourses within the study area and potential impacts from the surrounding changes in land use and anthropogenic activities, prior to the establishment of the orchard. The earliest image, 1901, indicates several drainage lines and associated hillslope seeps along the south-facing slopes of the mountain range (**Figure 11**). The site is characterised by sparse vegetation cover, some exposed soils and a dirt track visible along the centre to southeastern boundary. A portion of hillslope seep appears to extend into the east - southeast of the site (**Figure 11**). By 1997, vegetation cover along the northern edge of the Klein River Lagoon appears dense in comparison to the surrounding landscape, suggesting that it is likely an invasive alien species. Vegetation in this area was cleared for development along the lagoon. By 1997, the R43 had been constructed across the drainage lines and associated hillslope seep systems, this likely altered the natural hydrology and geomorphic processes within these systems. Vegetation cover across the site, which appears to be AIS, had increased (**Figure 12**).

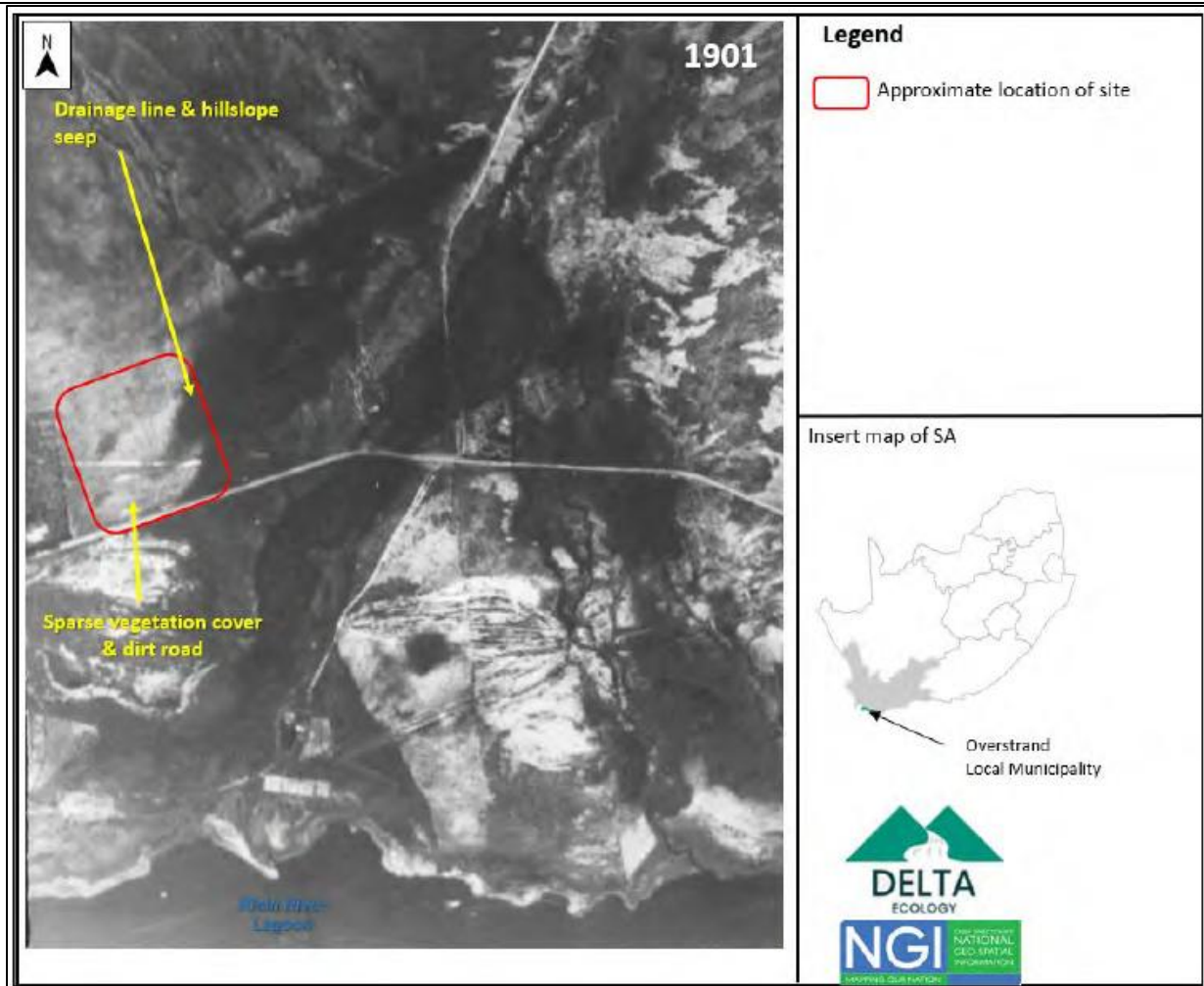


Figure 11: 1901 aerial image of the study area and surrounding landscape. Note that this image is not drawn to scale.

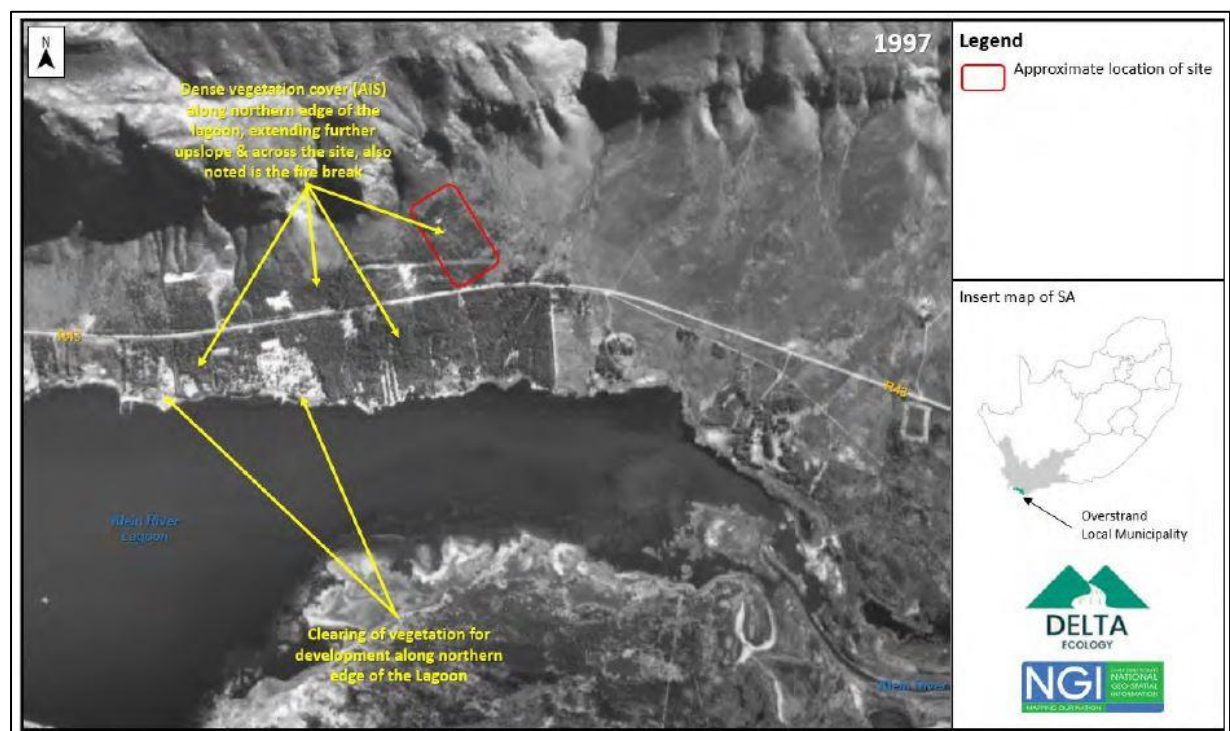


Figure 12: 1997 aerial image of the study area and surrounding landscape. Note that this image is not drawn to scale.

The site is situated between the Kleinrivier Mountains, and the Kleinrivier Estuary in Hermanus. It is bordered by the R43 road along the southern boundary. The site slopes from an elevation of 118 m in the north to 35 m in the south. The current land use includes five dwellings, two dams (dam 1 and dam 2), gravel tracks, a macadamia nut orchard, dense infestation of Alien Invasive Species (AIS), and some mature, near-pristine fynbos.

The majority of the site was characterised by grey, quartzitic sand. The primary wetland indicators used to determine wetland extent were hydromorphic soil features (such as mottling, gleying, and organic streaking all within the upper 50 cm), soil saturation, along with terrain and the presence of hydrophytic vegetation communities. The two mapped ephemeral drainage lines were confirmed and delineated, approximately 15 m east (Ephemeral Stream 1) and 10 m west (Ephemeral Stream 2) of the onsite activities (**Figure 13**). Associated with Ephemeral Stream 1 is a natural seepage wetland (Seep Wetland 1) (**Figure 13**). Much of the agricultural area indicated wetland conditions, and after the consultation of historical aerial imagery, it was confirmed that the two farm dams, as well as overflow associated with an artificial furrow on the property have resulted in artificial seepage areas which have been augmented by irrigation of the orchard (Seep Wetland 2) (**Figure 13**).

The agricultural activities primarily affected the portion of Seep wetland 2 located below dam 2 as well as the southwestern portion of Seep wetland 1. The field assessment conducted confirmed that the two ephemeral streams were unlikely to be significantly directly impacted, although a small amount of sedimentation and flow modification could have occurred due to the clearing and planting occurring in the stream's catchment area.

The degree of habitat disturbance within the Seep Wetland 1 varied from near-pristine to largely transformed, while the two ephemeral drainage lines were in near-pristine condition. Seep Wetland 2 was moderately to largely disturbed. Habitat descriptions of the onsite watercourse are detailed below.

Unimpacted Seep Wetland 1

The wetland vegetation within the undisturbed or unimpacted portion of seep wetland 1 was in a near-pristine condition with a high level of biodiversity (**Photo 6 & Photo 7**), dominated by *Berzelia lanuginosa* (Button bush), interspersed with *Erica perspicua* (Prince of Wales heath), *Osmitopsis asteriscoides* (Swamp daisy), *Pteridium aquilinum* (Common bracken), *Psoralea pinnata* (Fountain bush), *Carpha glomerata* (Vlei sedge), *Pycnus polystachyos* (Manyspike flatsedge) and *Fuirena hirsuta* (Hairy hippo-sedge). The dominance of *Berzelia lanuginosa* indicates a lack of disturbance either due to a reduction in the fire frequency (the most significant factor) and historical removal of large game animals.

Disturbed seep wetland 1 within macadamia nut orchard

The portion of seep wetland 1 that coincides with the macadamia nut orchard, had wetland vegetation sparsely interspersed within the orchard, indicating that the hydrology of the system is still intact, and that partial habitat recovery had begun in this area. Wetland vegetation predominately consisted of *Pteridium aquilinum*, with some occurrences of *Carpha glomerata*, *Psoralea pinata* and *Fuirena hirsuta* (**Photo 12**). Soil samples exhibited soil saturation, leaching and organic streaking (**Photo 13**).

Artificial seep wetland 2

Historical imagery indicates that the artificial Seep wetland 2 (**Photo 11**) was largely dominated by AIS prior to the macadamia nut orchard. After the development of the macadamia nut orchard, sparse indigenous wetland vegetation such as *Carpha glomerata*, *Psoralea pinata* and *Fuirena hirsuta* has established within the orchard and it is likely that this seepage area is augmented by the irrigation of the trees. This artificial seepage area may therefore have been a smaller area prior to the establishment of the orchard.

Ephemeral streams

The riparian vegetation within Ephemeral Stream 1 was in a near-pristine condition with high diversity and was dominated by *Berzelia lanuginosa*, interspersed with *Wachendorfia thyrsiflora* (Marsh butterfly lily), *Elegia capensis* (Horsetail restio), *Schoenus compar* (Ivory veldrush) and *Passerina corymbosa* (Gonna bush). The instream substrate mainly consisted of stones, gravel, bedrock and sand. The ephemeral stream was impacted by a dirt road crossing the channel, previous flood events resulting in deposition of rocks and debris within the channel and riparian zone, and minimal erosion was evident.

The riparian vegetation within Ephemeral Stream 2 was in a near-pristine condition, however with lower riparian diversity than Stream 1. Stream 2 was dominated by *Berzelia lanuginosa*, interspersed with *Passerina corymbosa*. The substrate mainly consisted of stones, gravel and sand. Some erosion was evident. The stream was impacted by a dirt road crossing the channel.

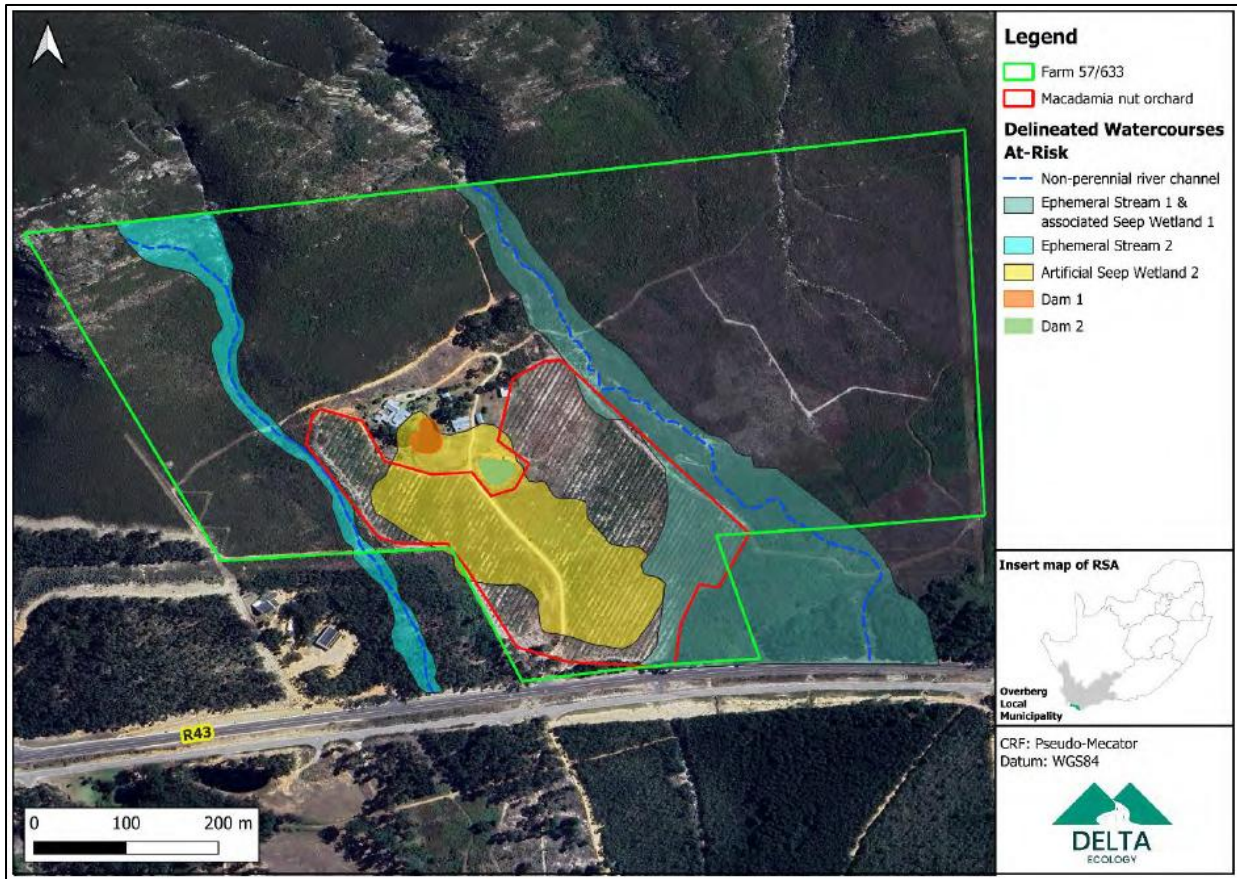


Figure 13: Delineation of watercourses on Farm 57/633, associated with the onsite activities.



Photo 6: Undisturbed area of a wetland.



Photo 7. Boundary between the undisturbed portion of Seep Wetland 1 (right), and the impacted portion of the wetland (indicated by red arrow).



Photo 8. Portion of Seep wetland 1 within the macadamia nut orchard



Photo 9: Portion of Seep Wetland 2 within the macadamia nut orchard.



Photo 10. Wetland vegetation growing within the macadamia nut orchard, *Carpha glomerata* (left) and *Pteridium aquilinum* (right).



Photo 11. Soil samples from the seep wetlands within the macadamia nut orchard exhibiting wetland characteristics such as organic streaking and mottles (left) and leaching (right).

Present Ecological State

The WET-Health Version 2.0 assessment was completed for Seep Wetland 1 both prior to and after the agricultural activities in order to determine the reduction in PS caused by these activities. Prior to the onsite activities Seep Wetland 1 produced an overall PES score within upper category C (Moderately Modified) with a combined PES score of 74%. After onsite activities, Seep Wetland 1 produced an overall PES score within lower category C (Moderately Modified) with a combined PES score of 60% (see full results from Aquatic Biodiversity Assessment).

Historical imagery from before the onsite agricultural activities indicates that Seep Wetland 1 was impacted by the construction of the R43, brush cutting associated with fire breaks, dirt tracks through the wetland, previous flood events, encroachment and subsequent clearing of AIS, and construction activities associated with the onsite dwellings and dams (Refer to Section 5.1 of the Aquatic Biodiversity Assessment). These within-wetland and catchment scale impacts likely resulted in flow alteration (particularly the R43 and AIS infestation), vegetation disturbance due to the fire break and dirt tracks, along with sedimentation from the historical onsite construction activities. Despite the historic disturbances, there was likely a fairly diverse community of indigenous hydrophytic species within the wetland area transformed into the orchard, prior to the establishment of the orchard, as seen by current diversity increasing along the edges of the orchard, within the undisturbed seep wetland.

After the macadamia nut orchard was developed, the portion of Seep Wetland 1 that coincides with the orchard had been cleared and tilled. Wetland vegetation had been disturbed in this area, and portions of the wetland's geomorphology had been slightly disturbed by creating the berms for the macadamia nut trees. However, no foreign soil was introduced to create the berms. The clearing and tilling, along with the dirt tracks, likely altered the flow regime of the seep, diverting flow along unnatural paths. Additionally, during the rainy period, the seep likely experienced increased sediment input because of the

agriculture. The presence of the macadamia nut orchard within the seep wetland, and within its catchment could affect hydrology by slightly increased water uptake (as the trees increase in size). Alternatively, the irrigation system used in the macadamia orchard may impact the seep wetland by introducing excess water into the system. Potential water quality impairment should be limited to sedimentation, due to the organic farming practises conducted on the farm.

Table 1: WET-Health Assessment for Seep Wetland 1 before the macadamia nut orchard was created.

PES Assessment	Hydrology	Geomorphology	Water Quality	Vegetation
Impact Score	3.4	2.3	2.1	2.0
PES Score (%)	66%	77%	79%	80%
Ecological Category	C	C	C	B
Trajectory of change	↓	↓	↓	↓
Confidence (revised results)	Not rated	Not rated	Not rated	Not rated
Combined Impact Score	2.6			
Combined PES Score (%)	74%			
Combined Ecological Category	C			
Hectare Equivalents	3.1 Ha			

Table 2: WET-Health Assessment for Seep Wetland 1 after the macadamia nut orchard was created.

PES Assessment	Hydrology	Geomorphology	Water Quality	Vegetation
Impact Score	4.5	4.2	3.1	3.7
PES Score (%)	55%	58%	69%	63%
Ecological Category	D	D	C	C
Trajectory of change	↓	↓	↓	↓
Confidence (revised results)	Not rated	Not rated	Not rated	Not rated
Combined Impact Score	4.0			
Combined PES Score (%)	60%			
Combined Ecological Category	C			
Hectare Equivalents	2.5 Ha			

Habitat Integrity Assessment

The habitat integrity of the two ephemeral streams, was assessed before and after agricultural activities were undertaken. The assessment for the two ephemeral streams, produced an instream and riparian habitat integrity within category B (Largely Natural) for before and after agricultural activities. The assessment results for the instream and riparian habitat are presented in **Table 3** and **Table 4** respectively. The key factors that influenced the habitat integrity scoring are summarised below:

Instream Habitat Integrity:

The ephemeral streams were flowing at the time of the site visit. The catchment consists primarily of pristine natural vegetation, except for the macadamia nut orchard. Water abstraction takes place in Stream 1 to feed the onsite dams. However, no water abstraction takes place in Stream 2. A degree of bed modification was observed in both ephemeral streams due to historical flooding. Minimal erosion within both stream channels is present and has resulted in increased sediment input although this is noted to not be from the orchard. Channel modification was observed within both streams, and both channels have a dirt road crossing where the water is piped under the road. The only potential impact to the streams as a result of the agricultural activities is that water quality may have been slightly impacted by agricultural runoff from the macadamia nut orchard (increased sediment input).

Riparian Habitat Integrity:

The riparian vegetation associated with the ephemeral streams is relatively dense and natural. A very small degree of bank erosion is present in both ephemeral streams. The presence of the agriculture (orchard) within the catchment of the streams may result in some modification to the natural flow and inundation of the riparian area. The factors influencing the riparian water quality are the same as those impacting instream water quality, however riparian habitat quality is influenced to a lesser degree by water quality impacts when compared to instream habitats.

Table 3: Instream IHI Score Rating Results for prior and after onsite orchard.

CRITERIA	Ephemeral stream 1		Ephemeral stream 2	
	Prior to onsite orchard	After onsite orchard	Prior to onsite orchard	After onsite orchard
Water Abstraction	9	9	2	2
Flow Modification	5	6	4	5
Bed Modification	4	5	4	5
Channel Modification	5	5	5	5
Water Quality	2	4	3	6
Extent of Inundation	4	4	4	4
Alien Macrophytes	0	0	0	0
Presence of exotic fauna	1	1	1	1
Solid Waste Disposal	0	0	0	0
Instream Habitat Integrity Score	85	82	88	86
Instream Integrity Category	B	B	B	B

Table 4: Riparian IHI Score Rating Results for prior and after onsite orchard.

CRITERIA	Ephemeral stream 1		Ephemeral stream 2	
	Prior to onsite orchard	After onsite orchard	Prior to onsite orchard	After onsite orchard
Indigenous Vegetation Removal	5	5	6	6
Exotic Vegetation Encroachment	1	1	3	3
Bank Erosion	5	5	5	5
Channel Modification	3	5	3	5
Water Abstraction	1	1	1	1
Extent of Inundation	5	5	5	5
Flow Modification	3	5	3	5
Water Quality	2	4	2	4
Riparian Habitat Integrity Score	87	85	86	83
Riparian Category Integrity	B	B	B	B

Ecosystem Services

The onsite seep wetlands and streams were assessed for their contribution to ecosystem services using the WET-EcoServices Version 2 methodology before and after the onsite agricultural activities. The results for the assessment remained largely the same for all watercourses prior and subsequent to the agricultural activities on the site. The assessment results are summarised in **Table 5** and **Table 6** below.

The majority of importance scores fell within the 'Low - Very Low' category for the streams indicating negligible contribution to ecosystem services, before and after the onsite activities, apart from the provision of water for cultivation for stream 1 after the orchard was established which fell within the 'Moderate' category. The exceptions were the provision of biodiversity maintenance which fell within the 'Moderately High' category along with cultural and spiritual services which fell within the 'Moderately Low' category. The wetland vegetation type that coincides with the drainage lines has a high threat status (CR), there is high connectivity to other wetlands and aquatic habitats including seep wetland area, the ecological condition is moderate, and the area has high scenic beauty.

In terms of Seep Wetland 1, the broader catchment area consists primarily of pristine vegetation, except for the macadamia nut orchard immediately upslope of the seep (present state), and previous onsite construction of the residential dwellings and dams resulted in sediment input. Therefore, the seep provides sediment trapping to a degree of 'Moderately Low' importance. The wetland vegetation type that coincides with the seep wetland has a high threat status (CR), the seep is demarcated as a NFEPA wetland and occurs within a CBA. The Klein River Estuary also occurs downstream of the seep. Therefore, an overall importance score within the 'Moderately High' category was obtained for biodiversity maintenance. The seep wetland received a score of 'Moderate' importance for Carbon Storage supply, both before and after onsite agricultural activities. There is a global demand for storage of carbon, thereby reducing total atmospheric greenhouse gas concentrations.

The historical imagery assessment concluded that there was unlikely to be a pristine, diverse indigenous community of wetland vegetation associated with the artificial Seep Wetland 2 prior to onsite agricultural activities. The site assessment confirmed similarly that this wetland area is unlikely to provide significant ecosystem services. Therefore, all ecosystem services associated with this wetland area both before and after the development of the orchard was found to be in a 'Moderately Low' to 'Very Low' category. The artificial seepage area likely provided, and currently provides, limited amounts of sediment trapping services. After the orchard was planted this area also provides a small amount of cultivated foods provisioning services.

Table 5: The outcome of the ecosystem services assessment for the ephemeral stream 1 prior to onsite activities

		Present State			
ECOSYSTEM SERVICE		Supply	Demand	Importance Score	Importance
REGULATING AND SUPPORTING SERVICES	Flood attenuation	0.9	0.1	0.0	Very Low
	Stream flow regulation	-	-	#VALUE!	#VALUE!
	Sediment trapping	1.0	0.0	0.0	Very Low
	Erosion control	2.2	0.0	0.7	Very Low
	Phosphate assimilation	1.0	0.0	0.0	Very Low
	Nitrate assimilation	1.1	0.0	0.0	Very Low
	Toxicant assimilation	1.0	0.0	0.0	Very Low
	Carbon storage	2.4	0.0	0.9	Low
	Biodiversity maintenance	2.9	2.0	2.4	Moderately High
PROVISIONING SERVICES	Water for human use	0.8	0.3	0.0	Very Low
	Harvestable resources	2.5	0.3	1.2	Low
	Food for livestock	2.3	0.0	0.8	Very Low
	Cultivated foods	2.3	0.0	0.8	Very Low
CULTURAL SERVICES	Tourism and Recreation	1.9	1.0	0.9	Low
	Education and Research	1.5	0.0	0.0	Very Low
	Cultural and Spiritual	3.0	0.0	1.5	Moderately Low

Table 6: The outcome of the ecosystem services assessment for the ephemeral stream 1 subsequent to onsite activities.

		Present State			
ECOSYSTEM SERVICE		Supply	Demand	Importance Score	Importance
REGULATING AND SUPPORTING SERVICES	Flood attenuation	0.9	0.1	0.0	Very Low
	Stream flow regulation	-	-	#VALUE!	#VALUE!
	Sediment trapping	1.0	0.0	0.0	Very Low
	Erosion control	2.2	0.0	0.7	Very Low
	Phosphate assimilation	1.0	0.0	0.0	Very Low
	Nitrate assimilation	1.1	0.0	0.0	Very Low
	Toxicant assimilation	1.0	0.0	0.0	Very Low
	Carbon storage	2.4	0.0	0.9	Low
	Biodiversity maintenance	2.9	2.0	2.4	Moderately High
PROVISIONING SERVICES	Water for human use	0.8	2.7	0.6	Very Low
	Harvestable resources	2.5	0.3	1.2	Low
	Food for livestock	2.3	0.0	0.8	Very Low
	Cultivated foods	2.3	2.0	1.8	Moderate
CULTURAL SERVICES	Tourism and Recreation	1.9	1.0	0.9	Low
	Education and Research	1.5	0.0	0.0	Very Low
	Cultural and Spiritual	3.0	0.0	1.5	Moderately Low

Aquatic Impact Identification

The aquatic impact of the construction and operation of the macadamia nut orchard was identified and assessed. The following applicable activities are noted for the construction phase of the orchard:

- Vegetation clearing was conducted to make way for the macadamia nut orchard.
- Additionally/tilling /ploughing was done to create berms for the macadamia nut trees to be planted in.

The following applicable activities are noted for the operational phase of the orchard:

- Maintenance largely consists of irrigating the trees during Summer, one person walks each row, approximately 3 times a week.
- During harvest, which will occur once a year, one person walks each row every day for approximately a month.

Direct construction and operational phase impacts were/are limited to the two seep wetlands. However, as the orchard is located in the catchment area, and within proximity to the two streams, indirect impacts may have occurred as a result of the development. The potential impacts to the two seep wetlands and the two streams include the following:

Construction and operational impacts:

1. Wetland habitat disturbance within the two seep wetlands as a result of vegetation clearing, ploughing / tilling, and planting of the macadamia nut trees and ongoing maintenance thereof.
2. Alteration of flow within onsite watercourses due to ploughing / tilling for constructing berms for macadamia nut trees to be planted in.
3. Increased sediment input within onsite watercourses, due to vegetation clearing and ploughing / tilling.
4. Water quality impairment due to potential spillage of hydrocarbons/contaminants due to the use of the access roads / machinery in proximity to the onsite watercourses.

7.1 VEGETATION AND/OR GROUNDCOVER (POST-COMMENCEMENT)

According to the botanical assessment undertaken by van Rensburg (2023), the unauthorised agricultural development on Portion 57 of Farm 633 (Rocklands) resulted in the loss of approximately 6.428 hectares of Elim Ferricrete Fynbos and 2.975 hectares of Agulhas Limestone Fynbos, both of which are classified as Critically Endangered ecosystems. These vegetation types are recognised for their high conservation value, limited distribution, and irreplaceable biodiversity features.

However, in the subsequent Terrestrial Species Addendum Report compiled by Crabtree (2025), the vegetation was re-evaluated based on site conditions and ecological context. The Addendum confirmed that while the cleared area overlapped with previously mapped Critically Endangered ecosystems, the vegetation currently present across most intact, semi-intact, and disturbed areas is more accurately representative of Agulhas Sand Fynbos a similarly Critically Endangered vegetation type. The variation in plant species composition across the site is primarily driven by differences in soil type, drainage, and moisture gradients. Diagnostic species such as *Leucadendron xanthoconus* and *Erica laeta* dominate better-drained areas, while wetter zones support *Erica perspicua latifolia* and *Berzelia lanuginosa*, particularly around the seep wetland in the south-eastern corner.

Both specialists highlights that the vegetation on the site surroundings exhibit a mosaic of habitat conditions, ranging from intact and semi-intact fynbos with high conservation value, to areas that are highly degraded or transformed due to past agricultural activities and invasive alien plant infestations. A historical vegetation assessment, based on 2020 Google Earth imagery, indicates that the cleared area was likely in a semi-intact condition prior to the development (Rensburg, 2023), and has since showed potential for ecological recovery.

The impact significance associated with the unauthorised vegetation clearance was rated as medium negative, taking into account the severity, extent, and irreplaceability of the biodiversity features lost (Crabtree, 2025). However, the specialist notes that proposed mitigation measures, if rigorously implemented, could improve the ecological integrity of surrounding habitats. These measures include, amongst others, habitat rehabilitation, stormwater and erosion control, and alien clearing.

Post-disturbance ecological recovery is already evident on the property and confirms the eco focussed agricultural method. The landowner has allowed for the natural regeneration of indigenous vegetation between planted macadamia trees, thereby maintaining vegetative cover and improving habitat connectivity between remaining natural vegetation patches. This regenerative land-management approach promotes ecosystem resilience and limits additional disturbance within the orchard footprint.

Active alien vegetation clearing has also been undertaken within the orchard and broader property area. The landowner is also voluntarily driving broader area alien vegetation clearing and management which is having a significant positive impact on this broader landscape. These interventions contribute positively to improving habitat quality and restoring ecological functioning

across the landscape. The applicant's actions demonstrate a clear commitment to biodiversity stewardship and environmental rehabilitation following the unauthorised activity.

The property is strategically located adjacent to Waterfall Private Nature Reserve, thereby increasing its ecological significance within the broader conservation landscape. Given its position within a network of protected areas and its contribution to habitat connectivity, the remainder of the property has, following engagement with Cape Nature, been identified as suitable for formal conservation under the Cape Nature Stewardship Programme. This long-term conservation commitment further strengthens the ecological resilience and biodiversity value of the site post-commencement.

The Cape Nature Stewardship meeting held on 24 February 2026 indicated that the property qualifies for stewardship programme. The applicant has expressed preference for a Level 2 – Biodiversity Agreement, which provides for a formal but less restrictive conservation commitment that is considered more appropriate given the operational context and land-use objectives of the property. This remains a meaningful and recognised mechanism under the Stewardship Programme and reflects the applicant's willingness to formalise their conservation obligations within a framework that is practically implementable in the long term. The Stewardship agreement is being finalised between the applicant and Cape Nature.



The current state of the site post commencement. See the natural vegetation is well established between the Macadamia nuts. Image: 2025

Cross out ("X") 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	X	Indigenous Vegetation with heavy alien infestation	X
Describe the vegetation type above:		Describe the vegetation type above:		Describe the vegetation type above:	

Areas surrounding the planted area are in good condition	Areas surrounding the planted area are characterised by indigenous vegetation and scattered alien vegetation	Areas surrounding the planted area are characterised by indigenous vegetation and dense alien vegetation
Provide ecosystem status for above: Elim Ferricrete Fynbos (EN) and Agulhas Sand Fynbos (CR)	Provide ecosystem status for above: -	Provide Ecosystem status for above: -
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface x The landowner has retained natural indigenous vegetation between the planted trees and only brush cut the natural vegetation to plant the trees	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 x Other existing agricultural infrastructure, buildings, roads, paddocks, dams etc exist on site	Sport field
Other (describe below)	Cultivated land	Paved surface

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

Note that the “site” is defined as the ~9 ha planted area and **NOT** the remaining areas on the farm.

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	65 %	The remaining natural areas between the planted trees
Near Natural (includes areas with low to moderate level of alien invasive plants)	%	
Degraded (includes areas heavily invaded by alien plants)	%	
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	35 %	The planted macadamia nuts between the indigenous vegetation

(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 Assessment

The activity on Farm Rocklands 57/633 has resulted in the loss of approximately 7.65 ha and 1.35 ha of Elim Ferricrete Fynbos and Agulhas Sand Fynbos, respectively. The site's surrounding habitats exhibit a range of conditions, from intact and semi-intact areas with high biodiversity and ecological connectivity to highly degraded and transformed habitats heavily impacted by invasive alien plants and agricultural activities. The historical assessment suggests that the impacted site was once in a semi-intact condition, with potential for recovery.

The Site Ecological Importance (SEI) assessment, considering Conservation Importance, Functional Integrity, and Receptor Resilience, indicates a high SEI. This classification implies that the site holds significant ecological value and should be subject to mitigation measures to reduce impacts.

The impact significance of the assessed terrestrial biodiversity impacts was determined to be of medium negative significance. However, the proposed mitigation measures aim to address the activities and improve the ecological resilience of the surrounding habitats. Some of the mitigation measures have already applied to restore and rehabilitate surrounding affected habitats, implement effective stormwater management, erosion control, and establish a regular monitoring and reporting system.

It is important to note that the landowner has permitted the natural propagation of indigenous vegetation native to the area between the planted trees, refer to the above 2025 image. Serving as a corridor, enhancing connectivity between the surrounding natural habitats, and has played a role in rehabilitating the impacted site. The landowner is also committed to implementing regenerative and sustainable farming to prevent any secondary impacts on the surrounding intact habitats.

In summary, while the agricultural development has already had a significant impact on the site, mitigation measures and active restoration efforts can help minimize the negative effects and contribute to the recovery of the affected ecosystems. Long-term monitoring and adaptive management are crucial to ensuring the health and resilience of the surrounding environment. The development's suitability from a botanical perspective depends on the rigorous implementation of these mitigation measures and the commitment to sustainable land management practices.

Aquatic Biodiversity

The aquatic biodiversity assessment indicates that while the two ephemeral streams were unlikely to have been directly impacted, there may have been minor sedimentation and flow modifications resulting from the clearing and planting activities within their catchment areas. These activities could have disrupted the natural flow patterns and contributed to sediment input into the streams. Additionally, agricultural runoff from the macadamia orchard has the potential to affect water quality, though the extent of this impact is likely minimal.

In Seep Wetland 1, some disturbance to the wetland vegetation has occurred, and the geomorphology of part of the wetland has been slightly altered due to the construction of berms for the macadamia nut trees. These berms, however, did not involve the introduction of foreign soil, which mitigates some of the potential risks associated with soil contamination. The overall impact on the wetlands is considered moderate, but ongoing monitoring and management efforts will be needed to ensure that the wetland's health is maintained and that further degradation does not occur.

7.2 VEGETATION / GROUNDCOVER MANAGEMENT

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

Terrestrial Biodiversity Assessment: (Rensburg, 2023)

Since the impact has already occurred, mitigating the impact during the development phase is not possible. It is however important to note that the landowner has already taken steps to enhance and manage the remaining areas of the farm through intensive alien vegetation management and low impact agricultural practices and plants (brush cutting and allowing natural vegetation to persist between macadamia nut groves).

The botanist has recommended mitigation measures that will reduce the impact of agricultural development on the surrounding environment, as follows:

- Restore and rehabilitate surrounding affected habitats by replanting native vegetation and removing invasive alien species – Note: *The landowner is already attending to this via an intensive alien clearing programme which has been drafted specifically for the property by a specialist consultant – report attached*
- Implement effective stormwater management systems to reduce runoff and prevent pollution.
- Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies.
- Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination.
- Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures.
- Regenerative and sustainable farming practises must be implemented and strictly monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats.
- Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project.
- Implement habitat restoration programs to promote the recovery of the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and ensuring a suitable environment for these species – Alien clearing and property management already underway at a site-specific level
- Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on these areas. Restrict access to critical habitats.
- Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement adaptive management strategies to adjust mitigation efforts as needed.
- Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality.
- Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality.

Terrestrial Biodiversity Assessment: (Crabtree, 2025)

Mitigation measures recommended by the specialist;

With the project having already been affected and implemented the recommendation would however be, at this stage, to look at all Offset Management possibilities that would be designed to compensate for any potential biodiversity losses caused by the development project. These plans would entail the creating, restoring, or enhancing habitats and preserving these areas on the property currently not developed to offset the impact of potential habitat destruction/loss.

By implementing offset strategies, the property owner would ensure that there is no net loss of biodiversity, thereby contributing to long-term conservation goals and biodiversity development and biodiversity improvement on the farm which are in line with the CBA as determined.

Aquatic Biodiversity Assessment

Direct construction and operational phase impacts were/are limited. However, as the orchard is located in the catchment area, and within proximity to the two streams, indirect impacts may have occurred as a result of the development.

Mitigation measures recommended by a Freshwater specialists include:

- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses.
- Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard.
- Although technically the impact has already occurred, the agricultural area in close proximity to wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize (this is achieved through the type of farming which takes place, which essentially allows for the natural environment to persist with the macadamia trees in between. AIS should be continuously removed from the onsite watercourses. Effective stormwater management should be implemented, which ensures that peak stormwater flows are adequately managed or dissipated, before they enter downslope Seep Wetland 1.
- It is recommended that the portion of the orchard alongside the Seep Wetland 2 remains fallow as far as possible, thereby allowing indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams.
- Effective stormwater management should be implemented, no which ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented. **It is important note that a recent site visit to the farm in December 2025 showed that the natural environmental has reestablished well and it does not reflect a agricultural landscape in the true sense but rather macadamia trees amongst natural vegetation. Stormwater flows would not be more than unusual as a result of the reestablishment of the vegetation and habitats in this subject area.**
- Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include:
 - o Covering steep/unstable/erosion prone areas with geotextiles.
 - o Covering areas prone to erosion with brush packing, straw bales, mulch.
 - o Stabilizing cleared/disturbed areas susceptible to erosion with sandbags.
 - o Constructing silt fences / traps in areas prone to erosion, to retain sediment-laden runoff. Silt fences must be adequately maintained. Furthermore, the farm manager must monitor sediment fences / traps after every heavy rainfall event and any sediment that has accumulated must be removed by hand.
- All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
- Wetland vegetation should be encouraged to recolonize where possible.
- All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.

8. LAND USE OF THE SITE (PRE-COMMENCEMENT)

The site described below is the entire farm – Portion 57 of the Farm 633, Caledon RD,

Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and potential impact(s) of the activity/ies.

Untransformed area x	Low density residential x	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
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 x	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

(a) Please provide a description.

The site described below is the entire farm – Portion 57 of the Farm 633, Caledon RD, 49 ha. The site comprises low key agricultural activities and residential dwelling. Access to the site as well as internal access was also existing. The remaining areas were a mix of intact and degraded vegetation.

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

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

Untransformed area x	Low density residential x	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility x
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir x
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture x	River, stream or wetland x	Nature conservation area x Waterfall Private Nature Reserve directly adjacent
Mountain, koppie or ridge x	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

10. 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 x	Low density residential x	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir x
Hospital/medical centre	School	Tertiary education facility	Church	Old age home

Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	Agriculture x	River, stream or wetland x	Nature conservation area x
Mountain, koppie or ridge x	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):				

10. SOCIO-ECONOMIC CONTEXT

11.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

Describe the pre-commencement social and economic characteristics of the community in order to provide baseline information.

The subject property is located in the Overstrand Municipal area, on the R43 between Stanford and Hermanus. The immediate area is characterised by a mix of low density/ rural residential, tourism, agriculture and natural environmental.

Job creation and investment in the area is important to assist in the increasing need for employment opportunities.

11.2 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.

The subject property is located in the Overstrand Municipal area on the north of R43 between Stanford and Hermanus. The immediate area is characterised by a mix of low density / rural residential, tourism, agriculture and natural environmental.

Job creation and investment in the area is important to assist in the increasing need for employment opportunities. The production of Macadamias on site, although relatively small scale, will result in a small niche market being create. Operations on site as well as harvesting will result in both permanent and temporary job creation and skills transfer. The improvement of the farm as a whole through site specific ecological management will have an overall positive effect on the site and surrounds.

12. HISTORICAL AND CULTURAL ASPECTS

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

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

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50m in length;
- (c) any development or other activity which will change the character of a site-
 - (i) exceeding 5 000 m² in extent; or
 - (ii) involving three or more existing erven or subdivisions thereof; or
 - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
 - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
- (d) the re-zoning of a site exceeding 10 000 m² in extent; or
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,

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

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

- (a) places, buildings, structures and equipment of cultural significance;
- (b) places to which oral traditions are attached or which are associated with living heritage;
- (c) historical settlements and townscapes;
- (d) landscapes and natural features of cultural significance;
- (e) geological sites of scientific or cultural importance;
- (f) archaeological and palaeontological sites;
- (g) graves and burial grounds, including—
 - (i) ancestral graves;
 - (ii) royal graves and graves of traditional leaders;
 - (iii) graves of victims of conflict;
 - (iv) graves of individuals designated by the Minister by notice in the Gazette;
 - (v) historical graves and cemeteries; and
 - (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- (h) sites of significance relating to the history of slavery in South Africa;
- (i) movable objects, including—
 - (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - (ii) objects to which oral traditions are attached or which are associated with living heritage;

(iii) ethnographic art and objects;

(iv) military objects;

(v) objects of decorative or fine art;

(vi) objects of scientific or technological interest; and

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

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?		YES	NO x
		UNCERTAIN	
If YES, explain:	The activity which took place is agricultural in nature and in line with land use in the area.		
Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		YES	NO x
		UNCERTAIN	
If YES, explain:	N/A		
Was any building or structure older than 60 years affected in any way?		YES	NO X
		UNCERTAIN	
If YES, explain:	N/A		

Please Note:

If uncertain, the Department may request that specialist input be provided. If, yes, a copy of the Notice of Intent submitted to Heritage Western Cape must be submitted with this form.

13. COASTAL ASPECTS (SEAFRONT/SEA ENVIRONMENT)

(a) Is the site(s) located within any of the following areas? (highlight the appropriate boxes).

If the site or alternative site is closer than 100m to such an area, please provide the approximate distance in (m).

AREA	YES	NO	UNSURE	If "YES": Distance to nearest area (m)
An area within 100m of the high water mark of the sea	YES	NO X	UNSURE	
An area within 100m of the high water mark of an estuary/lagoon	YES	NO X	UNSURE	
An area within the littoral active zone	YES	NO X	UNSURE	
An area in the coastal public property	YES	NO X	UNSURE	
Major anthropogenic structures	YES	NO X	UNSURE	
An area within a Coastal Protection Zone	YES	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).

14. REGIONAL PLANNING CONTEXT

Is the activity permitted in terms of the property's existing land use rights?	YES X	NO	Please explain
Agricultural activities – no ploughing too place			
Will the activity be in line with the following?			
Provincial Spatial Development Framework (PSDF)	YES x	NO	Please explain
The Western Cape Provincial Spatial Development Framework (WCPSDF, 2014) promotes sustainable and inclusive economic growth, with a strong emphasis on rural development through agricultural investment, environmentally sensitive farming practices, and job creation. The PSDF identifies agriculture as a key economic sector that contributes to rural livelihoods and food security and therefore encourages the protection of agricultural land and the facilitation of appropriate development that supports agricultural productivity and diversification. Portion 57 of the Farm 633 is currently zoned as Agricultural Zone I and is situated outside the demarcated urban edge of Hermanus. The unauthorised activities that form the subject of this Section 24G application were undertaken on agricultural land, and the intention going forward is to ensure that any future use of the land remains aligned with the agricultural zoning or associated compatible land uses. In this regard, the 24G application seeks to regularise past activities and ensure that all future use of the property complies with applicable environmental legislation and spatial planning policies. The project aligns with the PSDF principles in the following ways: • Agricultural Development and Investment: The property's primary use remains agricultural, and the development is intended to support and not undermine the viability of agricultural activities on the site. • Environmentally Sensitive Farming: Mitigation measures proposed in the application aim to minimise environmental impacts, particularly with regard to the protection of natural vegetation, soil integrity, and water resources. • Job Creation: The existing activities on site have contributed to local employment and are expected to continue doing so, thereby supporting the PSDF's objective of enhancing rural economic opportunities. The regularisation and mitigation efforts associated with this 24G application reflect a commitment to responsible land use that is consistent with the WC PSDF's broader goals of sustainability, rural development, and socio-economic upliftment.			
Urban edge / Edge of Built environment for the area	YES	NO x	Please explain
The farm is located outside the urban area			
Integrated Development Plan of the Local Municipality	YES x	NO	Please explain
The Overberg District Municipality's Integrated Development Plan (2025/2026) identifies agriculture as a key economic driver in the region and prioritises sustainable rural development, agricultural investment, environmentally responsible land use, and job creation. The IDP supports initiatives that promote the productive use of agricultural land while safeguarding environmental resources and improving the quality of life for rural communities.			

Portion 57 of the Farm 633, which is the subject of this 24G application, is situated within the Overberg District and is zoned Agricultural Zone I. Although certain activities were previously commenced without environmental authorisation, this application seeks to regularise those activities and implement mitigation measures that align with the principles of environmental sustainability and lawful land use.

The proposed regularisation is in line with the key focus areas of the Overberg IDP 2025/2026, including:

- **Agricultural Development and Economic Investment:** The use of the site contributes to the agricultural economy of the district, aligning with the IDP's objective to support and grow agricultural enterprises and promote investment in rural areas.
- **Environmentally Sensitive Farming Practices:** Through the environmental assessment process and recommended mitigation measures, the application promotes responsible land management in line with the IDP's commitment to environmental integrity and climate resilience.
- **Job Creation and Rural Livelihoods:** The activities on site contribute to job creation and support local livelihoods, which directly aligns with the IDP's goals of reducing unemployment and ensuring equitable access to economic opportunities in rural areas.

Spatial Development Framework of the Local Municipality	YES x	NO	Please explain
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Agricultural development in agriculturally zoned areas

Approved Structure Plan of the Municipality	YES	NO	Please explain
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N/A

An Environmental Management Framework (EMF) adopted by the Department	YES	NO	Please explain
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The Environmental Management Framework (EMF) adopted by the Overstrand Municipality was consulted as part of the assessment process. A review of the Overstrand Public Viewer mapping confirms that the subject property is not located within a designated Ecological Corridor, Urban Conservation Area, or Conservation-Worthy Area.

The property is, however, situated within the Mountain Catchment Zone, which forms part of the Overstrand Municipal Environmental Management Overlay Zone (EMOZ). This designation recognises the strategic importance of the area in supporting local catchment processes, water resource protection, and ecological functioning.

The Mountain Catchment Zone classification emphasises the need for careful environmental management to safeguard water quality, prevent soil erosion, manage stormwater appropriately, and maintain natural hydrological processes. In response to this designation, the assessment has incorporated mitigation measures aimed at erosion control, stormwater management, and alien invasive species removal to ensure that the agricultural activities do not compromise catchment integrity.

The proposed long-term conservation of the remaining natural areas under the CapeNature Stewardship Programme further aligns with the objectives of the EMF by protecting sensitive habitats, maintaining ecological connectivity, and supporting sustainable land-use within the Mountain Catchment Zone.

Any other Plans	YES	NO	Please explain
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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/eado/services>).

ADDITIONAL INFORMATION RELATING TO NEED AND DESIRABILITY IN LIEN WITH THE DEPARTMENTAL GUIDELINE:

1. How will this development (and its separate elements/aspects) impact on the ecological integrity of the area?

The unauthorised agricultural development resulted in the clearance and disturbance of approximately 9 hectares for the establishment of macadamia trees. While the impact has already occurred, the ecological implications have been assessed through specialist studies, and mitigation and long-term conservation measures have been identified to address ecological integrity within the broader landscape context. The type of low impact farming, where the trees are established within the natural environmental mean that the site has rehabilitated to the same of equal natural state and natural processes continue on between the trees. The type of farming is not the typical agricultural mono-culture. Given the highly degraded state of this area before commencement, one could argue that the activity has improved the ecological status of the site.

1.1. How were the following ecological integrity considerations taken into account?:

1.1.1. Threatened Ecosystems

A Botanical Impact Assessment and subsequent Terrestrial Species Addendum were undertaken to evaluate the impact of vegetation clearance. The assessment confirmed that portions of Critically Endangered and Endangered vegetation types were affected.

Mitigation measures were recommended and are being implemented, including:

- Alien invasive species clearing,
- Habitat rehabilitation,
- Erosion and stormwater management,
- Long-term conservation of the remaining natural areas under formal stewardship.

Importantly, approximately 54 hectares of the remaining natural vegetation will be secured under CapeNature's Level 2 Biodiversity Agreements stewardship mechanism, ensuring long-term biodiversity protection within a sensitive ecological landscape.

1.1.2. Sensitive, vulnerable, highly dynamic or stressed ecosystems, such as coastal shores, estuaries, wetlands, and similar systems require specific attention in management and planning procedures, especially where they are subject to significant human resource usage and development pressure.

The impact has already occurred, which includes the disturbance of 9 ha of land required for the establishment of macadamia trees. Additionally, the ploughing/tilling within the wetland, within its catchment and within the catchment of the streams, likely resulted in diversion and concentration of flow due to the created berms, while the clearance of indigenous wetland / terrestrial vegetation and slight soil compaction likely increased flow downstream.

1.1.3. Critical Biodiversity Areas ("CBAs") and Ecological Support Areas ("ESAs")

Only very small sections of the area is classified as CBA.

The remaining natural areas on the property contribute to ecological support functions and landscape connectivity, particularly given the property's adjacency to:

- Waterfall Private Nature Reserve
- Maanschynkop Nature Reserve

The formal conservation of the remainder of the property significantly strengthens the protection of CBAs and ESAs within the broader landscape.

Conservation targets

Although approximately 9 hectares were impacted, the larger farm portion (approximately 54 hectares) will be conserved under a formal stewardship agreement.

In addition:

- Ongoing alien vegetation clearing is being undertaken,
- Natural regeneration is being allowed within the orchard,
- Management actions are being aligned with biodiversity conservation targets for the region.

The net result is the long-term protection of a substantial, contiguous area of high-value vegetation, contributing meaningfully to provincial conservation targets.

Ecological drivers of the ecosystem

The agricultural activity and vegetation clearance was not done using machinery and the natural vegetation was allowed to remain between the planted trees. This create a natural corridor through the agricultural area as oppose to a sterile environmental as is seen with normal agricultural activities and ploughing

Environmental Management Framework

The property falls within the Mountain Catchment Zone under the Overstrand Environmental Management Overlay Zone (EMOZ).

The development does not compromise the broader mountain catchment function, and remaining natural areas will be managed to:

- Maintain water quality,
- Prevent erosion,
- Protect hydrological processes,
- Safeguard ecological integrity within the catchment.

The proposed stewardship agreement further aligns with the objectives of the EMF.

Spatial Development Framework

The development constitutes agricultural expansion on agriculturally zoned land. While the property lies within an environmentally sensitive landscape, the activity supports agricultural production and rural economic sustainability.

The long-term conservation of the majority of the property ensures that agricultural use is balanced with environmental protection, aligning with principles of sustainable rural land use as promoted in the Spatial Development Framework.

Global and international responsibilities relating to the environment (e.g. RAMSAR sites, Climate Change)

While the property is not located within a RAMSAR site or internationally designated protected area, the conservation of Critically Endangered Fynbos vegetation contributes to South Africa's obligations under:

- The Convention on Biological Diversity (CBD),

- National biodiversity conservation targets,
- Climate change adaptation and ecosystem resilience objectives.

The applicant's adoption of environmentally sensitive agricultural practices, combined with formal long-term conservation of remaining natural areas, supports climate resilience, biodiversity protection, and sustainable land stewardship at a landscape scale.

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

2. Was the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YES x	NO	Please explain
Agricultural development, investment in the area, environmentally sensitive farming, job creation.			
(b) Urban edge / Edge of Built environment for the area	YES	NO x	Please explain
No – the property is located outside the urban edge			
(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	NO	Please explain
The site is located outside the designated urban edge of the Overstrand Municipality and is situated on land currently zoned for agricultural use. According to the Overstrand Municipality Spatial Development Framework (OMSDF, 2020), this area is earmarked for the promotion of agricultural development and related land uses that support sustainable and environmentally sensitive farming practices. The SDF further encourages investment in the agricultural sector, with a focus on enhancing rural economic opportunities, promoting agri-tourism, and supporting job creation within the agricultural landscape. The proposed development is consistent with the overarching objectives of the municipal SDF in that it aligns with the intended land use designation and does not introduce urban development into rural/agricultural areas. It is not expected to compromise the integrity of the Integrated Development Plan (IDP) or the Spatial Development Framework (SDF), provided that the proposed activities remain compatible with the character and land use objectives of the rural zone and incorporate environmental sustainability measures.			
(d) Approved Structure Plan of the Municipality	YES	NO	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
The property is located within a Mountain Catchment Area, as identified in the Environmental Management Overlay Zone (EOMZ) of the Overstrand Municipality. This designation underscores the importance of protecting ecological processes related to water catchment, soil conservation, and landscape stability. The area affected by the unauthorised activity, however, is located on the southern portion of the farm, away from the sensitive mountain slopes and core catchment features. The unauthorised activity involved the clearance of vegetation and planting of macadamia trees but was conducted without the use of heavy machinery and in a manner that retained portions of the indigenous vegetation between planted rows.			
(f) Any other Plans (e.g. Guide Plan)	YES	NO	Please explain
N/A			

3. Was the land use (associated with the activity for which rectification is sought) considered within the timeframe intended by the existing approved Spatial Development Framework (SDF) agreed to by the relevant environmental authority (i.e. was the development in line with the projects and programmes identified as priorities within the relevant IDP)?	YES x	NO	Please explain
Agricultural development within agriculturally zoned property.			

4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) have occurred here when activities commenced?	YES x	NO	Please explain
Agricultural development within agriculturally zoned property.			

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 x	Please explain
The project is not a social priority.			

6. Were the necessary services with adequate capacity available (at the time of commencement), or was additional capacity created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the Application Form / additional information as an appendix , where applicable.)	YES	NO	Please explain
The activity does not require service infrastructure or use.			

7. Is/was this development provided for in the infrastructure planning of the municipality, and if not what was/will the implication be on the infrastructure planning of the municipality (priority and placement of services and opportunity costs)? (Comment by the relevant Municipality in this regard must be attached to the Application Form / additional information as an appendix , where applicable.)	YES	NO	Please explain
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No new infrastructure was introduced.

8. Was this project part of a national programme to address an issue of national concern or importance?	YES	NO x	Please explain
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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
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The property is located outside the urban area within agriculturally zoned property. Prior to commencement of the activity, the landowner consulted with the Western Cape Government Department of Agriculture – Sustainable Resource Management Landcare (Gary Jones), about the feasibility of planting macadamia nuts on the subject property. The Department made the following recommendations relative to the proposal:

1. As per the Conservation of Agricultural Resource Act 43 of 1983 (CARA) legislation the landowner and/or user should :
 - 1.1 Protect the cultivated land on his farm unit effectively against excessive soil loss as a result of erosion through the action of water and wind.
 - 1.2 Protect the irrigated land on his farm unit effectively against waterlogging and salinization.
 - 1.3 Not utilize the vegetation in a vlei, marsh or water sponge or within the flood area of a water course or within 10 meters horizontally outside flood area in a manner that causes or may cause the deterioration of or damage to the natural agricultural resources.
 - 1.4 Should not develop any slopes more than 20% slope unless authorized in writing by the executive officer.
 - 1.5 Remove and control all declared weeds and invasive plants as listed in Regulation 15, Table 3.
 - 1.6 The landowner should ensure that no-till practice is followed; and that sufficient and a diverse variety of cover crops are established to improve the sustainability of agroecosystem attributes in the soil. Cover crops must be planted in between the crop rows to improve the soils saturation capacity and therefor create a retention effect, minimizing surface water run-off. This will also improve the microclimate in the soil and promote healthy soil conditions for microbes.

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
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The activity has resulted in the removal of indigenous vegetation. However, the planting was done in a sensitive manner, where during the planting process, the indigenous vegetation was brush cut and not removed using machinery. The nut trees were planted amongst the brush cut vegetation and the natural vegetation was allowed to grow between the groves.

11. How did/does the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc.)?	YES	NO	Please explain
No impact anticipated.			

12. Did/does the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	YES	NO	Please explain
Whilst a large section of indigenous vegetation has been cleared, the clearing was not done mechanically and the natural vegetation was left to persist amongst the planted trees, which assists in reducing the overall impact. The long-term management of the remaining areas on site to create pristine natural environment is a positive impact which is derived from the activity.			

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

14. Is/was the development the best practicable environmental option for this land/site?	YES	NO	Please explain
The botanist had concluded that the site had been impacted by various activities overtime but the potential for rehabilitation would have been there before the planting. However, landowners also need to generate income to correctly maintain and manage their agricultural properties and therefore one could conclude that given the low impact type of planting and the benefits for management of the remaining site, the activity could be seen as the best practical option for the site.			

15. What are/were the benefits to society in general and to the local communities?	Please explain
No direct benefits, other than small scale job creation and exposure to the Agricultural community about the benefits of ecologically sensitive planting.	
Landbouweekblad issued an article about the mechanism of environmentally friendly and the use of the natural vegetation between the trees as a natural windbreak (Landbouweekblad, 9 Februarie 2023, Landbou.com).	

16. Any other need and desirability considerations related to the activity?	Please explain
It is important to note that the landowner did not use heavy machinery to clear the land. The site was prepared by brush cutting only. No ploughing or mechanical intervention was implemented. The trees were then planted. No chemicals have been applied and the aim is to create a natural orchard where the fynbos thrives amongst the trees.	

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

All potential impacts of the proposed development have been investigated fully. Any impacts identified have been assessed and communicated. Any suitable alternative to reduce any identified impacts will be explored in order to mitigate or prevent any potential impacts. The public participation process was fully implemented.

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

The activity has taken into account the principles of environmental management as set out in Section 2 of the National Environmental Management Act (Act No. 107 of 1998), both retrospectively through the initiation of the Section 24G rectification process and prospectively through the implementation of proposed environmental mitigation and management measures. The unauthorised activity involved the clearance of indigenous vegetation on Portion 57 of the Farm Rockland No. 633, which is zoned for agricultural use, to establish a macadamia nut orchard. While this clearance was undertaken without the required environmental authorisation, the current 24G application seeks to rectify this non-compliance and ensure future alignment with applicable environmental legislation.

The principle of sustainable development was central to the establishment and layout of the orchard. The macadamia trees were planted in structured rows, which allowed for the partial retention and natural re-establishment of indigenous groundcover and vegetation between the rows. This layout reduces surface disturbance, assists in maintaining biodiversity, and promotes soil stability. Additionally, the continued agricultural use of the site contributes to local food production and economic activity, which supports broader sustainability objectives.

The precautionary principle and the polluter pay principle are being observed through the submission of this 24G application, which acknowledges past non-compliance and seeks to implement appropriate remedial actions. Environmental impacts such as potential soil erosion, habitat loss, and hydrological impacts have been assessed and will be managed through measures recommended by specialist which are also included in the Environmental Management Programme (EMPr). The applicant is taking responsibility for these impacts and is committed to mitigating them as far as reasonably possible.

Furthermore, the principle of transparency and accountability has been upheld by initiating this rectification process and engaging with the competent authority to bring the activity into legal compliance. The project also seeks to contribute positively to the social and economic well-being of the surrounding area by creating employment opportunities while ensuring that ecological integrity is not compromised. In this way, the principles of environmental management set out in Section 2 of NEMA have been appropriately considered and integrated into the current and future operation of the activity.

SECTION E: ALTERNATIVES

Please Note: Before completing this section, first consult this Department's *Guideline on Alternatives* (March 2013) available on the Department's website (<https://www.westerncape.gov.za/dept/eadp/services>).

"Alternatives", in relation to an activity, means different means of meeting the general purposes and requirements of the activity, which may include alternatives to –

- (a) the property on which, or location where, it is to undertake the activity/the activity was undertaken;
- (b) the type of activity to be undertaken;
- (c) the design or layout of the activity;
- (d) the technology to be used in the activity;
- (e) the operational aspects of the activity; and
- (f) the option of not implementing the activity.

The NEMA prescribes that the procedures for the investigation, assessment and communication of the (potential) consequences or impacts of activities on the environment must, *inter alia*, with respect to every application for environmental authorisation –

- ensure that the general objectives of integrated environmental management laid down in NEMA and the National Environmental Management Principles set out in NEMA are taken into account; and (where applicable)
- include an investigation of the potential consequences or impacts of the alternatives to the activity on the environment and assessment of the significance of those potential consequences or impacts, including the option of not implementing the activity.

The general objective of integrated environmental management is, *inter alia*, to "identify, predict and evaluate the actual and potential impact on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and options for mitigation of activities, with a view to minimising negative impacts, maximising benefits, and promoting compliance with the principles of environmental management" set out in NEMA.

1. In the sections below, please provide a description of any considered alternatives and alternatives that were found to be feasible and reasonable.

Please note:

- Detailed written proof of the investigation of alternatives must be provided. If no reasonable or feasible alternative exists, a motivation must be provided.
- Alternatives considered for a Section 24G application are used to determine if the development was the best practicable alternative (environmentally, socially and economically) for the site or property.
- In respect of a section 24 application, the option of not implementing the activity ("no-go"), includes the option of ceasing the activity, not implementing continuation of the activity, refusal of the commenced activity and complete rehabilitation of the affected site.

(a) Property and location/site alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

No property, location or site alternatives exist

(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:

No activity alternatives exist

(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 alternatives 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:

No other alternatives exist for the case. The applicant wishes to pursue retrospective rectification for the activity.

(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.

Two alternatives have been considered in relation to the unauthorised activity on the property:

Alternative 1 – Ceasing the activity and allowing natural rehabilitation

Under this alternative, all agricultural activities would be discontinued. The planted macadamia trees would be removed, and the land would be left to undergo passive rehabilitation, with the intention of allowing the indigenous vegetation to re-establish naturally over time. While this option may facilitate the gradual recovery of the natural ecosystem, it would result in the loss of the applicant's investment and economic activity on the site. Furthermore, without active management interventions such as alien vegetation clearing and erosion control going forward, the ecological recovery may be compromised or significantly delayed.

Alternative 2 (Preferred) – Retrospective authorisation and continued environmentally sensitive farming

This is the preferred alternative. It entails obtaining retrospective environmental authorisation for the existing activity, coupled with a commitment from the landowner to improve land management practices going forward. The applicant has already invested significantly in site-specific alien vegetation clearing across other portions of the farm, contributing to broader ecological restoration efforts. Importantly, the farming methods employed have been environmentally sensitive, avoiding the use of heavy machinery during site preparation and vegetation clearance. The macadamia trees have been planted in a manner that retains and incorporates elements of the existing indigenous vegetation, thereby reducing overall ecological disturbance and maintaining a more natural landscape character.

This preferred alternative further allows for the formal conservation of the remainder of the property through the Cape Nature Stewardship Programme, which is currently being finalised between the applicant and Cape Nature. As confirmed by Cape Nature at the Stewardship Review Committee meeting held on 24 February 2026, the subject property qualifies for inclusion in the Stewardship Programme. This conservation commitment further reinforces the ecological value of the site and the applicant's long-term dedication to responsible land stewardship.

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 activity involved the unauthorised clearance of indigenous vegetation on Portion 57 of the Farm Rockland No. 633 to establish a macadamia nut grove. This clearance resulted in the alteration of the natural vegetation cover and physical characteristics of the site, which was previously in a degraded state with pockets of semi intact areas. While no significant topographical modifications such as earthworks or terracing were undertaken, the conversion of vegetated land to cultivated rows has had an impact on soil exposure and hydrological patterns, particularly in relation to surface runoff and infiltration. The structured planting of the orchard has, however, followed the natural contours of the land to some extent, helping to reduce the risk of erosion. Furthermore, the agricultural use of the property remains in line with its zoning, and the physical transformation has been limited to the development footprint associated with the macadamia planting, without extensive modification to the broader landscape or drainage features. Nonetheless, the change in land cover has affected the natural character of the site and introduced a more managed, cultivated appearance in place of the previously existing semi-intact natural vegetation.

(b) Biological aspects:

Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	YES x	NO
If yes, please describe:		

Small sections of CBA Terrestrial, were impacted by the clearance of vegetation, as per the map below:

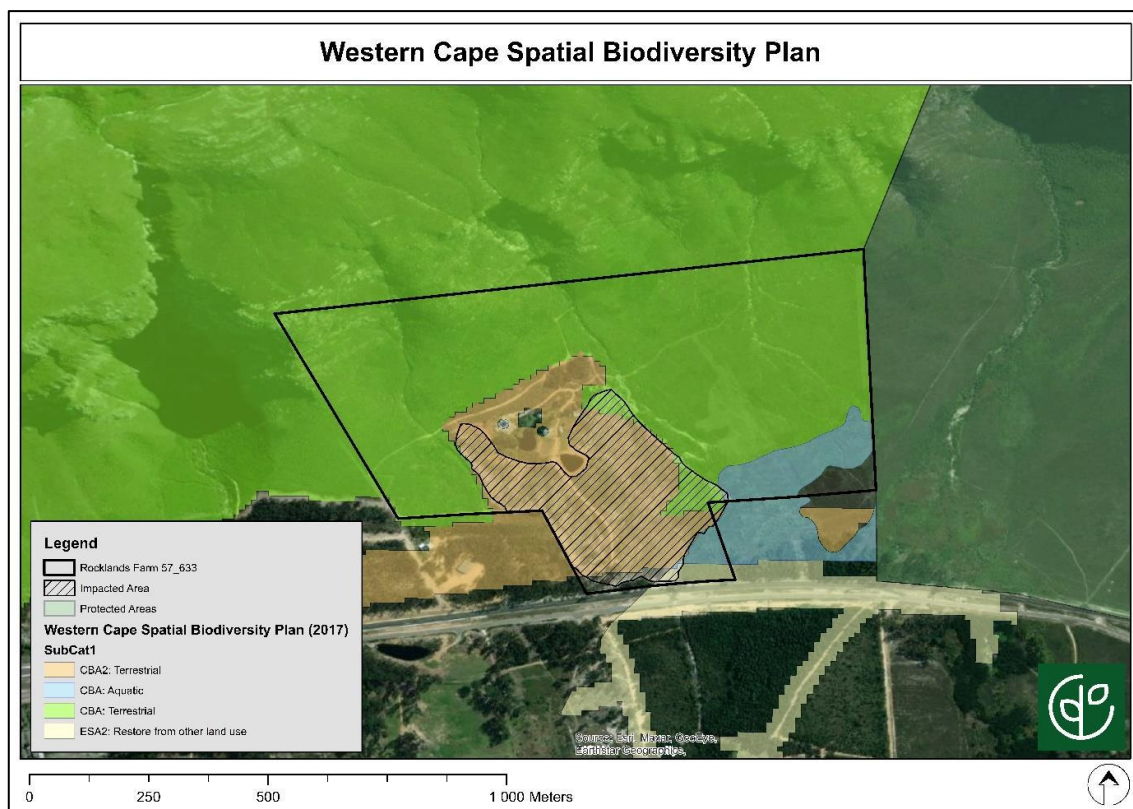


Figure 11: According to WCSBSP (2017) small sections of CBA terrestrial were impacted.

Has the development impacted on terrestrial vegetation, or aquatic ecosystems (wetlands, estuaries or the coastline)?

YES
x

NO

If yes, please describe:

Terrestrial vegetation

The development has impacted terrestrial vegetation. Approximately 9 hectares of land were cleared for the establishment of a Macadamia nut orchard on Portion 57 of Farm 633 (Rocklands). The land preparation did not involve ploughing or the use of heavy machinery; instead, the natural vegetation was brush-cut, and Macadamia trees were planted among the remaining vegetation. Natural vegetation is now encouraged to grow between the trees.

The clearance led to the loss of approximately 1.35 ha of Elim Ferricrete Fynbos and 7.65 ha of Agulhas Limestone Fynbos both classified as Critically Endangered ecosystems in a highly degraded state. The development footprint also affected mapped Critical Biodiversity Areas (CBA1 and CBA2). These areas may have contained species of conservation concern such as *Serruria rubricaulis* (VU) and *Leucospermum prostratum* (NT), which were recorded in the adjacent intact habitats and are therefore likely to have occurred within the disturbed area.

Aquatic Ecosystems

Additionally, the agricultural activities primarily affected the natural seep wetland associated with the eastern ephemeral stream (Seep Wetland 1) and the artificial seepage below the dam (Seep Wetland 2). The indigenous wetland vegetation has established between the trees, and it is likely that this seepage area is currently augmented by the irrigation of the trees.

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
x

NO

If yes, please describe:

The development has impacted on habitat containing threatened vegetation types, with approximately 9 hectares of natural vegetation disturbed in order to establish the Macadamia nut grove. The affected area was originally classified as a mix of Agulhas Sand Fynbos (Critically Endangered) and Elim Ferricrete Fynbos (Endangered), both of which are recognised threatened ecosystems under the national vegetation classification system.

It is noteworthy, however, that the method of land preparation was relatively low-impact compared to conventional agricultural practices. No heavy machinery was used, and the natural vegetation was brush cut only, with no ploughing having taken place. The Macadamia trees were subsequently planted amongst the remaining natural vegetation, which continues to grow alongside the nut trees. This approach suggests that the full ecological character of the vegetation may not have been entirely lost, and that some degree of natural recovery or co-existence may be possible within the disturbed footprint. Site visits by the EAP and Cape Nature in December 2025 confirmed that the subject area has reestablished and natural vegetation persists in the planted areas.

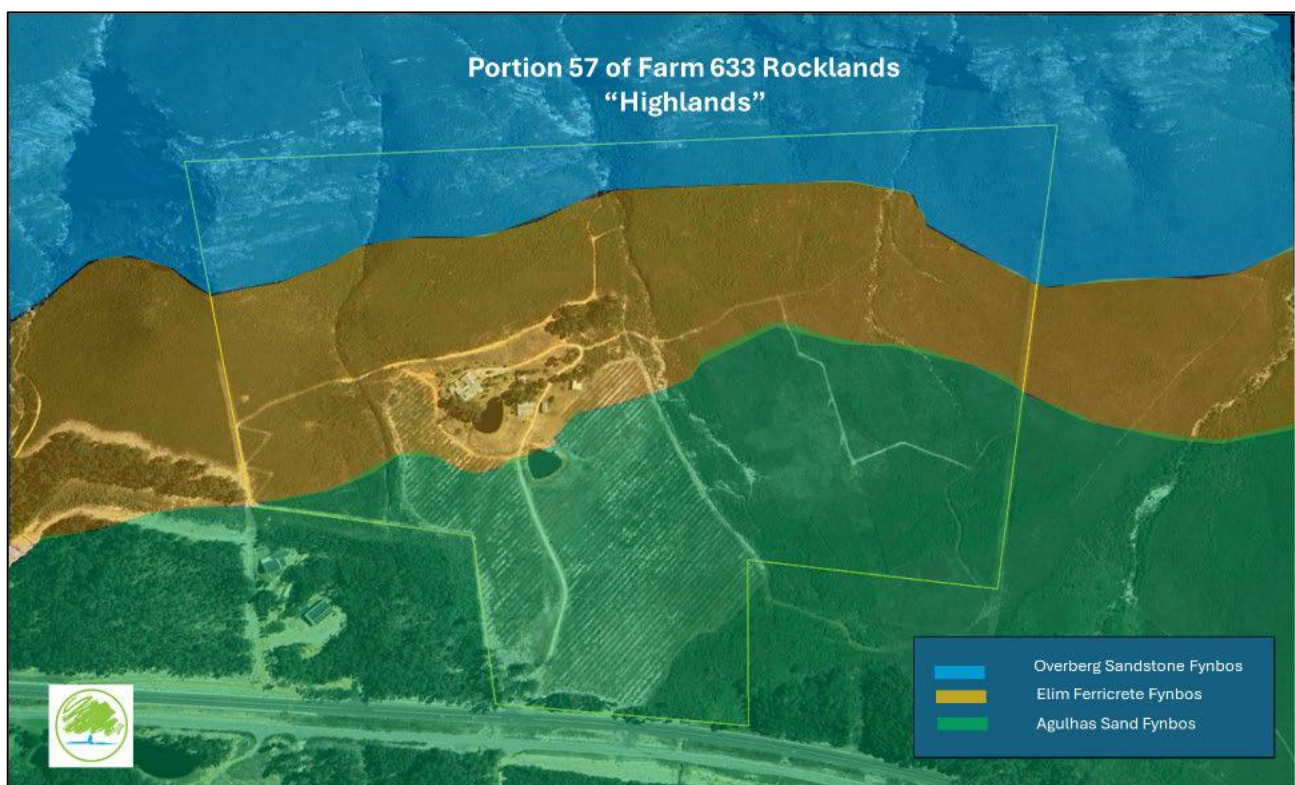


Figure 12: The impacted area consists of Agulhas Sand Fynbos (CR) and Elim Ferricrete Fynbos (EN).

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

The landowner has opted to implement ecologically sensitive agricultural land use, as described herein. In addition, the landowner has implemented site specific alien clearing and vegetation management of the remaining extent of the farm.

(c) Socio-Economic aspects:

What was the capital value of the activity on completion?	R not known
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 See below
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?	See below
What was the value of the employment opportunities during the construction phase?	R
What percentage of this accrued to previously disadvantaged individuals?	100 %
How was this ensured and monitored (please explain):	
Employing from local community.	
How many permanent new employment opportunities were/will be created during the operational phase of the activity?	
What is the current/expected value of the employment opportunities during the first 10 years?	R not known
What percentage of this accrued/will accrue to previously disadvantaged individuals?	100 %
How was/will this be ensured and monitored (please explain):	
-	
Any other information related to the manner in which the socio-economic aspects was/will be impacted:	
The above figures are not available, however the breakdown on site currently is as follows: → 2 permanent workers → 6 people 2x year for 1 month to apply mulch to the ridges → 4 people 2x year for 2 weeks to clean aliens on the farm → 4 people 2x year for 1 month to clear aliens in the orchard → team of beekeepers to rehabilitate the bees and produce honey → maintenance of infrastructure/ roads 2x year for 2 weeks → once in harvest: 20 people for 2 months 2x year → Once successful in harvesting: there is the option to process the macadamias locally and distribute from the farm/locally.	

(d) Cultural and historic aspects:

Not applicable, the activity is in line with activities on and surrounding the farm. In addition, the area was not ploughed or cleared of vegetation and all new trees were planted amongst the natural vegetation. No mechanical vegetation removal took place, only brush cutting.

2. WASTE AND EMISSIONS

(a) Waste (including effluent) management

Did the activity produce waste (including rubble) during the construction phase?	YES	NO ☒
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	m ³	
N/A		

Does the activity produce waste during its operational phase?	YES	NO ☒
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	m ³	

Where and how was/will the waste be treated / disposed of (describe)?		
N/A.		
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
N/A		
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
N/A		
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
N/A		
Does the facility have an operating license? (If yes, please attach a copy of the license.)	YES	NO
N/A		
Facility name: N/A		
Contact person: N/A		
Postal address: N/A		
	Postal code: N/A	
Telephone: N/A	Cell: N/A	

E-mail: N/A

Fax: N/A

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

N/A

(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? N/A

YES

NO

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)

- 3 months, 4 weeks per month, 5 days per week, = 60 days
- 4 months, 4 weeks per month, 3 days per week = 48 days
- 5 months, 4 weeks per month, 2 days per week, = 40 days.
- total wat used per year= 4,4 mil l / 4400 m³ per annum average 12 000 litres per day/ 12 m³ per day

Sources: natural mountain water. Borehole for own use – water confirmed in title under prescribed days and hours per use for each farm in the immediate area.

Municipal	Water board	Groundwater	River, Stream, Dam or Lake	Other x As outlined in the Title Deed – attached Under Appendix I	The activity did/does/will not use water
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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:

Water from borehole is reasonable domestic use only and therefore as per Schedule 1 of the National Water Act – no further registration and licensing required.

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?

Correspondence received from the Breede-Olifants Catchment Management Agency (BOCMA) dated 27 June 2024 confirmed that the matter had been referred to the Compliance Monitoring and Enforcement (CME) Directorate for a compliance investigation on the subject property. The application is currently awaiting the outcome of this process, together with any further instructions or directives from BOCMA

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:

General principles relating to reducing water demand will be applied in both the domestic activities on site as well as the agricultural component

4. POWER SUPPLY

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

The activity does not require power supply

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

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

N/A

6. DESCRIPTION AND ASSESSMENT OF THE SIGNIFICANCE OF IMPACTS prior to and after MITIGATION

Please note:

- While sections are provided for impacts on certain aspects of the environment and certain impacts, the sections should also be copied and completed for all other impacts.
- Mitigation measures that were implemented and mitigation measures that are to be implemented should be clearly distinguished.

Two alternatives will be assessed herein, being:

Alternative 1 – Ceasing the activity, removing the planted trees and allowing the land to rehabilitate itself

Alternative 2 (Preferred) - this is the preferred option, where the landowner obtains retrospective authorisation to continue with the activity. The applicant is investing large amounts of money on correct management and rehabilitation of the remaining areas of the farm, through site specific alien vegetation clearing. In addition, the type of farming which has taken place is environmentally sensitive and did not use heavy machinery during the site preparation and vegetation clearance. The macadamia nuts are planted amongst the existing indigenous vegetation.

ALTERNATIVE 1

- (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.

Impacts on geographical and physical aspects:	Terrestrial Biodiversity	Aquatic Biodiversity
Nature of impact:	Preparation of land for the establishment of the approximately 9ha Macadamia nut grove	Approximately 1.4 Ha of the 8.5 Ha Seep wetland 1 underwent disturbance due to the clearing of native wetland vegetation and subsequent ploughing and tilling to create the macadamia nut orchard.
Extent and duration of impact:	9 ha, short term	Project site; One month to a year
Probability of occurrence:	Definite	Definite
Degree to which the impact can be reversed:	Possible	Low-cost rehabilitation/Moderately high likelihood of success.
Degree to which the impact may cause irreplaceable loss of resources:	Medium	Medium

Cumulative impact prior to mitigation:	Disturbance of natural vegetation to establish Macadamia nut grove	Disturbance to wetland vegetation.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium	Medium
Degree to which the impact can be mitigated:	Possible	Likely
Proposed mitigation:	- Restore and rehabilitate surrounding affected habitats by replanting native vegetation and removing invasive alien species. - Implement effective stormwater management systems to reduce runoff and prevent pollution. - Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project. - Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies. - Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination. - Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures. - Regenerative and sustainable farming practises must be implemented and strictly monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats. - Implement habitat restoration programs to promote the recovery of the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and ensuring a suitable environment for these species. - Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on these areas. Restrict access to critical habitats. - Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement	- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible. Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard. - Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS should be continuously removed from the onsite watercourses. Effective stormwater management should be implemented, which ensures that peak stormwater flows are adequately managed or dissipated, before they enter downslope Seep Wetland 1. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible, thereby allowing

	adaptive management strategies to adjust mitigation efforts as needed. - Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality. Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality.	indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams. - Effective stormwater management should be implemented, which ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented. - Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include: - o Covering steep/unstable/erosion prone areas with geotextiles. - o Covering areas prone to erosion with brush packing, straw bales, mulch. - o Stabilizing cleared/disturbed areas susceptible to erosion with sandbags. - o Constructing silt fences / traps in areas prone to erosion, to retain sediment-laden runoff. Silt fences must be adequately maintained. Furthermore, the farm manager must monitor sediment fences / traps after every heavy rainfall event and any sediment that has
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		accumulated must be removed by hand. - All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides. - Wetland vegetation should be encouraged to recolonize where possible - All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
Cumulative impact post mitigation:	Site preparation for establishment of Macadamia nut grove	Wetland vegetation has begun to naturally recolonize, growing between the rows of macadamia nut trees.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Medium (-)

Impact on biological aspects:	Terrestrial Biodiversity	Aquatic Biodiversity
Nature of impact:	Removal and disturbance of vegetation to establish the Macadamia nut grove	Wetland habitat disturbance in seep wetland 2 (see page below dams from dams).
Extent and duration of impact:	Local; short term	Project site; One month to one year
Probability of occurrence:	Definite	Definite
Degree to which the impact can be reversed:	Possible	Passive restoration / High likelihood of success
Degree to which the impact may cause irreplaceable loss of resources:	Medium – disturbance of CR endangered vegetation	None

Cumulative impact prior to mitigation:	Disturbance and removal of CR vegetation to establish Macadamia nut grove	Very Low- There was unlikely to be a pristine, diverse indigenous community of wetland vegetation associated with the artificial Seep Wetland 2 prior to onsite agricultural activities, which reduces the significance of this impact.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	High	Low
Degree to which the impact can be mitigated:	Possible	N/A
Proposed mitigation:	- Restore and rehabilitate surrounding affected habitats by replanting native vegetation and removing invasive alien species. - Implement effective stormwater management systems to reduce runoff and prevent pollution. - Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project. - Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies. - Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination. - Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures. - Regenerative and sustainable farming practises must be implemented and strictly monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats. - Implement habitat restoration programs to promote the recovery of the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and ensuring a suitable environment for these species. - Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on	- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible. Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard. - Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS should be continuously removed from the onsite watercourses. Effective stormwater management should be implemented, which ensures that peak stormwater flows are adequately managed or dissipated, before they enter downslope Seep Wetland 1.

	these areas. Restrict access to critical habitats. - Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement adaptive management strategies to adjust mitigation efforts as needed. - Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality. - Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality.	- It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible, thereby allowing indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams. - Effective stormwater management should be implemented, which ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented. - Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include: - o Covering steep/unstable/erosion prone areas with geotextiles. - o Covering areas prone to erosion with brush packing, straw bales, mulch. - o Stabilizing cleared/disturbed areas susceptible to erosion with sandbags. - o Constructing silt fences / traps in areas prone to erosion, to retain sediment-laden runoff. Silt fences must be adequately maintained. Furthermore, the farm manager must monitor sediment fences / traps after every heavy rainfall event and any sediment
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		that has accumulated must be removed by hand. - All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides. - Wetland vegetation should be encouraged to recolonize where possible - All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
Cumulative impact post mitigation:	Disturbance of vegetation to establish a 9ha Macadamia nut grove	Some wetland vegetation has begun to naturally regenerate, growing between the rows of trees.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium -ve	Low (-)

Impacts on socio-economic aspects:	Job creation
Nature of impact:	→ Short term job creation in the preparation and establishment of the agricultural area. → Exposure of the community to ecologically sensitive planting and low impact vegetation disturbance.
Extent and duration of impact:	Local; short to long term
Probability of occurrence:	Likely
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:	Small scale socio-economic benefits associated with the land preparation and exposure to new ecologically sensitive land preparation and planting methods
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:	Small scale socio-economic benefits associated with the land preparation and exposure to new ecologically sensitive land preparation and planting methods.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium +ve

Impacts on cultural-historical aspects:	
Nature of impact:	None identified – the activity is in line with the zoning, the vegetation was cleared through brush cutting only
Extent and duration of impact:	-
Probability of occurrence:	-
Degree to which the impact can be reversed:	-
Degree to which the impact may cause irreplaceable loss of resources:	-
Cumulative impact prior to mitigation:	-
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	-
Degree to which the impact can be mitigated:	-
Proposed mitigation:	-
Cumulative impact post mitigation:	-
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	-

Noise impacts:	
Nature of impact:	No noise impacts applicable
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)	-

Visual impacts / Sense of Place:	
Nature of impact:	No visual or sense of place impacts area applicable. The planting was done amongst the indigenous vegetation and the land was not ploughed or completely cleared during preparation
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 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.

Impacts on the geographical and physical aspects:	Terrestrial Biodiversity	Aquatic Biodiversity
Nature of impact:	The use of the 9ha for the growing of the Macadamia trees	There will likely be slight habitat disturbance due to the ongoing maintenance / irrigating of the orchard (3

		farm workers) approximately one person walking a row, 3 times a week.
Extent and duration of impact:	Local; long term	Limited to project site; Permanent
Probability of occurrence:	Definite	Definite
Degree to which the impact can be reversed:	Low	Low-cost rehabilitation / Moderately high likelihood of success.
Degree to which the impact may cause irreplaceable loss of resources:	Low	Medium
Cumulative impact prior to mitigation:	The use of the 9ha for the growing of the Macadamia trees	The use of the 9ha for the growing of the Macadamia trees.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low	Medium
Degree to which the impact can be mitigated:	Low	Low
Proposed mitigation:	- Restore and rehabilitate surrounding affected habitats by replanting native vegetation and removing invasive alien species. - Implement effective stormwater management systems to reduce runoff and prevent pollution. - Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project. - Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies. - Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination. - Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures. - Regenerative and sustainable farming practises must be implemented and strictly monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats. - Implement habitat restoration programs to promote the recovery of	- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible. Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard. - Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS should be

	the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and ensuring a suitable environment for these species. - Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on these areas. Restrict access to critical habitats. - Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement adaptive management strategies to adjust mitigation efforts as needed. - Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality. Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality.	continuously removed from the onsite watercourses. Effective stormwater management should be implemented, which ensures that peak stormwater flows are adequately managed or dissipated, before they enter downslope Seep Wetland 1. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible, thereby allowing indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams. - Effective stormwater management should be implemented, which ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented. - Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include: - o Covering steep/unstable/erosion prone areas with geotextiles. - o Covering areas prone to erosion with brush packing, straw bales, mulch. - o Stabilizing cleared/disturbed areas susceptible to erosion with sandbags. - o Constructing silt fences / traps in areas prone to
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		erosion, to retain sediment-laden runoff. Silt fences must be adequately maintained. Furthermore, the farm manager must monitor sediment fences / traps after every heavy rainfall event and any sediment that has accumulated must be removed by hand. - All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides. - Wetland vegetation should be encouraged to recolonize where possible - All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
Cumulative impact post mitigation:	The use of the 9ha for the growing of the Macadamia trees	As the trees grow, it is likely that they will shade vegetation beneath them, and therefore over time, the wetland vegetation may die
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Medium (-)

Impact on biological aspects:	Terrestrial Biodiversity	Aquatic Biodiversity
Nature of impact:	The continued use of approximately 9 ha of agricultural land for the growing	The continued use of the agricultural land that was impacted through site clearance and

	of Macadamia nut trees and the production of Macadamia nuts	ploughing/tilling has led to alteration of the flow regime for the onsite seep wetland 1.
Extent and duration of impact:	Local; long term	Limited to project site: Permanent
Probability of occurrence:	Definite	Definite (occurred)
Degree to which the impact can be reversed:	N/A	Low-cost rehabilitation / Moderately high likelihood of success
Degree to which the impact may cause irreplaceable loss of resources:	N/A	Medium
Cumulative impact prior to mitigation:	The continued use of approximately 9 ha of agricultural land for the growing of Macadamia nut trees and the production of Macadamia nuts.	The agricultural activities have introduced, although minor, some erosional patterns as a result of disturbance.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low	Medium
Degree to which the impact can be mitigated:	High	Medium – High
Proposed mitigation:	- Restore and rehabilitate surrounding affected habitats by replanting native vegetation and removing invasive alien species. - Implement effective stormwater management systems to reduce runoff and prevent pollution. - Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project. - Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies. - Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination. - Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures. - Regenerative and sustainable farming practises must be implemented and strictly	- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible. Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard. - Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS should be continuously removed from the onsite watercourses. Effective stormwater management should be implemented, which ensures that peak

	monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats. - Implement habitat restoration programs to promote the recovery of the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and ensuring a suitable environment for these species. - Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on these areas. Restrict access to critical habitats. - Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement adaptive management strategies to adjust mitigation efforts as needed. - Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality. - Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality.	stormwater flows are adequately managed or dissipated, before they enter downslope Seep Wetland 1. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible, thereby allowing indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams. - Effective stormwater management should be implemented, which ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented. - Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include: - o Covering steep/unstable/erosion prone areas with geotextiles. - o Covering areas prone to erosion with brush packing, straw bales, mulch. - o Stabilizing cleared/disturbed areas susceptible to erosion with sandbags. - o Constructing silt fences / traps in areas prone to erosion, to retain sediment-laden runoff. Silt fences must be adequately maintained. Furthermore, the farm manager must monitor sediment fences / traps after every heavy rainfall event and any sediment that has accumulated must be removed by hand. - All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
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		- Wetland vegetation should be encouraged to recolonize where possible. - All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
Cumulative impact post mitigation:	The continued use of approximately 9 ha of agricultural land for the growing of Macadamia nut trees and the production of Macadamia nuts	The areas on top of the berms may likely dry out and therefore flow may be completely altered in these areas.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Medium (-)

Impacts on the socio-economic aspects:	
Nature of impact:	Small scale job creation for the maintenance of the nut grove, job creation will increase slightly during harvest
Extent and duration of impact:	Local, long term
Probability of occurrence:	Definite
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:	Small scale job creation for the maintenance of the nut grove, job creation will increase slightly during harvest
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:	N/A
Cumulative impact post mitigation:	Small scale job creation for the maintenance of the nut grove, job creation will increase slightly during harvest
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium +ve

Impacts on the cultural-historical aspects:

Nature of impact:	N/A
Extent and duration of impact:	-
Probability of occurrence:	-
Degree to which the impact can be reversed:	-
Degree to which the impact may cause irreplaceable loss of resources:	-
Cumulative impact prior to mitigation:	-
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	-
Degree to which the impact can be mitigated:	-
Proposed mitigation:	-
Cumulative impact post mitigation:	-
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	-

Noise impacts:	
Nature of impact:	Typical noise impacts associated with the operation of a small-scale agricultural practice, minor increase in noise may be experienced every few years for a few days at a time during harvest
Extent and duration of impact:	Local, long term
Probability of occurrence:	Low
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:	Typical noise impacts associated with the operation of a small-scale agricultural practice, minor increase in noise may be experienced every few years for a few days at a time during harvest
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:	→ Ensure no noisy machinery is used and if required, must be fitted with silencers and utilised during appropriate working times only → Create awareness amongst staff relating to noise impacts
Cumulative impact post mitigation:	Typical noise impacts associated with the operation of a small-scale agricultural practice, minor increase in noise may be experienced every few years for a few days at a time during harvest

Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Very low -ve
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Visual impacts / Sense of Place:	
Nature of impact:	None – activities are low key, nestled within the existing indigenous vegetation and in line with activities in the area
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.

Alternative 1 includes the decommissioning of the activity, removal of planted trees and rehabilitation of the site to a remanent of its former state.

Potential impacts on the geographical and physical aspects:	
Nature of impact:	Physical removal of the mature Macadamia nut trees, the trees are established and will require heavy machinery to remove them from the ground, which will result in disturbance of a wider area and disturbance to indigenous vegetation
Extent and duration of impact:	Local; short to long term
Probability of occurrence:	Likely
Degree to which the impact can be reversed:	Low
Degree to which the impact may cause irreplaceable loss of resources:	High – machinery will trample and disturb natural vegetation, soil disturbance with the removal of mature trees from the ground

Cumulative impact prior to mitigation:	Disturbance of approximately 9ha through trampling, removal of trees, destabilising of soils during the uprooting process etc
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	High -ve
Degree to which the impact can be mitigated:	None
Proposed mitigation:	N/a
Cumulative impact post mitigation:	Disturbance of approximately 9ha through trampling, removal of trees, destabilising of soils during the uprooting process etc
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	High -ve

Potential impact on biological aspects:	Removal of macadamia nuts grove
Nature of impact:	→ Disturbance of natural vegetation through destabilisation of the soil, tree removal and use of machinery to assist in the removal of mature trees → Loosened soils increase risk for erosion
Extent and duration of impact:	Local; long term
Probability of occurrence:	Likely
Degree to which the impact can be reversed:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Medium to high
Cumulative impact prior to mitigation:	→ Disturbance of natural vegetation through destabilisation of the soil, tree removal and use of machinery to assist in the removal of mature trees → Loosened soils increase risk for erosion
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	High
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	N/a
Cumulative impact post mitigation:	→ Disturbance of natural vegetation through destabilisation of the soil, tree removal and use of machinery to assist in the removal of mature trees → Loosened soils increase risk for erosion
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	High -ve

Potential impacts on the socio-economic aspects:	
Nature of impact:	→ Loss of jobs relating to the operation and harvesting of the nuts → Loss of revenue for management of the remainder of the farm

	→ Loss of investment which was put into the establishment of the Macadamia nut grove → Loss of potential to exhibit ecologically sound and improved agricultural activity alternatives
Extent and duration of impact:	Local; long term
Probability of occurrence:	Likely
Degree to which the impact can be reversed:	Low
Degree to which the impact may cause irreplaceable loss of resources:	High
Cumulative impact prior to mitigation:	→ Loss of jobs relating to the operation and harvesting of the nuts → Loss of revenue for management of the remainder of the farm → Loss of investment which was put into the establishment of the Macadamia nut grove → Loss of potential to exhibit ecologically sound and improved agricultural activity alternatives
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Very high
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	N/a
Cumulative impact post mitigation:	→ Loss of jobs relating to the operation and harvesting of the nuts → Loss of revenue for management of the remainder of the farm → Loss of investment which was put into the establishment of the Macadamia nut grove → Loss of potential to exhibit ecologically sound and improved agricultural activity alternatives
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Very high -ve

Potential impacts on the cultural-historical aspects:

Nature of impact:	None identified
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)	-

Potential noise impacts:	
Nature of impact:	Short term noise impacts associated with the removal of the trees
Extent and duration of impact:	Local; short term
Probability of occurrence:	High
Degree to which the impact can be reversed:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Short term noise impacts associated with the removal of the trees
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	Typical noise mitigation measures can be applied
Proposed mitigation:	Typical noise mitigation measures
Cumulative impact post mitigation:	Short term noise impacts associated with the removal of the trees
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low -ve

Potential visual impacts:	
Nature of impact:	Visual impacts associated with the disturbance of the now establish natural nut grove, disturbance of soils
Extent and duration of impact:	Local; medium term
Probability of occurrence:	Likely
Degree to which the impact can be reversed:	Low
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	Visual impacts associated with the disturbance of the now establish natural nut grove, disturbance of soils
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:	N/a
Cumulative impact post mitigation:	Visual impacts associated with the disturbance of the now establish natural nut grove, disturbance of soils
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium -ve

ALTERNATIVE 2 (PREFERRED)

This is the preferred alternative and entails obtaining retrospective Environmental Authorisation to continue on the activity as described herein. The applicant was not aware that they were contravening the NEMA Regulations given the type of activity as well as past disturbances to this area on the farm. This alternative provides an exhibit of ecologically sensitive farming and the use of the and retention of the natural vegetation within planted areas.

- (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.

Impacts on geographical and physical aspects:	Terrestrial Biodiversity	Aquatic Biodiversity
Nature of impact:	Preparation of land for the establishment of the approximately 9ha Macadamia nut grove	Approximately 1.4 Ha of the 8.5 Ha Seep wetland 1 underwent some minor disturbance due to the clearing of vegetation
Extent and duration of impact:	9 ha site; short term	Project site; One month to a year
Probability of occurrence:	Definite	Definite
Degree to which the impact can be reversed:	Possible	Low-cost rehabilitation/Moderately high likelihood of success.
Degree to which the impact may cause irreplaceable loss of resources:	Possible	Medium
Cumulative impact prior to mitigation:	Disturbance of natural vegetation to establish Macadamia nut grove	Possible disturbance to wetland vegetation.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium	Medium
Degree to which the impact can be mitigated:	Possible	Likely
Proposed mitigation:	- Restore and rehabilitate surrounding affected habitats by replanting native	- Although technically the impact has already occurred, the agricultural

	vegetation and removing invasive alien species. - Implement effective stormwater management systems to reduce runoff and prevent pollution. - Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project. - Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies. - Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination. - Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures. - Regenerative and sustainable farming practises must be implemented and strictly monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats. - Implement habitat restoration programs to promote the recovery of the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and ensuring a suitable environment for these species. - Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on these areas. Restrict access to critical habitats. - Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement adaptive management strategies to adjust mitigation efforts as needed. - Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality. - Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality.	area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible. Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard. - Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS should be continuously removed from the onsite watercourses. Effective stormwater management should be implemented, which ensures that peak stormwater flows are adequately managed or dissipated, before they enter downslope Seep Wetland 1. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible, thereby allowing indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams. - Effective stormwater management should be implemented, which ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring
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	- No chemicals to be applied to create a natural orchard amongst the natural vegetation Conservation of the reminder of the property must be preserved under Cape Nature Stewardship.	system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented. - Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include: - o Covering steep/unstable/erosion prone areas with geotextiles. - o Covering areas prone to erosion with brush packing, straw bales, mulch. - o Stabilizing cleared/disturbed areas susceptible to erosion with sandbags. - o Constructing silt fences / traps in areas prone to erosion, to retain sediment-laden runoff. Silt fences must be adequately maintained. Furthermore, the farm manager must monitor sediment fences / traps after every heavy rainfall event and any sediment that has accumulated must be removed by hand. - All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
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		- Wetland vegetation should be encouraged to recolonize where possible. - All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
Cumulative impact post mitigation:	Site preparation for establishment of Macadamia nut grove	Wetland vegetation has begun to naturally recolonize, growing between the rows of macadamia nut trees.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium (-)	Medium low (-)

Impact on biological aspects:	Terrestrial Biodiversity	Aquatic Biodiversity
Nature of impact:	Removal and disturbance of vegetation to establish the Macadamia nut grove	Wetland habitat disturbance in seep wetland 2 (seepage below dams).
Extent and duration of impact:	Local; short term	Project site; One month to one year
Probability of occurrence:	Definite	Definite
Degree to which the impact can be reversed:	Possible	Passive restoration / High likelihood of success
Degree to which the impact may cause irreplaceable loss of resources:	Medium – disturbance of CR endangered vegetation	None
Cumulative impact prior to mitigation:	Disturbance and removal of CR vegetation to establish Macadamia nut grove	Very Low- There was unlikely to be a pristine, diverse indigenous community of wetland vegetation associated with the artificial Seep Wetland 2 prior to onsite agricultural activities, which reduces the significance of this impact.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	High	Low

Degree to which the impact can be mitigated:	Possible	N/A
Proposed mitigation:	- Restore and rehabilitate surrounding affected habitats by replanting native vegetation and removing invasive alien species. - Implement effective stormwater management systems to reduce runoff and prevent pollution. - Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project. - Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies. - Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination. - Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures. - Regenerative and sustainable farming practises must be implemented and strictly monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats. - Implement habitat restoration programs to promote the recovery of the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and ensuring a suitable environment for these species. - Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on these areas. Restrict access to critical habitats. - Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement adaptive management strategies to adjust mitigation efforts as needed. - Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality.	- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible. Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard. - Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS should be continuously removed from the onsite watercourses. Effective stormwater management should be implemented, which ensures that peak stormwater flows are adequately managed or dissipated, before they enter downslope Seep Wetland 1. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible, thereby allowing indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams. - Effective stormwater management should be implemented, which

	- Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality.	ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented. - Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include: - o Covering steep/unstable/erosion prone areas with geotextiles. - o Covering areas prone to erosion with brush packing, straw bales, mulch. - o Stabilizing cleared/disturbed areas susceptible to erosion with sandbags. - o Constructing silt fences / traps in areas prone to erosion, to retain sediment-laden runoff. Silt fences must be adequately maintained. Furthermore, the farm manager must monitor sediment fences / traps after every heavy rainfall event and any sediment that has accumulated must be removed by hand. - All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and
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		sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides. - Wetland vegetation should be encouraged to recolonize where possible. - All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
Cumulative impact post mitigation:	Disturbance of vegetation to establish a 9ha Macadamia nut grove	Some wetland vegetation has begun to naturally regenerate, growing between the rows of trees.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium -ve	Medium low (-)

Impacts on socio-economic aspects:	
Nature of impact:	→ Short term job creation in the preparation and establishment of the agricultural area → Exposure of the community to ecologically sensitive planting and low impact vegetation disturbance
Extent and duration of impact:	Local; short to long term
Probability of occurrence:	Likely
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:	Small scale socio-economic benefits associated with the land preparation and exposure to new ecologically sensitive land preparation and planting methods
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:	Small scale socio-economic benefits associated with the land preparation and exposure to new ecologically sensitive land preparation and planting methods
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium +ve

Impacts on cultural-historical aspects:	
Nature of impact:	None identified – the activity is in line with the zoning, the vegetation was cleared through brush cutting only
Extent and duration of impact:	-
Probability of occurrence:	-
Degree to which the impact can be reversed:	-
Degree to which the impact may cause irreplaceable loss of resources:	-
Cumulative impact prior to mitigation:	-
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	-
Degree to which the impact can be mitigated:	-
Proposed mitigation:	-
Cumulative impact post mitigation:	-
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	-

Noise impacts:	
Nature of impact:	No noise impacts applicable
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)	-

Visual impacts / Sense of Place:	
Nature of impact:	No visual or sense of place impacts area applicable. The planting was done amongst the indigenous vegetation and the land was not ploughed or completely cleared during preparation
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 result from the operational 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.

Impacts on the geographical and physical aspects:	Terrestrial Biodiversity	Aquatic Biodiversity
Nature of impact:	The use of the 9ha for the growing of the Macadamia trees	There will likely be slight habitat disturbance due to the ongoing maintenance / irrigating of the orchard (3 farm workers) approximately one person walking a row, 3 times a week.
Extent and duration of impact:	Local; long term	Limited to project site; Permanent
Probability of occurrence:	Definite	Definite

Degree to which the impact can be reversed:	Low	Low-cost rehabilitation / Moderately high likelihood of success.
Degree to which the impact may cause irreplaceable loss of resources:	Low	Medium
Cumulative impact prior to mitigation:	The use of the 9ha for the growing of the Macadamia trees	The use of the 9ha for the growing of the Macadamia trees.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low	Medium
Degree to which the impact can be mitigated:	Low	Low
Proposed mitigation:	- Restore and rehabilitate surrounding affected habitats by replanting native vegetation and removing invasive alien species. - Implement effective stormwater management systems to reduce runoff and prevent pollution. - Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project. - Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies. - Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination. - Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures. - Regenerative and sustainable farming practises must be implemented and strictly monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats. - Implement habitat restoration programs to promote the recovery of the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and ensuring a suitable environment for these species.	- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible. Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard. - Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS should be continuously removed from the onsite watercourses. Effective stormwater management should be implemented, which ensures that peak stormwater flows are adequately managed or dissipated,

	- Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on these areas. Restrict access to critical habitats. - Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement adaptive management strategies to adjust mitigation efforts as needed. - Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality. - Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality.	before they enter downslope Seep Wetland 1. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible, thereby allowing indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams. - Effective stormwater management should be implemented, which ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented. - Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include: - o Covering steep/unstable/erosion prone areas with geotextiles. - o Covering areas prone to erosion with brush packing, straw bales, mulch. - o Stabilizing cleared/disturbed areas susceptible to erosion with sandbags. - o Constructing silt fences / traps in areas prone to erosion, to retain sediment-laden runoff. Silt fences must be adequately maintained. Furthermore, the farm
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		manager must monitor sediment fences / traps after every heavy rainfall event and any sediment that has accumulated must be removed by hand. - All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides. - Wetland vegetation should be encouraged to recolonize where possible. - All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
Cumulative impact post mitigation:	The use of the 9ha for the growing of the Macadamia trees	As the trees grow, it is likely that they will shade vegetation beneath them, and therefore over time, the wetland vegetation may die.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (-)	Medium low (-)

Impact on biological aspects:	Terrestrial Biodiversity	Aquatic Biodiversity
Nature of impact:	The continued use of approximately 9 ha of agricultural land for the growing of Macadamia nut trees and the production of Macadamia nuts	The continued use of the agricultural land that was impacted through site clearance and ploughing/tilling has led to alteration of the flow regime for the onsite seep wetland 1.
Extent and duration of impact:	Local; long terms	Limited to project site: Permanent

Probability of occurrence:	Definite	Definite (occurred)
Degree to which the impact can be reversed:	N/A	Low-cost rehabilitation / Moderately high likelihood of success
Degree to which the impact may cause irreplaceable loss of resources:	N/A	Medium
Cumulative impact prior to mitigation:	The continued use of approximately 9 ha of agricultural land for the growing of Macadamia nut trees and the production of Macadamia nuts	Alteration of flow regime.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low	Low
Degree to which the impact can be mitigated:	High	High
Proposed mitigation:	- Restore and rehabilitate surrounding affected habitats by replanting native vegetation and removing invasive alien species. - Implement effective stormwater management systems to reduce runoff and prevent pollution. - Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project. - Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies. - Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination. - Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures. - Regenerative and sustainable farming practises must be implemented and strictly monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats. - Implement habitat restoration programs to promote the recovery of the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and	- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible. Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard. - Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS should be continuously removed from the onsite watercourses. Effective

	ensuring a suitable environment for these species. - Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on these areas. Restrict access to critical habitats. - Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement adaptive management strategies to adjust mitigation efforts as needed. - Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality. - Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality. - No chemicals to be applied to create a natural orchard amongst the natural vegetation - Conservation of the remainder of the property must be preserved under Cape Nature Stewardship.	stormwater management should be implemented, which ensures that peak stormwater flows are adequately managed or dissipated, before they enter downslope Seep Wetland 1. - It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible, thereby allowing indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams. - Effective stormwater management should be implemented, which ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented. - Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include: - o Covering steep/unstable/erosion prone areas with geotextiles. - o Covering areas prone to erosion with brush packing, straw bales, mulch. - o Stabilizing cleared/disturbed areas susceptible to erosion with sandbags. - o Constructing silt fences / traps in areas prone to erosion, to retain sediment-laden runoff.
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		Silt fences must be adequately maintained. Furthermore, the farm manager must monitor sediment fences / traps after every heavy rainfall event and any sediment that has accumulated must be removed by hand. - All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides. - Wetland vegetation should be encouraged to recolonize where possible. - All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
Cumulative impact post mitigation:	The continued use of approximately 9 ha of agricultural land for the growing of Macadamia nut trees and the production of Macadamia nuts	The areas on top of the berms may likely dry out and therefore flow may be completely altered in these areas.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium	Medium low (-)

Impacts on the socio-economic aspects:

Nature of impact:	Small scale job creation for the maintenance of the nut grove, job creation will increase slightly during harvest
Extent and duration of impact:	Local, long term

Probability of occurrence:	Definite
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:	Small scale job creation for the maintenance of the nut grove, job creation will increase slightly during harvest
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:	N/A
Cumulative impact post mitigation:	Small scale job creation for the maintenance of the nut grove, job creation will increase slightly during harvest
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium +ve

Impacts on the cultural-historical aspects:

Nature of impact:	N/A
Extent and duration of impact:	-
Probability of occurrence:	-
Degree to which the impact can be reversed:	-
Degree to which the impact may cause irreplaceable loss of resources:	-
Cumulative impact prior to mitigation:	-
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	-
Degree to which the impact can be mitigated:	-
Proposed mitigation:	-
Cumulative impact post mitigation:	-
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	-

Noise impacts:

Nature of impact:	Typical noise impacts associated with the operation of a small-scale agricultural practice, minor increase in noise may be experienced every few years for a few days at a time during harvest
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Extent and duration of impact:	Local, long term
Probability of occurrence:	Low
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:	Typical noise impacts associated with the operation of a small-scale agricultural practice, minor increase in noise may be experienced every few years for a few days at a time during harvest
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:	→ Ensure no noisy machinery is used and if required, must be fitted with silencers and utilised during appropriate working times only → Create awareness amongst staff relating to noise impacts
Cumulative impact post mitigation:	Typical noise impacts associated with the operation of a small-scale agricultural practice, minor increase in noise may be experienced every few years for a few days at a time during harvest
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Very low -ve

Visual impacts / Sense of Place:

Nature of impact:	None – activities are low key, nestled within the existing indigenous vegetation and in line with activities in the area
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 is NOT applicable to the preferred alternative – Alternative 2.

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:

A Terrestrial / Botanical Impact Assessment was undertaken for the activity, the following conclusions were made:

The agricultural development on Farm Rocklands 57/633 has resulted in the loss of approximately 1.35 ha and 7.65 ha of Elim Ferricrete Fynbos and Agulhas Limestone Fynbos, respectively. The site's surrounding habitats exhibit a range of conditions, from intact and semi-intact areas with high biodiversity and ecological connectivity to highly degraded and transformed habitats heavily impacted by invasive alien plants and agricultural activities. The historical assessment suggests that the impacted site was once in a semi-intact condition, with potential for recovery.

The Site Ecological Importance assessment, considering Conservation Importance, Functional Integrity, and Receptor Resilience, indicates a high SEI. This classification implies that the site holds significant ecological value and should be subject to mitigation measures to reduce impacts.

The impact significance of the assessed impacts was determined to be of **medium negative significance**. However, the proposed mitigation measures aim to address secondary activities and improve the ecological resilience of the surrounding habitats. Mitigation measures should be applied to restore and rehabilitate surrounding affected habitats, implement effective stormwater management, erosion control, and establish a regular monitoring and reporting system.

Post-disturbance ecological recovery is evident on the property. Site meetings between the EAP and Cape Nature in Dec 2025 showed that the subject area is well established with natural vegetation and natural ecological functioning. Instead of presenting as a agricultural site, it presents more as a natural area with macadamia nut trees between the natural vegetation. The landowner has allowed for the natural regeneration of indigenous vegetation between planted macadamia trees, thereby maintaining vegetative cover and improving habitat connectivity between remaining natural vegetation patches. This regenerative land-management approach promotes ecosystem resilience and limits additional disturbance within the orchard footprint.

Active alien vegetation clearing has also been undertaken within the orchard and broader property area as well as offsite driven by the applicant on a voluntary basis. These interventions contribute positively to improving habitat quality and restoring ecological functioning across the landscape. The applicant's actions demonstrate a clear commitment to biodiversity stewardship and environmental rehabilitation following the unauthorised activity.

The property is strategically located adjacent to Waterfall Private Nature Reserve, thereby increasing its ecological significance within the broader conservation landscape. Given its position within a network of protected areas and its contribution to habitat connectivity, the remainder of the property has, following engagement with Cape Nature, been identified as suitable for formal conservation under the Cape Nature Stewardship Programme. This long-term conservation commitment further strengthens the ecological resilience and biodiversity value of the site post-commencement.

Despite the historical vegetation clearance, the current trajectory of ecological recovery supported by active rehabilitation measures, ongoing alien vegetation clearing, and the proposed stewardship protection of the remaining natural areas — demonstrates that the residual impacts can be effectively managed and progressively reduced over time. The property therefore retains meaningful conservation value and restoration potential, particularly in supporting ecological connectivity with adjacent protected areas.

The photographs below illustrate the post-disturbance recovery of the site, where natural indigenous vegetation is re-establishing between the planted macadamia trees, indicating the resilience of the vegetation and the effectiveness of the landowner's regenerative land-management approach.





In summary, although the agricultural development has resulted in impacts on the site's indigenous vegetation, the implementation of mitigation measures and ongoing ecological restoration initiatives provides a clear pathway toward minimizing negative effects and supporting the recovery of affected ecosystems. Long-term ecological monitoring and

adaptive management will be essential to ensuring the continued health, resilience, and ecological functioning of the surrounding environment. Encouragingly, some of these measures are already being implemented by the landowner.

The landowner has demonstrated a strong commitment to environmental stewardship through ongoing alien invasive vegetation clearing both on the property and in the surrounding area, contributing positively to broader landscape-level conservation efforts in collaboration with neighbouring landowners. This proactive approach to land management supports ecological restoration and enhances biodiversity connectivity within the region.

From a botanical perspective, the long-term suitability of the development is therefore dependent on the consistent implementation of the recommended mitigation measures, rehabilitation actions, and sustainable land-management practices. With these measures in place, the residual impacts associated with the historical vegetation clearance can be progressively reduced over time, while maintaining and improving the ecological integrity of the property and its surrounding landscape.

The botanist has recommended mitigation measures that will reduce the impact of agricultural development on the surrounding environment, as follows:

- Restore and rehabilitate surrounding affected habitats by replanting native vegetation and removing invasive alien species – Note: *The landowner is already attending to this via an intensive alien clearing programme which has been drafted specifically for the property by a specialist consultant – report attached*
- Implement effective stormwater management systems to reduce runoff and prevent pollution.
- Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies.
- Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination.
- Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures.
- Regenerative and sustainable farming practises must be implemented and strictly monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats.
- Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project.
- Implement habitat restoration programs to promote the recovery of the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and ensuring a suitable environment for these species – Alien clearing and property management already underway at a site-specific level.
- Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on these areas. Restrict access to critical habitats.
- Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement adaptive management strategies to adjust mitigation efforts as needed.
- Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality.
- Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality.

Aquatic Biodiversity Assessment was undertaken; the conclusions are made as follows:

Two ephemeral drainage lines are present in the vicinity, approximately 15 m east (Ephemeral Stream 1) and 10 m west (Ephemeral Stream 2) of the onsite agricultural activities (macadamia nut orchard). Associated with the eastern stream (Ephemeral Stream 1) is a natural seepage wetland (Seep Wetland 1). This seep wetland is a continuation of a larger seep wetland system that extends to neighbouring properties of Farm 57/633. Much of the agricultural area indicated wetland conditions, and following the investigation of historical aerial imagery, it was confirmed that two farm

dams (dam 1 and dam 2), as well as overflow associated with an artificial furrow on the property, have resulted in artificial seepage areas (Seep Wetland 2). Historical imagery indicates that the artificial Seep wetland 2 was largely dominated by AIS prior to the macadamia nut orchard. After the development of the macadamia nut orchard, sparse indigenous wetland vegetation has established between the trees, and it is likely that this seepage area is currently augmented by the irrigation of the trees. This artificial seepage area may therefore have been smaller in extent prior to the establishment of the orchard.

The agricultural activities primarily affected the natural seep wetland associated with the eastern ephemeral stream (Seep Wetland 1) and the artificial seepage below the dam (Seep Wetland 2). The field assessment conducted confirmed that the two ephemeral streams were unlikely to be directly impacted, although a small amount of sedimentation and flow modification could have occurred due to the clearing and planting within the stream's catchment area.

In this study, the at-risk watercourses were assessed using current best practice methodologies to determine the PES, EIS, WES both prior to the development of the macadamia nut orchard – i.e. the pre-construction seep wetlands/streams, as well as in its current form – i.e. the remnant seep wetlands/streams. These metrics were then used to determine the management objective expressed in terms of the Recommended Ecological Category (REC). The results of these assessments are as follows:

	PES	EIS	WES	REC
Seep wetland 1 pre orchard	C	High	Moderately High	B
Seep wetland 1 post orchard	C	High	Moderately High	B
Seep wetland 2 (pre and post orchard)	NA	Low Marginal	Moderately Low	NA
Drainage lines pre orchard	B	Moderate	Moderately High	B
Drainage lines post orchard	B	Moderate	Moderately High	B

Aquatic biodiversity impacts associated with the development were identified and assessed using both an impact assessment methodology compliant with NEMA requirements. The construction and operational phase impacts of habitat disturbance, flow regime alteration and sedimentation within Seep Wetland 1 were determined to be of “Medium” significance both prior and subsequent to implementing mitigation measures, while all of the post-mitigation scores fell within the “Low” or “Very Low” significance categories for impacts relating to Seep Wetland 2 and the ephemeral streams. The ‘no go’ scenario was not assessed as the activities have already occurred.

In terms of the NWA (Act 36 of 1998) and its regulations, a Water Use Authorisation (WUA) will be required for any development within 500 m of the wetlands or 100 m of the drainage lines, that is deemed to impede / divert the flow or alter the bed, banks, course, or characteristics of the watercourses. The Risk Assessment Matrix prescribed by GN 4167 of 2023 was applied to the onsite agricultural activities with the following outcomes:

3. The risks associated with all four impacts relating to the artificial Seep Wetland 2 and ephemeral streams were all found to be of “Low” Significance due to the following:

- Seep wetland 2 is an artificial system and it is highly unlikely that there was a pristine, diverse indigenous community of wetland vegetation associated with this artificial seepage prior to onsite agricultural activities. After the development of the macadamia nut orchard, sparse indigenous wetland vegetation has reestablished between the trees.
- The wetland is fed by a stream diversion and therefore its hydrology is entirely artificial in nature.
- It is likely that this seepage area is currently augmented by the irrigation of the macadamia nut trees. This artificial seepage area may therefore have been smaller in extent prior to the establishment of the orchard.

→ After the site assessment, no significant direct impacts were observed within the two ephemeral streams as a result of the orchard. Limited flow alteration and sedimentation may have occurred, but this was of Low Significance to these two streams that were, and are currently, in a largely natural condition (both prior and subsequent to the orchard establishment).

The construction and operational phase risk of habitat disturbance, flow regime alteration and sedimentation within Seep Wetland 1 were determined to be of “Medium” significance, thereby requiring a full Water Use License Application (WULA). Please note, Phase 1 of the WULA is underway.

Noted during the site assessment was the ongoing clearance of AIS on the entire property, and the monitoring for erosion / rehabilitation currently being undertaken within the two ephemeral streams by the farm manager / landowner.

Recommendations in this report include the continuation of the current monitoring schedule by the farm manager (for AIS, potential erosion, and sedimentation), and subsequent rehabilitation / clearance within the two ephemeral streams and Seep Wetland 2 if noted, during the lifecycle of the orchard.

Additionally, as far as possible, wetland vegetation should be allowed to recolonize in areas that have been cleared – as observed during the site assessment, wetland vegetation was already recolonizing to a degree. It is suggested that stormwater peak flow from the orchard is managed by establishing vegetated swales which discharge diffuse flow into seep wetland 1, where necessary.

The commitment of the landowner / farm manager to regenerative and sustainable farming practises, currently being utilized within the farm, is encouraged.

Mitigation measures recommended by a Freshwater specialists include:

- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses.
- It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible. Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard.
- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS should be continuously removed from the onsite watercourses. Effective stormwater management should be implemented, which ensures that peak stormwater flows are adequately managed or dissipated, before they enter downslope Seep Wetland 1.
- It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible, thereby allowing indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams.
- Effective stormwater management should be implemented, which ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented.

- Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include:
 - o Covering steep/unstable/erosion prone areas with geotextiles.
 - o Covering areas prone to erosion with brush packing, straw bales, mulch.
 - o Stabilizing cleared/disturbed areas susceptible to erosion with sandbags.
 - o Constructing silt fences / traps in areas prone to erosion, to retain sediment-laden runoff. Silt fences must be adequately maintained. Furthermore, the farm manager must monitor sediment fences / traps after every heavy rainfall event and any sediment that has accumulated must be removed by hand.
- All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
- Wetland vegetation should be encouraged to recolonize where possible.
- All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.

8. IMPACT ASSESSMENT SUMMARY

Briefly describe the impacts (as appropriate), significance rating of impacts, mitigation and significance rating of impacts of the activity. This must include an assessment of the significance of all impacts.

Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):
Vegetation loss	Medium negative
Habitat disturbance, flow regime alteration and sedimentation within Seep Wetland 1	Medium low negative

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 most significant impact identified, relates to the disturbance of, and loss of indigenous vegetation onsite. Although this impact was measured to be 9 ha, the details relating to the vegetation disturbance, no heavy machinery used and natural vegetation left intact between the planted trees, should be considered when assessing the extent of the impact.

In addition to the vegetation loss, the activities have also impacted on a natural wetland associated with the eastern ephemeral stream (Seep Wetland 1) and the artificial seepage below the dam (Seep Wetland 2). The freshwater specialist continued by stating that the two ephemeral streams were unlikely to be directly impacted, although a small amount of

sedimentation and flow modification could have occurred due to the clearing and planting within the stream's catchment area. The Aquatic Biodiversity Assessment indicates that the risks associated with four key impacts on Seep Wetland 2 and nearby ephemeral streams are of "Low" significance. This is primarily because Seep Wetland 2 is an artificial feature, likely lacking a diverse indigenous wetland vegetation community before agricultural activities. The wetland's hydrology is artificially sustained by a stream diversion and may be further augmented by the irrigation of the macadamia nut orchard, suggesting a smaller original seepage area. Despite some limited flow alteration and sedimentation observed in the ephemeral streams, these impacts are minimal, as both streams are in a largely natural state.

General agricultural impacts, including soil erosion and runoff, have also been noted; however, these impacts are not considered significant. The primary environmental consequences stem from the loss of indigenous vegetation and the minor alterations to the hydrology of the surrounding wetlands and ephemeral streams. Despite these impacts, the overall ecological effects are deemed to be moderate, and with appropriate mitigation measures, recovery and ecological resilience can be achieved.

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.

The most significant additional mitigation measure proposed for this project is the formal conservation of the remainder of the property through the Cape Nature Stewardship Programme. This mechanism provides for the long-term protection and management of the remaining intact and semi-intact fynbos vegetation on the property, thereby offsetting, to a meaningful degree, the ecological impact of the unauthorised vegetation clearance.

As confirmed by Cape Nature at the Stewardship Review Committee meeting held on 24 February 2026, the subject property qualifies for inclusion in the Stewardship Programme. The formalisation of this conservation commitment is currently being finalised between the applicant and Cape Nature. This measure directly contributes to the long-term ecological resilience of the property, supports habitat connectivity within the broader conservation landscape particularly given the property's proximity to Waterfall Private Nature Reserve and reinforces the applicant's demonstrated commitment to responsible and accountable environmental stewardship going forward.

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

The applicant has demonstrated a clear and ongoing commitment to implementing the recommended management, mitigation, and monitoring measures required to protect and improve the ecological integrity of the site. Evidence of this commitment is already visible through the adoption of environmentally sensitive agricultural practices and the active rehabilitation of disturbed areas on the property.

The applicant's approach to agriculture has been recognised as an example of responsible and sensitive planting practices, including allowing indigenous vegetation to regenerate naturally between planted macadamia trees. This approach contributes to habitat recovery, improves ecological connectivity across the property, and supports biodiversity persistence within the broader landscape.

In addition, the applicant has commissioned an Alien Vegetation Clearing Management Plan and has already begun implementing alien invasive plant clearing across the property in accordance with this plan. These clearing activities are ongoing and extend beyond the immediate development footprint, contributing positively to the ecological functioning

of the site and surrounding areas. The freshwater specialist has also noted that these actions will support improvements in wetland condition and ecological functioning over time.

Importantly, several mitigation measures recommended by the specialists have already been initiated by the applicant. As demonstrated by the current site conditions in the images attached above, natural vegetation has recovered, indicating that the applicant is proactively implementing rehabilitation measures even prior to formal authorisation. This has contributed to a reduction in impact significance following mitigation.

The applicant's willingness to secure approximately 54 hectares of the remaining natural area under a formal stewardship agreement further demonstrates long-term commitment to biodiversity conservation and environmental management. This legally binding mechanism will require ongoing management, monitoring, and compliance with stewardship conditions.

Collectively, these actions provide strong evidence that the applicant possesses both the technical capacity and the practical willingness to implement the required Environmental Management Programme (EMP), including:

- Long-term alien invasive species control;
- Habitat rehabilitation and ecological restoration;
- Stormwater and erosion management;
- Wetland and catchment protection;
- Monitoring and adaptive management measures.

The applicant's proactive approach and demonstrated implementation record provide confidence that the recommended mitigation measures and long-term environmental management commitments can be effectively maintained over time.

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 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.

Impacts are described according to their nature or type, as follows:

Nature / type of impact

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

Significance

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

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

Likelihood – the likelihood that an impact will occur

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

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

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

Definitions 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

The applicant should not be directed to cease the activity, as the agricultural development has already been fully commenced and is substantially complete. The macadamia orchard has been established, and directing cessation at this stage would not yield a meaningful environmental benefit. On the contrary, removing or abandoning the orchard could result in additional soil disturbance, destabilisation of recovering vegetation, and disruption of ecological processes that are already re-establishing on site.

The terrestrial biodiversity specialist (Crabtree, 2025) assessed the impact of the unauthorised vegetation clearance as Medium negative prior to mitigation. Importantly, the specialist confirmed that the implementation of appropriate mitigation and rehabilitation measures would improve ecological integrity over time. These measures are already being actively implemented by the applicant.

Natural regeneration of indigenous vegetation between planted macadamia trees is clearly evident across the orchard footprint. This has improved habitat connectivity and maintained ecological functioning within the agricultural matrix. The applicant has further implemented alien invasive species clearing and erosion control measures, which are contributing to measurable improvements in habitat condition.

Cape Nature's concerns regarding the residual impact have been acknowledged and constructively addressed. It is proposed that approximately 54 hectares of the remaining natural areas be conserved in situ under Cape Nature Stewardship Programme – Biodiversity Agreements. This approach is considered ecologically appropriate given:

- The good ecological condition of the remaining vegetation; and
- The property's landscape context and connectivity with adjacent protected areas, including Waterfall Private Nature Reserve and Maanschynkop Nature Reserve.

While the Offset Guidelines typically require an offset where Endangered vegetation is impacted and residual impacts remain medium after mitigation, the medium significance rating referenced by the specialist predates the implementation of rehabilitation and management measures. The active restoration, alien clearing, and regenerative land management practices already undertaken have reduced the effective residual impact and should be recognised as a modifier to the guideline ratios.

Ceasing the agricultural activity would not restore the affected vegetation to its pre-disturbance state in the short to medium term and may undermine ongoing rehabilitation efforts. In contrast, authorisation subject to strict conditions — including stewardship protection, continued alien clearing, habitat rehabilitation, stormwater management, and monitoring — would secure measurable long-term environmental benefits.

The property is strategically located adjacent to Waterfall Private Nature Reserve, thereby increasing its ecological significance within the broader conservation landscape. Given its position within a network of protected areas and its contribution to habitat connectivity, the remainder of the property has, following engagement with Cape Nature, been identified as suitable for formal conservation as a Biodiversity Agreements under the Cape Nature Stewardship Programme. This long-term conservation commitment further strengthens the ecological resilience and biodiversity value of the site post-commencement. Additionally, this mechanisms are being finalised between the applicant and Cape Nature.

For these reasons, it is recommended that the activity not be directed to cease but rather be authorised subject to appropriate environmental management and stewardship conditions.

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.

Condition of Authorisation as recommended by the EAP:

- The applicant must formally engage with Cape Nature to secure the remaining natural areas of the property (approximately 54 hectares) under Cap Nature Stewardship.
 - These areas must remain free from further transformation, agricultural expansion into natural habitat, and alien vegetation.
- No further clearance of indigenous vegetation should take place without the environmental authorisation.

Mitigation measures provided by the botanist must be implemented:

- Restore and rehabilitate surrounding affected habitats by replanting native vegetation and removing invasive alien species – Note: *The landowner is already attending to this via an intensive alien clearing programme which has been drafted specifically for the property by a specialist consultant – report attached*
- Implement effective stormwater management systems to reduce runoff and prevent pollution – *stormwater impacts not evident by EAP during Dec 2025 site visit*
- Implement erosion control measures, such as stabilizing slopes, to prevent soil erosion and sedimentation in nearby freshwater bodies.
- Ensure proper disposal of waste and hazardous materials, including recycling and safe chemical disposal to prevent environmental contamination.
- Establish a regular monitoring and reporting system to track changes in habitat conditions and any potential negative impacts. This can help with a timely response and adjustment of mitigation measures.
- Regenerative and sustainable farming practises must be implemented and strictly monitored to prevent any secondary effects and cumulative impacts on the surrounding intact habitats.
- Consider setting aside adjacent areas as protected area or conservation easements to offset any habitat loss due to the project.
- Implement habitat restoration programs to promote the recovery of the habitat surrounding the impacted area, particularly for SCC. This may include removing invasive species, planting native vegetation, and ensuring a suitable environment for these species – Alien clearing and property management already underway at a site-specific level
- Create buffer zones around sensitive habitats to minimize the direct impacts of development activities on these areas. Restrict access to critical habitats.
- Establish ongoing monitoring programs to track the recovery and population trends of SCC. Implement adaptive management strategies to adjust mitigation efforts as needed.
- Continue and enhance efforts to control and manage invasive alien plant species in the areas surrounding the impacted area. This will help restore native vegetation and ecosystem functionality.
- Strengthen protection of intact and undisturbed areas within the landscape to ensure the maintenance of biodiversity and ecosystem functionality.

Mitigation measures recommended by Freshwater Specialist must be implemented:

- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS are currently being removed by the landowner and should continue to be removed from the onsite watercourses.
- It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible. Dumping and littering in the orchard should be strictly prohibited. AIS, which might colonize disturbed areas and outcompete natural wetland vegetation, should be monitored for, and removed, during the ongoing management of the orchard.

- Although technically the impact has already occurred, the agricultural area coinciding with wetland 1, specifically the southeastern corner of the orchard, should remain fallow thereby allowing the indigenous wetland vegetation to further recolonize. AIS should be continuously removed from the onsite watercourses. Effective stormwater management should be implemented, which ensures that peak stormwater flows are adequately managed or dissipated, before they enter downslope Seep Wetland 1.
- It is recommended that the portion of the orchard coinciding with the Seep Wetland 2 remains fallow as far as possible, thereby allowing indigenous wetland vegetation to recolonize and reducing the impact of altered flow both within the wetland and within the streams.
- Effective stormwater management should be implemented, which ensures that sediment laden stormwater flow from the orchard, particularly during storm events, does not enter downslope Seep Wetland 1. A regular monitoring system should be set up by the farm manager which ensures that if sedimentation does occur downslope, remediation measures are implemented.
- Erosion, although currently not present in the wetland and minimal in the catchment, should be monitored for and addressed immediately, especially after rainfall events. Implement erosion control measures if / where required. Examples of erosion control measures may include:
 - Covering steep/unstable/erosion prone areas with geotextiles.
 - Covering areas prone to erosion with brush packing, straw bales, mulch.
 - Stabilizing cleared/disturbed areas susceptible to erosion with sandbags.
 - Constructing silt fences / traps in areas prone to erosion, to retain sediment-laden runoff. Silt fences must be adequately maintained. Furthermore, the farm manager must monitor sediment fences / traps after every heavy rainfall event and any sediment that has accumulated must be removed by hand.
- All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
- Wetland vegetation should be encouraged to recolonize where possible.
- All farming machinery and vehicles used must be regularly serviced, fuel must be stored more than 15 m away from any wetland in a bunded area. All onsite watercourses should be routinely checked for dumping / littering, which should be strictly prohibited in onsite watercourses. Ensure that regenerative and sustainable farming practises are utilized within the farm, without the use of herbicides and pesticides.
- Water Use License Authorisation is required.

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.

An advertisement was placed in the local newspaper, notifying all potential I&APS of the opportunity to register as a I&AP regarding the Retrospective Environmental Authorisation / 24G process. Noticeboards were placed on the gate of the resort. All adjacent landowners were notified of the opportunity via Registered letters. All relevant organs of state were also notified of their opportunity to comment and register as I&APs. See Proof of public participation attached under **Appendix G**.

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 x	DEVIATION	N/A
(c) placing an advertisement in -			
(i) one local newspaper; or	YES x	DEVIATION	
(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	DEVIATION	N/A x
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken	YES	DEVIATION	N/A x
(e) using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage.	YES	DEVIATION	N/A x
If you have indicated that "DEVIATION" applies to any of the above, then Section 2. below must be completed.			
NOTE:			
2. The NEM: WA requires that a notice must be placed in at least two newspapers.			
If applicable, have/will an advertisement be placed in at least two newspapers?	YES	NO	
If "NO", then an application for exemption from the requirement must be applied for.			

1. Provide a list of all the state departments that has been / will be consulted:		
List of State Depts.	Comment obtained (YES/NO	If not, provide reasons
DEADP	Pending	
CAPE NATURE	Yes	
Dept of Agriculture	Yes	
BOCMA	Yes	
Overstrand Municipality	Yes	
Overberg District Municipality	Pending	

2. Provide a summary of the issues raised by I&APs and an indication of the manner in which the issues raised were incorporated, or the reasons for not being incorporated or addressed.
(The details of the outcomes of this process, including supporting information must be included in the Comments and Report to be attached to this application as Appendix G.)

PUBLIC PARTICIPATION PROCESS 1		
NAME/ DESIGNATION	COMMENT	RESPONSE
Gregg Goddard on behalf of See-Eike Trust (Pty)	Request that See-Eike Trust (Pty) Ltd be registered as an I&AP, and request further that we be included in any further notifications during the remainder of the public participation process as well as the outcome of this application.	Registered as I&AP.
Cape Nature	Noted that the National Web-based Screening Tool has not been used to inform the required specialist studies. The results of the Screening Tool as downloaded by CapeNature indicate a very high sensitivity for terrestrial biodiversity and aquatic biodiversity, high sensitivity for animal species and medium sensitivity for plant species. A site sensitivity verification report should be provided with reference to the Screening Tool results and the specialist studies undertaken. Two Plant Species of Conservation Concern (SCCs) were encountered however there is not much discussion regarding the plant species albeit that a species list is provided as an appendix. The clearing of the dense, tall gum stands is likely to increase the extent of wetlands due to the high volumes of water used by these alien invasive species. Cape Nature therefore recommend that an aquatic biodiversity assessment is required to inform the application. Cape Nature noted that the Section 24G Report also stated that the macadamia trees were planted in between the fynbos however these photos illustrate that this is not the case and there is no such reference in the terrestrial plant species assessment. Cape Nature therefore, request that the initial Pre-Compliance Notice is provided as a record of the evidence from the site inspection by the environmental law enforcement officials with regards to the above. CapeNature enquire if the proposed mitigation measures for the SCCs would result in the level of reduction suggested and recommend that more detailed and specific measures would be required in order to ensure this rating is valid. Cape Nature notes that the National Biodiversity Offset Guidelines state that a biodiversity offset is required if the residual impact after implementing the mitigation hierarchy is medium significance or higher. As indicated, the impact has already occurred and therefore the options of avoidance and minimisation are no longer available. Other mitigation measures which would reduce the significance are also not available, apart from generic environmental best practice measures. Cape Nature therefore recommends that a biodiversity offset must be investigated in accordance with the National Biodiversity Offset Guidelines.	The updated specialist report was informed by the National Web-based Screening Tool. A Site Sensitivity Verification Report was prepared and is attached as Appendix K. Noted. The species are listed under Appendix 3 of the Terrestrial Biodiversity Impact Assessment, refer to Appendix F1. Aquatic Biodiversity Impact Assessment was undertaken. Noted. A PCN is attached. The mitigation measures recommended by the specialist will, as evident from the current site, have been seem valid as much of the indigenous vegetation had reestablished on the property. CapeNature's comment regarding the residual medium impact and the potential requirement for a biodiversity offset in terms of the National Biodiversity Offset Guidelines (2023) is acknowledged. Engagement with CapeNature has already been initiated through the Stewardship Programme, and the conservation potential of the property has been

		discussed at Stewardship Review Committee level. The property qualifies for Stewardship Programme, as indicated in the Stewardship Review Committee meeting held on 24 February 2026, where the appropriate stewardship mechanism for securing the remaining natural areas of the property was considered. Instead of implementing a conventional biodiversity offset, the applicant proposes the in-situ conservation of approximately 54 hectares of remaining natural vegetation on the property through a formal stewardship agreement, subject to CapeNature's approval. This approach is considered ecologically appropriate given the size of the property, the extent of remaining natural habitat, and the landscape context within which the property is situated. The remaining natural portions of the property are mapped as Critical Biodiversity Area 1 (CBA1) and retain high conservation value. The property is located adjacent to the Waterfall Private Nature Reserve, and securing the remainder of the property under stewardship would strengthen ecological connectivity between conserved areas and contribute to landscape-level biodiversity conservation outcomes. This would ensure the long-term protection and management of a substantially larger area than that affected by the unauthorised vegetation clearance. An SSVR has been compiled. The terrestrial impact assessment has been undertaken. As confirmed by the specialist, no animal species of conservation concern were identified during site survey. The motivation for the animal species
	In conclusion, CapeNature recommends that: • A site sensitivity verification report is compiled to motivate the specialist studies undertaken in relation to the Screening Tool. • Based on the available evidence an aquatic biodiversity impact assessment will be required in addition to the terrestrial plant species assessment as a minimum. • The potential presence of animal species flagged as high sensitivity should be evaluated as a minimum.	
Breede Olifants Catchment Management Agency	The BOCMA has noted that the activity that is exercised at portion 57 of farm 633, Caledon might trigger the following sections of the National Water Act ("NWA"), 1998 (Act 36 of 1998): • Section 21 (c): Impeding or diverting the flow of water in a watercourse. • Section 21 (i): Altering the bed, banks, course or characteristics of a watercourse. The area with cleared or removed vegetation for agricultural purposes (Annexure A) seems to be close to the two non-perennial streams passing through the plot.	Given the nature of the farming it is confirmed that no impeding or diverting or altering of bed and banks took place. no hard infrastructure was erected and no machinery was used to prepare the ground and plant the trees. As per most recent site visit by CN and the EAP, the subject area on site represents a natural state interspersed with Macadamia Nut trees.

	The BOCMA has no records of a water use authorisation confirmed in terms of the National Water Act (Act 36 of 1998) for the clearance of vegetation on portion 57 of farm 633, Caledon. The BOCMA through the Compliance Monitoring and Enforcement (CME) unit will conduct a compliance investigation at portion 57 of farm 633, Caledon to ensure compliance to the National Water Act (Act 36 of 1998).	Noted. As above. Noted.
Western Cape Department of Agriculture	The department has no objection to the S24G process to rectify the unlawfulness of the activities commenced with prior to obtaining approval The department notes that the Application to Cultivate in terms of the Conservation of Agricultural Resources Act 43 of 1983 must be submitted to the Department of Agriculture, Land Reform and Rural Development to obtain the cultivation permit for the cultivated land.	Noted. The Proof of CARA application is attached as Appendix L.
Cape Nature	The threat status of the ecosystem has a bearing on the offset ratios used. The terrestrial plant species assessment which informed the Draft S24G Report indicated the mapping of ecosystems present in accordance with the National Vegetation Map (NVM), namely that the northern and central sections of the orchards ($\pm$ two thirds) consisted of Elim Ferricrete Fynbos (listed as endangered) and the south-eastern section of the orchards ($\pm$ one third) consisted of Agulhas Limestone Fynbos (listed as critically endangered). Due to various other cases where botanists have disputed the NVM in the area between Hermanus and Stanford, both south and north of the Klein River Estuary, we requested confirmation from the botanical specialist that the mapping of the ecosystems is accurate. Raised concern that no motivation is provided for the revised mapping of the NVM. An informal protocol was developed between DEA&DP and CapeNature (developed for Region 3 but implemented throughout the province) regarding the procedure to follow in cases where the NVM is queried. In this regard the specialist must provide clear evidence based primarily on the plant species occurring on site (including dominant species), but also supplemented by other information such as geology, soils and climate to motivate that the NVM is not accurate. CapeNature further requests that experience, qualifications and accreditations of the specialist who undertook the addendum report should be provided. More detailed information regarding the vegetation occurring on site (and which is predicted to have occurred) using recognised phytosociological methodology is therefore required to verify the ecosystem classification. The proposed biodiversity offset is to conserve the remainder of the property which has not been developed. The property size is 62.9675 ha according to the title deed which can be rounded off to $\pm$ 63 ha for the purposes of the offset study, in which case there is $\pm$ 54 ha which is available on site for the proposed biodiversity offset. The ratio would therefore be 6:1.	The Terrestrial Biodiversity Impact Assessment Addendum was compiled by a qualified botanical specialist who confirmed the vegetation type onsite. Therefore, we as the EAP, accept the botanical specialist findings as accurate. The offset requirements were calculated based on impacted vegetation types onsite. The botanical specialist addendum compiled by Crabtree in 2025 is an addendum to the Terrestrial Plant Species Assessment compiled by van Rensburg, which provides clear evidence of the plant species present onsite. The Motivation for the revised mapping is provided under section 3 of the Biodiversity Offset Report. The Assessment also includes reference to the geology soils and climate. Therefore, such information in these report is considered sufficient. As above. Noted.

	Cape Nature recommends that the calculation of the offset requirements need to be revised and refined as per the national and provincial guidelines. Clarification is required regarding the accurate mapping of the vegetation types, following which the offset requirement must be calculated per vegetation type which occupied the orchard footprint. We do however acknowledge that it is very seldom possible to find an exact match between the offset requirements and a receptor site, however the existing calculations must still be refined. The proposal for conserving the remainder of the property was presented to the CapeNature Stewardship Review Committee on 24 February 2026, whereby it was decided that the proposed conservation area is worthy of being declared as a nature reserve in terms of the National Environmental Management: Protected Areas Act (NEM:PAA) based on the biodiversity value. A key factor in this regard is the connectivity to existing nature reserve such as Waterfall Nature Reserve and Maanschynkop Nature Reserve. Cape Nature noted that concern was raised in the stewardship review that the proposed offset did not meet the offset ratio requirements (although not captured in the minutes). The two options which are recommended for securing biodiversity offsets according to the national guideline are NEM:PAA protected areas or conservation servitudes (Section 7.4.2). Further negotiations are underway with the landowner in this regard. In terms of the contents of the Biodiversity Offset Report we wish to highlight the following minimum requirements for inclusion (Section 7.7 of the national guideline): • “An explicit statement on the required size of the biodiversity offset to remedy the residual negative biodiversity impacts, applying the basic offset ratio and adjustments as appropriate. • The portfolio of candidate biodiversity offset sites, including the likelihood of each site’s availability and feasibility. • A description of the biodiversity offset site, and the reasons for the selection of that site from the portfolio of candidate biodiversity offset sites. The applicant has indicated that they are not willing to consider an off-site offset to supplement an on-site offset as currently proposed to meet the offset ratio requirements (take note of the text box on page 137 of the national guideline regarding on-site offsets). The Biodiversity Offset Report must however be revised to refine the offset requirements as described above in accordance with the national and provincial guidelines, as well as indicate the extent to which the proposed offset meets the offset requirements.	The Calculations of the offset requirements have been updated in the Biodiversity Offset Report. It is important to highlight since it has been agreed that the site qualifies for Cape Nature Stewardship as well as the botanical specialist recommendation for preservation of the remainder of the property currently not developed to offset the impact of habitat destruction/loss. The calculations of the offset requirements have been revised and refined, accordingly. It is important to highlight that the preferred offset option for the property is for the remainder of the property to be assigned under Cape Nature Stewardship (Level 2 - Biodiversity Agreements). The National Biodiversity Offset provides mechanisms for offsetting, in which conservation servitude becomes one of them. In the case of this project and its general context on the landscape, the property abuts Waterfall Private Nature Reserve to the East and Maanschynkop Nature Reserve to the north, which then makes the remainder of the property reasonably suitable to be preserved and managed. The applicant preferred that the remainder of the property be designated under Level 2 - Biodiversity Agreements.
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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.

N/A

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.

DEADP Zaidah Toefy, Fahd Said, Yena Gunguluzi Private Bag X9086 Cape Town 8000 Utilitas Building 1 Dorp Street 8001	BOCMA R. le Roux / F. Smith 0233468000 rleroux@bocma.co.za fsmith@bocma.co.za
Cape Nature Rhett Smart Private Bag x5014 Stellenbosch 7599 landuse@capenature.co.za	Dept of Agriculture Cor vd Walt corvdw@elsenburg.com B. Layman Brandon.Layman@westerncape.gov.za
	Overberg District Municipality Private Bag x 22 Bredasdorp 7280 rvolschenk@odm.org.za R. Volschenk
	Overstrand Municipality Penelope Aplon paplon@overstrand.gov.za

Please note:

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

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

SECTION A: DIRECTIVES

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

i	immediately cease the activity pending a decision on the application submitted in terms of this subsection
	This is not applicable as the trees have been planted. No other actions beside basic care of the nut orchard, are taking place.
ii	investigate, evaluate and assess the impact of the activity on the environment
	In process through this report and the appointment of the Botanical and Freshwater Specialist.
iii	remedy any adverse effects of the activity on the environment
	The activity has already taken place and rehabilitation of the site is not an option.
iv	cease, modify or control any act, activity, process or omission causing pollution or environmental degradation
	The activity continues, it has been done in an environmentally sound way and is not currently causing any pollution or environmental degradation.
v	contain or prevent the movement of pollution or degradation of the environment
	The activity continues, it has been done in an environmentally sound way and is not currently causing any pollution or environmental degradation.
vi	eliminate any source of pollution or degradation
	The activity continues, it has been done in an environmentally sound way and is not currently causing any pollution or environmental degradation.
vii	compile a report containing-
aa	a description of the need and desirability of the activity In process.

	bb	<i>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</i> In process
	cc	<i>a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity</i> In process
	dd	<i>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.</i> In process
	ee	<i>an environmental management programme.</i> In process
viii		<i>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.</i> In process

You are hereby provided with an opportunity to make representations on any or all of the abovementioned instructions including where you are of the opinion that any of these instructions are not relevant for the purposes of your application setting out the reasons for your assertion. Kindly note further that after taking your representation into account a final directive may be issued.

Please Note:

Notwithstanding the above, subsequent to submission of the application form to the Department, you may be issued with a specific directive in terms of section 24G(1)(i) to (viii), and you will therefore be provided with an opportunity to make further representations as to the specific directive.

The appointed Environmental Assessment Practitioner, on behalf of the applicant, may be directed to compile and submit a report that meets the requirements of section 24G(vii)(aa)-(ee) as specified above.

SECTION B: DEFERRAL OF THE APPLICATION

Section 24G(7) of the NEMA provides that if at any stage after the submission of an application it comes to the attention of the Minister, the Minister responsible for mineral resources or the MEC, that the applicant is under criminal investigation for the contravention of, or failure to comply with, section 24F(1) of the NEMA or section 20(b) of the NEM:WA, the Minister, Minister responsible for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time as the investigation is concluded and-

- (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
- (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of which such contravention or failure has been instituted; or
- (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

Kindly answer the following questions:

Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that <u>is not subject to this application</u> and in any province in the Republic?	YES _____	NO x _____	UNCERTAIN _____
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
The applicant is not currently under investigation for any contravention of Section 24F(1) of NEMA in any province of the Republic. The only environmental matter relating to the property is the unauthorized clearance of approximately 9 hectares of indigenous vegetation for the macadamia orchard, which is the subject of this Section 24G application. No other activities on the property, or by the applicant elsewhere, are subject to investigation by any environmental authority.			
Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is <u>not subject to this application</u> and in any province in the Republic?	YES _____	NO X _____	UNCERTAIN _____
If yes provide details of the offence being investigated and authority conducting the investigation.			

If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
N/A			
Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA <u>in terms of which this application directly relates?</u>	YES _____	NO X _____	UNCERTAIN _____
If yes provide details of the offence being investigated and authority conducting the investigation.			
If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
N/A			

If you have answered yes or uncertain to any of the above questions, you are hereby provided with an opportunity to make representations as to why the Minister, Minister responsible for mineral resources or MEC, as the case may be, should not defer the application as he or she is entitled to do under section 24G(7).

SECTION C: QUANTUM OF THE SECTION 24G FINE

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant an *ex post facto* environmental 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	X
	The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	
	The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
	The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.	
Motivation:		
The activity has no negative socio-economic impacts, but instead resulted to job creation during the construction phase and is in line with other agricultural practices.		

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	
	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.	
Motivation: The disturbance and removal of Critically Endangered and Endangered vegetation occurred solely to establish the macadamia nut grove. Importantly, the clearance was limited to the precise planting sites of the trees, representing only a fraction of the total grove area (~9 ha). No heavy machinery was used, and the soil was not ploughed or otherwise extensively disturbed, ensuring minimal soil disruption and preventing compaction, erosion, or further vegetation loss. The site was also in a highly degraded state prior to the activity. One could argue that the quality of the site has improved from its previous degraded state and can form as a example of low impact agricultural development options. This careful approach minimises biodiversity loss, maintains habitat connectivity for flora and fauna, and supports ecological processes within the site. By avoiding wholesale clearance and allowing natural vegetation to persist, the activity has less severe ecological consequences than conventional agricultural transformation, and provides opportunities for ongoing restoration, monitoring, and stewardship-based management. Overall, while a medium-level impact occurred, it is spatially limited, reversible over time, and actively managed, justifying that a lower administrative fine is appropriate, particularly given the applicant's proactive rehabilitation, alien clearing, and commitment to long-term conservation in collaboration with CapeNature. A formal conservation through Cape Nature Stewardship Programme is currently being finalised between the applicant and Cape Nature.		

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	

Motivation:

The activity is in line with surrounding agricultural use and is blended well into the environmental by allowing for the continued growth of the natural indigenous vegetation between the nut groves.

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.	
Motivation:		
The activity does not make use of any poisons, insecticides or pesticides as part of construction and operations.		

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 not previously taken against the applicant in respect of the abovementioned provisions.	X
Explanation of all previous administrative action taken in respect of the above:		
N/A		

Index	Previous Convictions in terms of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	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 appropriate box
Description of variable		
	Previous applications in terms of section 24G of NEMA were submitted by the applicant.	
	No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	
	No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	
Explanation in respect of all previous applications submitted in terms of section 24G: This is the first 24G Application that the applicant being submitted by the applicant.		

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.
	Motivate and explain fully: The type of farming conducted by the landowner was presented in a Landbou Weekly / Landbouweekblad article, for its ecologically advanced approach. The article highlighted the mechanism of environmentally friendly approach to the planting and the use of the natural vegetation between the trees as a natural windbreak (Landbouweekblad, 9 Februarie 2023, Landbou.com). In addition, no heavy machinery was used to remove the vegetation in preparation for planting. The natural vegetation was brush cut, and then the trees were planted amongst the natural vegetation. Therefore, in terms of the NEMA definition for clearance of vegetation, the quantity of removal is far less than the 9 ha grove. The applicant <u>did not apply for Environmental Authorisation</u> prior to the vegetation clearance for the following reasons: → The landowner purchased the property in October 2020. After review of historical images and discussions with previous landowners, the new landowner and applicant herein, understood that the areas proposed for the nut grove had been previously disturbed various times in the past (As per the Motivation Documents submitted to DEADP in response to the Pre-Compliance Notice – Report dated 17 March 2023). As a result, he was under the impression that the land had been lawfully disturbed within the preceding 10 years and therefore did not need to apply for authorisation prior to the establishment of the nut grove. → The landowner consulted with the Western Cape Government – Department of Agriculture, Sustainable Resource Management Landscape regarding the application to plant Macadamia nuts. The Department provided the applicant with information relating to the viability of the proposed planting; however the Department did not ever note that application should be made to DEADP before the planting takes place. This created further confusion for the applicant about the need to apply:



**Western Cape
Government**
Agriculture

Gary Jones
Sustainable Resource Management
LandCare
garyj@elsenburg.com
Tel: +27 28 425 4813

Reference: **Macadamia query (WC/OV/02/004)**

Dear Madam/Sir

The query about the application to plant macadamia nuts on farm 57/633.

The desktop study of the farm shows that the farm was cleared in somewhere in 2011-2012 of what looks like alien vegetation. There is no indication of any crops has been planted on Cape Farm Mapper Crop Census 2013 or 2017 and this could indicate that the land has been left in a natural state since 2011 after the clearing.

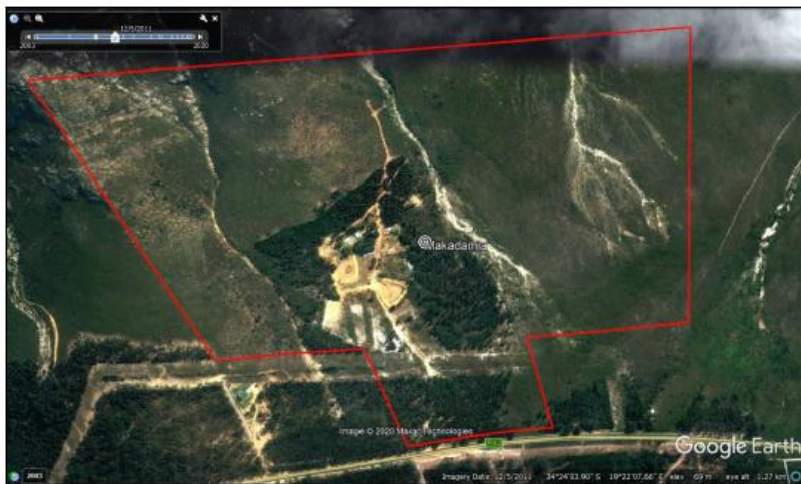


Image 1: 2011 View of Farm 57/633

The images below looks if there was some vegetation removed to the farm on 2014.

www.elsenburg.com

www.westerncape.gov.za

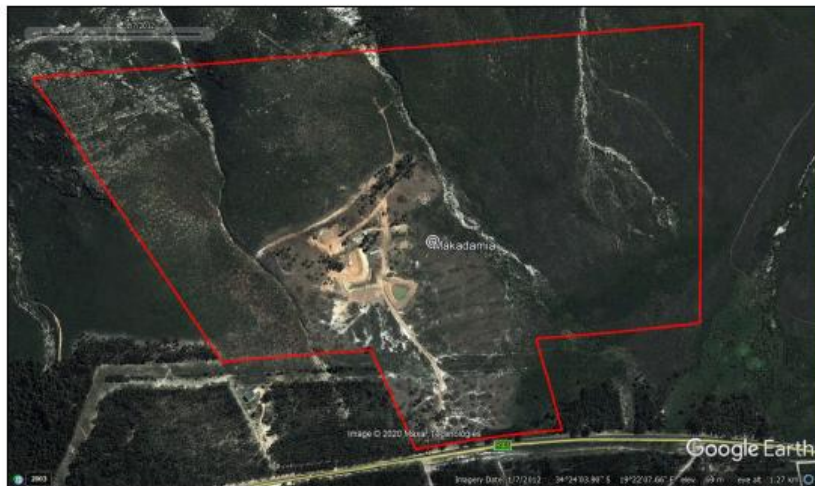


Image 2: 2012 View of Farm 57/633

The images below looks if there was some fire damage to the farm on 2014.

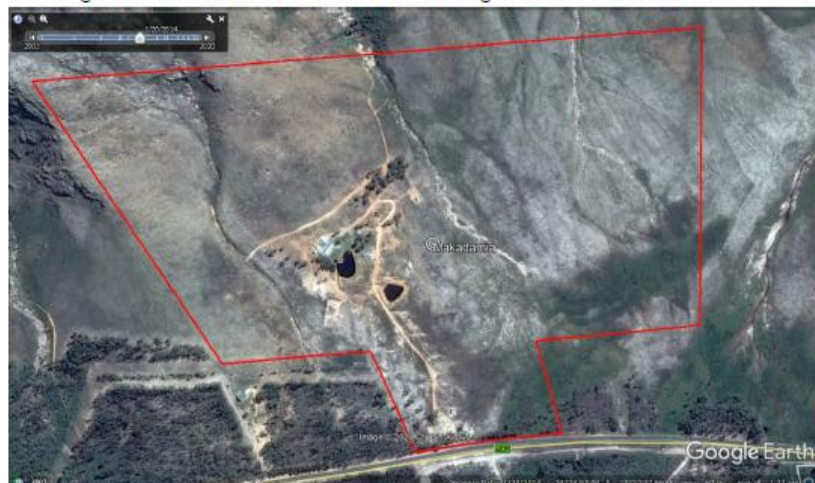


Image 3: 2014 View of Farm 57/633



Image 3: 2016 View of Farm 57/633



Image 4: 2018 View of Farm 57/633

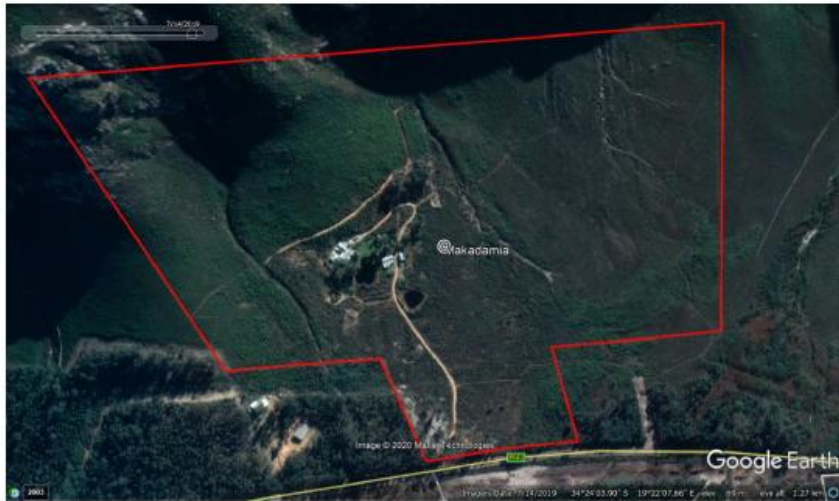


Image 5: 2019 View of Farm 57/633

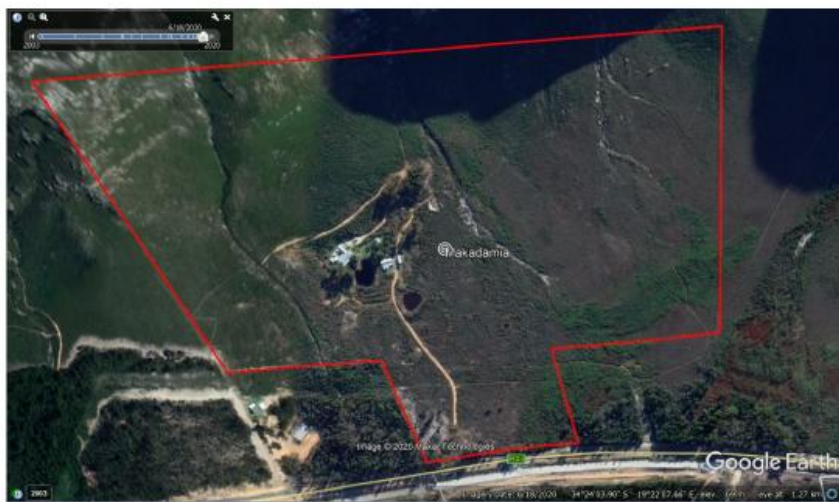
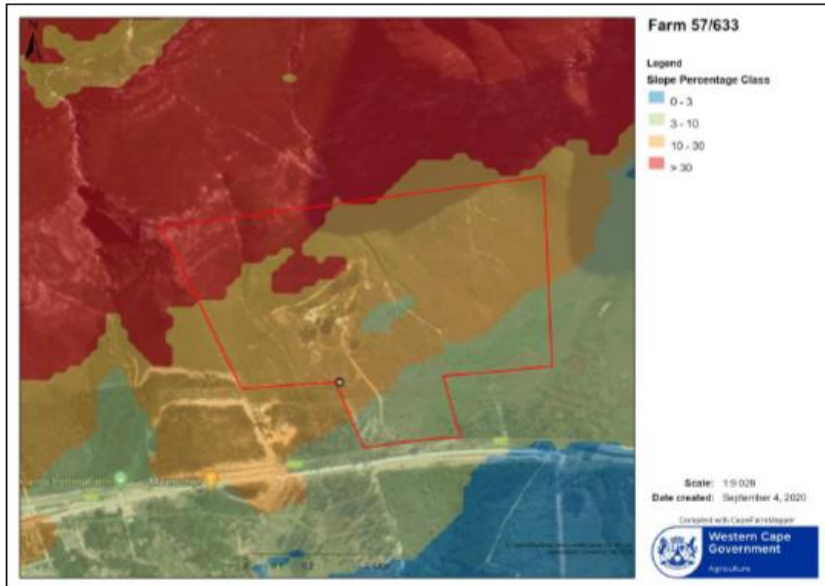


Image 6: 2020 View of Farm 57/633

The image below from Cape Farm Mapper displays that the farm as a slope percentage of 10% or more, except for a 0.8ha which is under 10%



The Dept. of Agriculture Western Cape, Directorate: Sustainable Resource Management, has the following comments and recommendations on the proposed development :

1. As per the Conservation of Agricultural Resource Act 43 of 1983 (CARA) legislation the landowner and/or user should :
 - 1.1 Protect the cultivated land on his farm unit effectively against excessive soil loss as a result of erosion through the action of water and wind.
 - 1.2 Protect the irrigated land on his farm unit effectively against waterlogging and salinization.
 - 1.3 Not utilize the vegetation in a vlei, marsh or water sponge or within the flood area of a water course or within 10 meters horizontally outside flood area in a manner that causes or may cause the deterioration of or damage to the natural agricultural resources.
 - 1.4 Should not develop any slopes more than 20% slope unless authorized in writing by the executive officer.

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1.5 Remove and control all declared weeds and invasive plants as listed in Regulation 15, Table 3.

1.6 The landowner should ensure that no-till practice is followed; and that sufficient and a diverse variety of cover crops are established to improve the sustainability of agroecosystem attributes in the soil. Cover crops must be planted in between the crop rows to improve the soils saturation capacity and therefor create a retention effect, minimizing surface water run-off. This will also improve the micro climate in the soil and promote healthy soil conditions for microbes.

The owner can contact the LandCare officials (Gary Jones at the Bredasdorp office (028-425 4813) with regards to points above for further technical assistance.

Please contact me if there is any further enquiries regarding this application to develop.

Report compiled by:

Gary Jones

Sustainable Resource Management

04 September 2020

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In addition, the applicant has implemented and continues to implement a range of mitigation and restoration measures to address potential environmental impacts, including:

- Active rehabilitation and natural regeneration of indigenous vegetation between the macadamia trees.
- Alien invasive vegetation clearing within the property, following a site-specific management plan developed by a qualified specialist.
- Commitment to long-term conservation and stewardship of the approximately 54 ha remainder of the property, under formal stewardship agreement (Level 2 – Biodiversity Agreements) to secure ecological linkages with the adjacent Waterfall Private Nature Reserve.
- Implementation of sustainable and regenerative farming practices, ensuring minimal soil disturbance and supporting ecosystem health.
- Voluntary alien vegetation clearing undertaken beyond the boundaries of the subject property, at the applicant's own initiative and cost, including facilitation of large-scale alien clearing on the Mountain Face north of the property, exploration of the acquisition of a portion of 17/633 to clear existing dense Blue

Gum stands, and clearing of the marsh extension at the south-eastern boundary of the property on adjacent land (Portion 21 and 23 of Farm 633, and the Remainder of Farm 632). Although these areas fall outside the applicant's title, this voluntary effort directly enhances the ecological function of the marsh system associated with the subject property and demonstrates a conservation commitment materially exceeding the applicant's regulatory obligations.







Considering the above, the disturbance caused by the vegetation clearance is limited, controlled, and reversible over time, and has been significantly mitigated by the applicant's proactive environmental management, both on and beyond the boundaries of the subject property. The property retains meaningful conservation value and restoration potential, particularly in supporting ecological connectivity with adjacent and nearby protected areas.

NOTE: An explanation as to why the applicant did not obtain an environmental authorisation and/or waste management licence must be attached to this application.

SECTION D: PRELIMINARY ADVERTISEMENT

When submitting this application form, the applicant must attach proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, and on the applicant's website, if any.

The advertisement must state that the applicant commenced a listed or specified activity or activities or waste management activity or activities without the necessary environmental authorisation and/or waste management licence and is now applying for *ex post facto* approval. It must include the following:

- the date;
- the location;
- the applicable legislative provision contravened; and
- the activity or activities commenced with without the required authorisation.

Interested and affected parties must be provided with the details of where they can register as an interested and affected party and / or submit their comment. At least 20 days must be provided in which to do so.

This advertisement shall be considered as a preliminary notification and the competent authority may direct the applicant to undertake further public participation and advertising after receipt of this application form.

NOTE: Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. This application must be attached to any documentation or information submitted by an applicant further to section 24G(1).

PART 3 -**APPENDICES**

The following appendices must, where applicable, be attached to this form:

Appendix		Tick the box if Appendix is attached
Appendix A:	Locality map	X
Appendix B:	Site plan(s)	X
Appendix :	Building plans (if applicable)	N/A
Appendix C:	Colour photographs	X
Appendix D:	Biodiversity overlay map	X
Appendix :	Permit(s) / license(s) from any other organ of state including service letters from the municipality	N/A
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, Landowner consent and any other public participation information as required in Section J above.	X
Appendix F:	Specialist Report(s), if any	X
Appendix G:	Environmental Management Programme	X
Appendix H:	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 I:	Certified copy of Identity Document of Applicant	X
Appendix J:	Certified copy of the title deed (or title deeds in the case of linear activities)	X
Appendix K:	SSVR	X
Appendix L:	CARA	X
Appendix M:	BIODIVERSITY OFFSET	X
Appendix N:	CAPE NATURE	X

Appendix :	Any Other (if applicable) (describe)	
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Where an application has been made in terms of the waste management activities, please complete and annex Annexure 1 as in the following:

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

NEMA SECTION 24G APPLICATION AND ASSESSMENT REPORT

DECLARATIONS

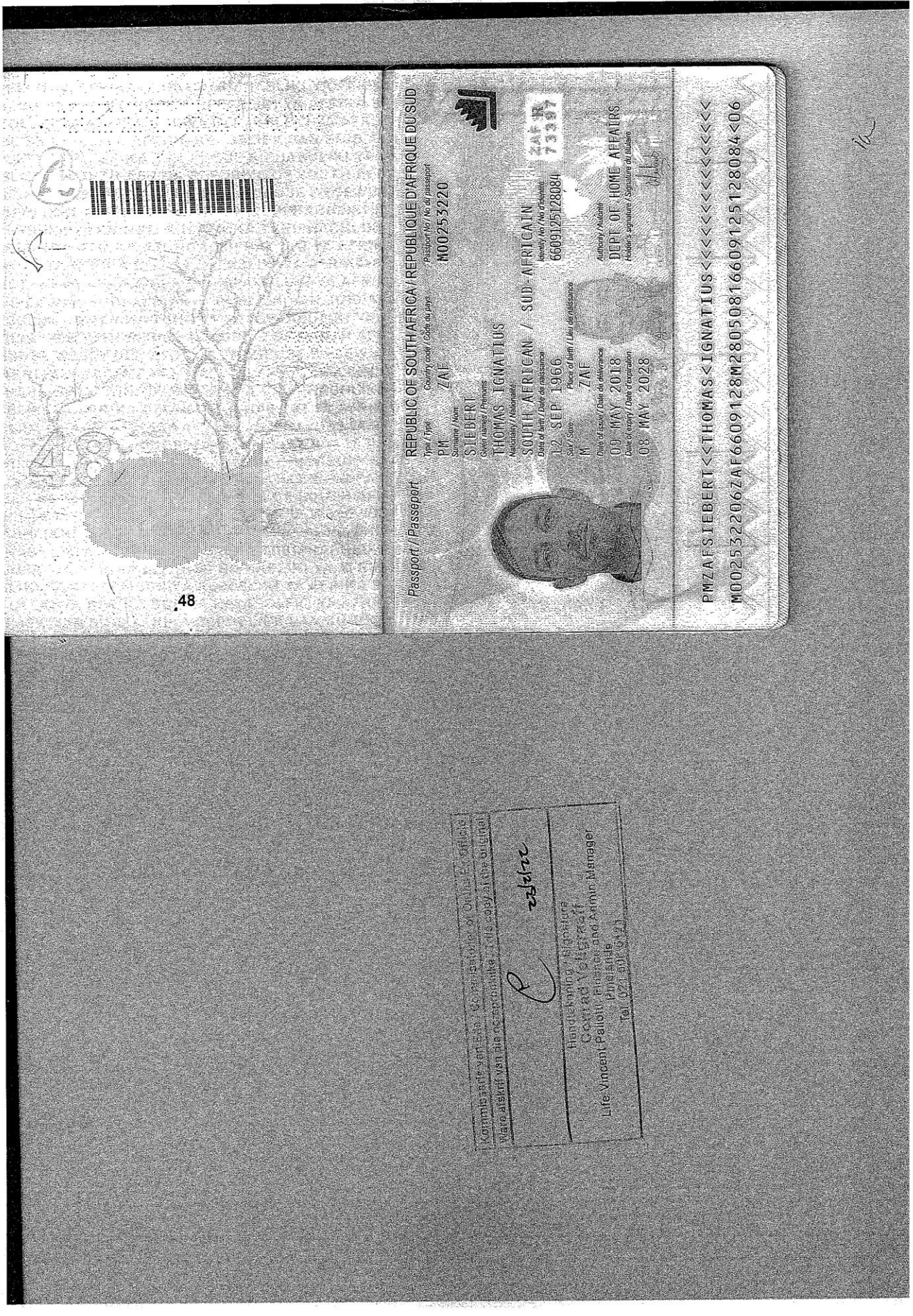
DECLARATION OF THE APPLICANT

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

I, D. Sidi, ID number 6609125128 284 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:
 - o meets all the requirements in terms of Regulation 13 of the NEMA EIA Regulations; or
 - o 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 –
 - o costs incurred for the appointment of the EAP or any legitimately person contracted by the EAP;
 - o costs in respect of any fee prescribed by the Minister or MEC in respect of the NEMA EIA Regulations;
 - o Legitimate costs in respect of specialist(s) reviews; and
 - o 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.



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;


03/08/2024

 Signature of the EAP:

 Date:
LORNAY ENVIRONMENTAL CONSULTING PTY LTD

 Name of company (if applicable):

PART 4 -

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

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

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

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

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

Determined from volumes

Determined with weighbridge/scale

Estimated

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

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

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

2. GENERAL

Prevailing wind direction (e.g. NWW)

November – April

May – October

The size of population to be served by the facility:

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

LANDFILL PARAMETERS (If applicable)

The method of disposal of waste:

Land building ☐ Land filling ☐ Both ☐**The dimensions of the disposal site in metres**

	At commencement	After rehabilitation

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

Volume Available	Mark with "X"	Source of information (Determined by surveyor/- Estimated)
Up to 99		
100-34 999		
35 000-3,5 million		
>3,5 million		

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

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

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

The Salvage method

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

At source _____

Recycling installation

Formal salvaging

Contractor

No salvaging planned

Fatal flaws for the site:

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

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

Indicate the distance to the boundary of the nearest residential area

metres

Indicate the distance to the boundary of the industrial area

metres

Wettest six months of the year

November–April

May–October

For the wettest six month period indicated above, indicate the following for the preceding 30 years

	Total rainfall for 6 months	Total rainfall for 6 months	Total rainfall for 6 months
--	-----------------------------	-----------------------------	-----------------------------

For the 1st wettest year			
For the 2nd wettest year			
For the 3rd wettest year			
For the 4th wettest year			
For the 5th wettest year			
For the 6th wettest year			
For the 7th wettest year			
For the 8th wettest year			
For the 9th wettest year			
For the 10th wettest year			

Location and depth of ground water monitoring boreholes:

Codes of the boreholes	Borehole locality	Depth (m)	Latitude	Longitude
			<u> ° ' " </u>	<u> ° ' " </u>
			<u> ° ' " </u>	<u> ° ' " </u>
			<u> ° ' " </u>	<u> ° ' " </u>
			<u> ° ' " </u>	<u> ° ' " </u>
			<u> ° ' " </u>	<u> ° ' " </u>
			<u> ° ' " </u>	<u> ° ' " </u>

Location and depth of landfill gas monitoring test pit:

Codes of the boreholes	Borehole locality	Latitude	Longitude
		<u> ° ' " </u>	<u> ° ' " </u>
		<u> ° ' " </u>	<u> ° ' " </u>

NEMA SECTION 24G APPLICATION AND ASSESSMENT REPORT

		<u> ○ I II </u>	<u> ○ I II </u>
		<u> ○ I II </u>	<u> ○ I II </u>
		<u> ○ I II </u>	<u> ○ I II </u>
		<u> ○ I II </u>	<u> ○ I II </u>
