

THE RECTIFICATION OF UNLAWFUL COMMENCEMENT OF LISTED ACTIVITIES IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): INDIGENOUS VEGETATION CLEARANCE, EXPANSION AND CLEARANCE OF SEDIMENT AND LITTORAL VEGETATION FROM IN-STREAM DAMS ON PORTIONS 66 AND 9 OF THE FARM NO.232 REDFORD, BITOU MUNICIPALITY, WESTERN CAPE.

SECTION 24G DRAFT ENVIRONMENTAL IMPACT REPORT & WATER USE LICENSE APPLICATION

DEA&DP Reference: 14/2/4/1/D1/13/0004/22

30 DAY PUBLIC PARTICIPATION PROCESS: 09/06/2022 – 11/07/2022



June 2022

EAP: Samantha Teeluckdhari

Email: samantha@ecoroute.co.za

Cell: 072 773 5397

P.O. Box 1252, Sedgfield, 6573





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)	
	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	To be included in Final report
	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?	Y 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).	N/A
7.	Completed and attached representations in terms of Annexure A, Section B (Deferral) of the S24G Fine Regulations.	N/A



8.	Completed and attached representations in terms of Annexure A, Section C, Part 1 (Fine Quantum based on the assessment as specified above (4)).	✓
	Confirmation that Annexure A, Section C, Part 1 has been completed by an environmental assessment practitioner (EAP)	✓
9.	Compliance history of the applicant:	
	9.1. Completed Annexure A, Section C, Part 2 and 3; namely:	✓
	9.1.1. Whether or not administrative enforcement notices, including pre -notices where appropriate, have previously been issued to the applicant in respect of a contravention of section 24F(1) of the NEMA and/or section 20(b) of the National Environmental Management: Waste Act (Act 59 of 2008) (NEM: WA).	✓
	9.1.2. Whether or not the applicant has previously been convicted in respect of a contravention of section 24F(1) of the Act and /or section 20(b) of the NEM: WA;	✓
	9.1.3. Whether or not the applicant has previously submitted a section 24G application in respect of an activity or activities which commenced prior to the activity or activities that are the subject of the current application; and	✓
	9.1.4. Whether the applicant is a firm or a natural person. (see Section 24G Fine Regulations for definition of "firm")	✓
	9.2. Provided information or whether or not any of the directors of the applicant firm are, or were, at the relevant time, directors of a firm to whom the above (9.1.1. - 9.1.3.) applies;	✓
	9.3. Advise on whether an applicant who is a natural person is, or was, at the relevant time a director of a firm to whom the above (9.1.1.- 9.1.3.) may apply.	✓
10.	Consultation with relevant State departments in terms of section 24O(2) & 24O(3) of the NEMA.	✓
	10.1 Proof of Consultation with relevant State departments, including, <i>inter alia</i> , notices, adverts etc.	✓
	10.2 Copies of comments and responses included in the application.	✓
	10.2 Comments and Response report attached to the application.	✓
11.	Public Participation Process undertaken in terms of Chapter 6 of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") (GN No. R.326 of 7 April 2017) (if conducted/undertaken)	✓



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")**

Form Number S24GAF/04/2018

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 Environmental Assessment Practitioner ("EAP").
3. This Application Form is current as of 01 April 2018. 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 01 April 2018.
4. **The contents of this Application Form includes 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 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.
6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must 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. No faxed or e-mailed application forms will be accepted.**
10. 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.
11. 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 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(1)(i-viii) of the NEMA.
- e) 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.
- f) 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.
- g) 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.
- h) **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.

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.
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DEPARTMENTAL DETAILS

Department of Environmental Affairs and Development Planning,
Directorate: Environmental Governance
Attention: Sub-directorate: Rectification
 Private Bag X9086
 Cape Town, 8000

Registry Office
 1st Floor Utilitas Building
 1 Dorp Street, Cape Town

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

DEPARTMENTAL REFERENCE NUMBER(S) (for official use)

File Reference number (S24G)	
Administrative Fine Reference	

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

File Reference number (Enforcement), if applicable	
File reference number (EIA), if applicable:	
File reference number (Waste), if applicable:	
File reference number (Other (specify)):	

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

PART 1

PROJECT TITLE

THE RECTIFICATION OF UNLAWFUL COMMENCEMENT OF LISTED ACTIVITIES IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) ("NEMA"): INDIGENOUS VEGETATION CLEARANCE, EXPANSION AND CLEARANCE OF SEDIMENT AND LITTORAL VEGETATION FROM IN-STREAM DAMS ON PORTIONS 66 (CONSOLIDATION OF PORTION 4 AND PORTION 1A (SUBDIVISION OF PTN 1) AND 9 OF THE FARM NO.232 REDFORD, BITOU MUNICIPALITY, WESTERN CAPE.

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
		☒

SECTION A: BACKGROUND INFORMATION

1. APPLICANT PROFILE INDEX

Cross out the appropriate box "☒".

1.1	The applicant is a Natural Person (individual)					☒
1.2	The applicant is a Firm (i.e. any body incorporated by, or established in terms of, any law as well as any partnership, trust, parastatal or organ of state)					
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)			
Applicant Name:	Brenda Niehaus		
RSA Identity Number/ Passport Number of Applicant, if natural person:			
Name of Firm (if applicable):	n/a		
Firm Registration Number:	n/a		
Contact Person at the Firm:	n/a		
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)		
<ul style="list-style-type: none"> • 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: n/a RSA ID No. n/a Name: n/a RSA ID No.n/a Name: n/a RSA ID No.n/a Name: n/a RSA ID No.n/a Name: n/a RSA ID No.n/a		
Postal address:			
		Postal code:	
Telephone:	()	Cell:	
E-mail:		Fax:	()
Project Consultant	n/a		
Contact person:			
Postal address:			
Telephone:			
E-mail:			
Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:	Eco Route Environmental Consultancy		
Company name (if any):	Samantha Teeluckdhari		
Postal address:	P.O. Box 1252		
	Sedgefield	Postal code:	6573
Telephone:	()	Cell:	0727735397
E-mail:	samantha@ecoroute.co.za	Fax:	()
EAP Qualifications	BSS Geography and Environmental Management		
EAP Registrations/Associations	Reviewer: Janet Ebersohn (EAPASA: 2019/1286)		
Name of the Landowner:	Brenda Niehaus		
Name of the contact person for the land owner (if other):	Brenda Niehaus		
Postal address:			
		Postal code:	
Telephone:	()	Cell:	
E-mail:		Fax:	()

Person in control of land:	Brenda Niehaus		
Contact person:	Brenda Niehaus		
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:	Bitou Municipality		
Contact person, if known:	Chris Schliemann / Anjè Taljaard		
Postal address:	Private Bag X1002,		
	Plettenberg Bay	Postal code:	6600
Telephone	044) 501 3318	Cell:	
E-mail:	CSchliemann@plett.gov.za/ ataljaard@plett.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):	The Craggs, Plettenberg Bay		
Farm/Erf name(s) & number(s) including portion(s)	Portions 66 (consolidation of ptn. 4 and 1A (a subdivision of ptn. 1) & 9 of farm Redford no.232		
Property size(s) (m ²)	±192 600 m ² and 89 900 m ² respectively		
Development footprint size(s) (m ²)	±234 600 m ²		
SG21 Digit code(s)	C03900000000023200001		C03900000000023200004
	C03900000000023200009		

Property boundary Portion 66:

Point	Latitude (S)	Longitude (E)
1	33° 56' 27.70" S	23° 27' 27.06" E
2	33°56' 32.28" S	23° 27' 15.63" E
3	33° 56' 50.84" S	23° 27' 39.28" E
4	33° 56' 42.15" S	23° 27' 43.79" E

Property boundary Portion 9:

Point	Latitude (S)	Longitude (E)
1	33° 56' 42.03" S	23° 27' 28.04" E
2	33°56'50.66" S	23° 27' 39.17" E
3	33° 56' 46.60" S	23° 27' 20.82" E
4	33° 56' 50.84" S	23° 27' 39.28" E

The co-ordinates for the site boundary are – Portion 66- dam 3:

Point	Latitude (S)	Longitude (E)

1	33°56'29.69" South	23° 27' 26.90" East
2	33° 56'30.18" South	23° 27' 28.07" East
3	33° 56' 30.68" South	23° 27' 25.97" East
4	33° 56' 31.63" South	23° 27' 27.58" East

The co-ordinates for the site boundary are – Portion 66 - dam 4:

Point	Latitude (S)	Longitude (E)
1	33° 56' 31.51" South	23° 27' 25.84" East
2	33° 56' 31.90" South	23° 27' 26.53" East
3	33° 56' 33.93" South	23° 27' 23.82" East
4	33° 56' 35.66" South	23 ° 27' 25.99" East

The co-ordinates for the site boundary are – Portion 66 - dam 2:

Point	Latitude (S)	Longitude (E)
1	33° 56' 42.83" South	23° 27' 41.12" East
2	33° 56' 43.38" South	23° 27' 41.78" East
3	33° 56' 45.27" South	23° 27' 38.11" East
4	33° 56' 46.43" South	23 ° 27' 39.75" East

The co-ordinates for the site boundary are – Portion 9 - dam 1:

Point	Latitude (S)	Longitude (E)
1	33° 56' 47.60" South	23° 27' 34.73" East
2	33° 56' 48.03" South	23° 27' 35.27" East
3	33° 56' 49.42" South	23° 27' 29.20" East
4	33° 56' 50.33" South	23 ° 27' 31.39" East

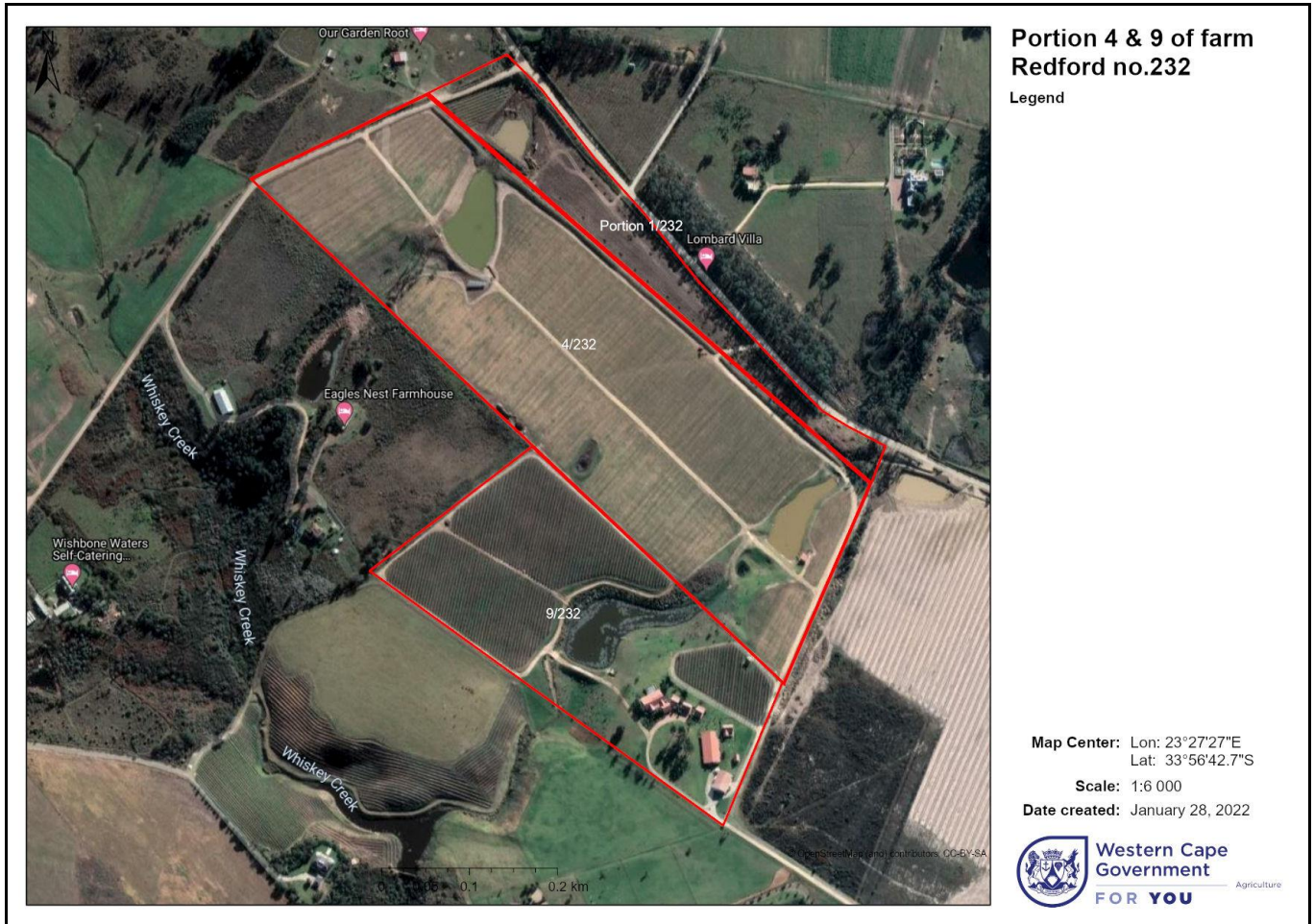


Figure 1: Locality map – portions 1A and 4 (consolidated to portion 66/232), and portion 9 of farm Redford no. 232.

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:	Portions 66 and 9 of the farm Redford no.232		
Magisterial District or Town:	Eden District Municipality		
Closest City/Town:	Plettenberg Bay	Distance	22,2 km
Zoning of Property:	Agriculture		

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
If yes, what was the previous zoning?		
Is a rezoning application required?	YES	NO
Is a consent use application required?	YES	NO
Locality map:	<p>A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> • 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:	<p>If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated.</p> <p>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>.</p>

2. APPLICATION HISTORY

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

Has any national, provincial or local authority considered any development applications on the property previously?	Yes	No
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.		
n/a		

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): Brenda June Niehaus

Signature: *Brenda Niehaus*

Place: Plettenberg Bay

Date: 26 November 2021

EAP (Full names): Samantha Janine Teeluckdhari

Signature: *S. Teeluckdhari*

Place: Durban

Date: 23/11/2021

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

1.1 Applicable EIA listed activities **Not Applicable**

ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002			
Activities commenced with on or after 08 September 1997 and before end 09 May 2002: EIA regulations promulgated in terms of the ECA, Act 73 of 1989			
Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant listed activity/ies in writing as per GN No. 1182 of 1997	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity

ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006			
Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA regulations promulgated in terms of the ECA, Act 73 of 1989,			
NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010			
Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA			
GN R386 Activity No(s): (Listing Notice 1 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 386 of 2006 ("NEMA 2006 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Government Notice No. R387 Activity No(s): (Listing Notice 2 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 387 of 2006 ("NEMA 2006 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014			
Activities unlawfully commenced with on or after 02 August 2010 and before end 07 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 544 Activity No(s): (Listing Notice 1 of 2010)	Describe the relevant listed activity(ies) in writing as per GN No. R. 544 of 2010 ("NEMA 2010 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN No. R. 545 Activity No(s): (Listing Notice 2 of 2010)	Describe the relevant listed activity/ies in writing as per GN No. R. 545 of 2010. (NEMA 2010 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN No. R. 546 Activity No(s): (Listing Notice 3 of 2010)	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
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
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
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

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 – **Not Applicable**

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
GN No. 718 – Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity

Waste Management Activity Contraventions: On or after 29 November 2013			
Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 under the National Environmental Management Waste Act, Act 59 of 2008,			
GN No. 921 - Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
GN No. 921 – Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity

Please note:

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

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

1.3 Activities listed similarly in terms of the EIA Regulations

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

The similarly listed activities in terms of the EIA Regulations promulgated in terms of the NEMA, Act 107 of 1998,		
GN No. R. 327 Activity No(s): (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.
19	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving— (a) will occur behind a development	More than 10 cubic metres of soil was removed from the four dams, wetlands and riparian areas during the clearing of littoral vegetation, sediment and enlarging of three of the four dams. <ul style="list-style-type: none"> ➤ Ptn 9 Dam 1 – 2018 cleared sediment and littoral veg, enlarged dam ➤ Ptn 66 Dam 2 – 2020/2021 cleared sediment and littoral veg, enlarged dam ➤ Ptn 66 Dam 3 – 2021 cleared sediment and littoral veg to maintain dam capacity

	<p>setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>➤ Ptn 66 Dam 4 – 2020/2021 cleared sediment and littoral veg, enlarged dam</p>
<p>27</p>	<p>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>As the activity site had been previously cleared and utilized by the previous landowner for agricultural purposes, including the site being left derelict for many years prior to the current landowner purchasing the land; an abundance of alien invasive vegetation had taken over the activity site. From GIS mapping and specialist reports, it can be assumed that only small pockets indigenous vegetation was present. Therefore, it is difficult to establish the exact footprint size of indigenous vegetation clearance on the property.</p> <p>The relevance of this listed activity is the decision of the Competent Authority.</p>
<p>48</p>	<p>The expansion of—</p> <p>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</p> <p>(ii) dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more;</p> <p>where such expansion occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding—</p> <p>(aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such expansion activities are related to the development of a</p>	<p>Three of the four dams across portions 66 and 9 Redford 232 have been enlarged by more than 100 square metres. The dams are all in-stream and occur within NFEPA wetlands.</p> <p>➤ Ptn 9 Dam 1 – 2018 cleared sediment and littoral veg, enlarged dam</p> <p>➤ Ptn 66 Dam 2 – 2020/2021 cleared sediment and littoral veg, enlarged dam</p> <p>➤ Ptn 66 Dam 3 – 2021 cleared sediment and littoral veg to maintain dam capacity</p> <p>➤ Ptn 66 Dam 4 – 2020/2021 cleared sediment and littoral veg, enlarged dam</p>

	<p>port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such expansion occurs within an urban area; or</p> <p>(ee) where such expansion occurs within existing roads, road reserves or railway line reserves.</p>	
<p>GN No. R. 325 Activity No(s): (Listing Notice 2 of 2014)</p>	<p>Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")</p>	<p>Describe the portion of the development as per the project description that relates to the applicable listed activity.</p>
<p>N/A</p>		
<p>GN No. R. 324 Activity No(s): (Listing Notice 3 of 2014)</p>	<p>Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014</p>	<p>Describe the portion of the development as per the project description that relates to the applicable listed activity.</p>
<p>23</p>	<p>The expansion of—</p> <ul style="list-style-type: none"> (i) dams or weirs where the dam or weir is expanded by 10 square metres or more; or (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; <p>where such expansion occurs—</p> <ul style="list-style-type: none"> (a) within a watercourse; (b) in front of a development setback adopted in the prescribed manner; or (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; <p>excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p> <p>i. Western Cape</p> <p>i. Outside urban areas:</p> <ul style="list-style-type: none"> (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (bb) National Protected Area Expansion Strategy Focus areas; (cc) World Heritage Sites; (dd) Sensitive areas as identified in an environmental management 	<p>Three of the four dams on the activity site were expanded. The dams are all in-stream and occur within NFEPA wetlands. The activity site is outside an urban area and occurs within a sensitive area as per the Garden Route EMF.</p>

	<p>framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; (ee) Sites or areas listed in terms of an international convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (gg) Core areas in biosphere reserves; or (hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</p>	
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The following activities are applicable in terms of the National Water Act (Act 36 of 1998) Section 21:

Section 21 a) taking water from a water resource
 Section 21 b) storing water
 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



Figure 2: Dams 1-4 on Portions 9/232 and 66/232

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.

Proof of WULA submission has been attached as Appendix F.

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	Incomplete
(a) Is/was the project a new development or an upgrade of an existing development? Also indicate the date (e.g. 2 August 2010) when the activity commenced <u>as well as</u> the original date of commencement if the application is an upgrade.	New	Upgrade
<p>The development consisted of the clearance of sediment and littoral vegetation from all four existing dams, including the enlargement of dams 1,2 & 4. In addition, the applicant has planted 4.2ha of Almond trees. A further 10 ha of almond trees may be planted in the future.</p> <p>Commencement: approximately October 2017</p>		



Figure 3: Almond orchard cultivation map – Green crosses are planted almond trees and red is for future planting of almond trees.

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

Complete

1. The applicant cleaned and cleared the property of alien vegetation, removed skip loads of building rubble, plastic bottles, abandoned broken down furniture, carpets and other human garbage, and safely removed and disposed of 2 large skip loads of asbestos to a site in Port Elizabeth.
2. Secondly, the applicant established infrastructure on the properties which included fencing, fire breaks, roads, dam maintenance, water infrastructure for domestic use, irrigation infrastructure, electricity and solar installation, home and building renovations and the demarcation of the properties into different land use zones. The demarcation of 3 different zones or land uses: residential, agricultural and indigenous with a targeted and differentiated management plan for each zone.
3. Although, the applicant did not specifically identify a wetland zone and riparian buffer zone, the indigenous zone does incorporate the more sensitive catchment areas where reforestation and rehabilitation processes are already well underway. The applicant has expressed that her goal has always been to restore the indigenous habitat over time. To date, the applicant has planted over 12 400 trees and plants in this zone, many of them on the list of plants recommended by the aquatic specialist for rehabilitation.
4. In an effort to minimise the negative impacts of erosion, the applicant had planted Kikuyu

grass. However, the applicant has already begun removing Kikuyu grass in the identified wetland zones, where appropriate, to replace with more suitable indigenous vegetation as per the aquatic report.

5. In terms of the agricultural zone, the applicant has implemented a regenerative agricultural approach which includes the use of diverse cover crops in the work rows and on the orchard ridges. In addition, an integrated pest management plan has been put in place. The applicant conducts regular soil analysis including both the chemical composition of the soil as well as the soil microbial health.
6. As previously stated, the applicant had already established buffer zones around the riparian areas; however, based on the recommendation made by the aquatic specialist regarding 25m buffer zones, the established buffer zones require extending. The applicant is currently in the process of extending the buffer zones to comply with the specialist recommendation.

Activities undertaken on dams:

Portion 1A and 4 of farm Redford no.232 have been consolidated to form portion 66; however, for the sake of providing a clear description of what has taken place on each property, the EAP has separated the properties below.

Portion 1 of farm Redford no.232

The applicant had purchased a portion of this property in 2021 which is referred to in this report as portion 1A. The purchased land was subdivided and consolidated into portion 4/232. One instream dam (Dam 3) was constructed by the previous owner of the property without environmental authorisations between 2006 and 2009. The current landowner recently cleared sediment and littoral vegetation from the dam to maintain its capacity.

Portion 4 of farm Redford no.232

The applicant had purchased portion 4/232 Redford in 2020. Two instream dams were constructed pre-1998 (Dam 2 and Dam 4). The current landowner recently cleared out both dams to remove sediment and littoral vegetation. Both dams were enlarged from their previous capacity during this process, which occurred during 2020 and 2021.

Portion 9 of farm Redford no.232

The applicant purchased portion 9/232 Redford in 2017. One instream dam (Dam 1) was constructed between 2000 and 2004 by the previous landowner with no environmental authorisation. The current landowner recently cleared sediment and littoral vegetation from the dam and enlarged the dam during this process.

Still to complete:

Planting of a further 10 ha of almond trees on portion 66 and rehabilitation processes of the two properties.



Figure 4: Historical Google Earth image (2016) prior to purchase of the properties.



Figure 5: Historical Google Earth image (2017) – Site clearance on portion 9/232 Redford had commenced by the current landowner.



Figure 6: Latest Google Earth image (2021)

(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
Provide brief description:		
n/a		
Infrastructure (e.g. roads, power and water supply/ storage)	YES	NO
Provide brief description:		
As described above.		
Processing activities (e.g. manufacturing, storage, distribution)	YES	NO
Provide brief description:		
n/a		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)		
Provide brief description	YES	NO
n/a		
Storage and treatment facilities for solid waste and effluent generated by the project		
Provide brief description	Yes	No
n/a		

(d) Other activities (e.g. water abstraction activities, crop planting activities)	Yes	No
Provide brief description		
Cover crops have been planted on Portion 66 to improve soil health, microbial health, insect diversity, and to prevent erosion.		

3. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	±282 500	m ²
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	±234 600	m ²
Total area:		m ²

4. SITE ACCESS

Was there an existing access road?	YES	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:		
n/a		

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, 1998 (ACT NO.107 OF 1998)	Western Cape Government Environmental Affairs and Development Planning	AUTHORISATION	In Process
NATIONAL ENVIRONMENTAL MANAGEMENT AMENDMENT ACT (ACT NO.62 OF 2008)	Western Cape Government Environmental Affairs and Development Planning	AUTHORISATION	In Process
NATIONAL WATER ACT (ACT NO.36 OF 1998)	Department of Water and Sanitation/ Breede Gouritz Catchment Management Agency	LICENSE	In Process
ENVIRONMENTAL CONSERVATION ACT (ACT NO.73 OF 1989)	Western Cape Government Environmental Affairs and Development Planning	RELEVANT CONSIDERATION	N/A
	Western Cape	RELEVANT CONSIDERATION	N/A

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT (ACT NO.10 OF 2004)	Government Environmental Affairs and Development Planning		
WESTERN CAPE NATURE CONSERVATION LAWS AMENDMENT ACT (ACT NO.3 OF 2000)	CapeNature	COMMENT/ RELEVANT CONSIDERATION	In Process
CONSERVATION OF AGRICULTURAL RESOURCES ACT (ACT NO.43 OF 1983)	Department of Agriculture, Forestry and Fisheries	PERMIT	In Process
NATIONAL HERITAGE RESOURCES ACT (ACT NO.25 OF 1999)	Heritage Western Cape	COMMENT/ RELEVANT CONSIDERATION	20 April 2022

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
DEA (2017), Guideline on Need and Desirability – the need to ensure that the development is ecologically sustainable and socially and economically justifiable influenced the preferred proposal.	Department of Forestry, Fisheries and the Environment
DEA (2012) Public Participation Guideline - this document has informed the Public Participation Process.	Department of Forestry, Fisheries and the Environment
Western Cape DEA&DP Guideline for Involving a Specialist in EIA Processes, June 2005 – to involve specialists to assess the receiving environment and provide sustainable mitigation measures for optimal conservation.	Department of Environmental Affairs and Development Planning
Western Cape DEA&DP Guideline on Alternatives, March 2013 - The general objective of integrated environmental management is, <i>inter alia</i> , 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.	Department of Environmental Affairs and Development Planning

Fynbos Forum Ecosystem Guidelines for Environmental Assessment in The Western Cape – to provide sustainable development whilst conserving the receiving environment.	CapeNature
Western Cape DEA&DP Guideline for the Review of Specialist Input in the EIA process (June 2005).	Department of Environmental Affairs and Development Planning
Western Cape DEA&DP Guideline for Environmental Management Plans (June 2005).	Department of Environmental Affairs and Development Planning

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
If yes, has an application been submitted to the licensing authority?	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)?	YES	NO
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.		
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
If yes, has an application been submitted to the licensing authority?	YES	NO
Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act (“NEM: ICMA”)?	YES	NO
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
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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)
Application to cultivate virgin soil	Department of Agriculture	In the process	

SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT

Site/Area Description

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

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

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

GRANITE	<input type="checkbox"/>	QUARTZITE	<input type="checkbox"/>
SHALE	<input type="checkbox"/>	DOLOMITE	<input type="checkbox"/>
SANDSTONE	<input type="checkbox"/>	DOLERITE	<input type="checkbox"/>
OTHER (specify)	<input type="text"/>		

According to GIS mapping found on Cape Farm Mapper, the site is characterised as having the following geology –

Mainly quartzitic sandstone, with subordinate shale, of the Table Mountain Group, Cape Supergroup.

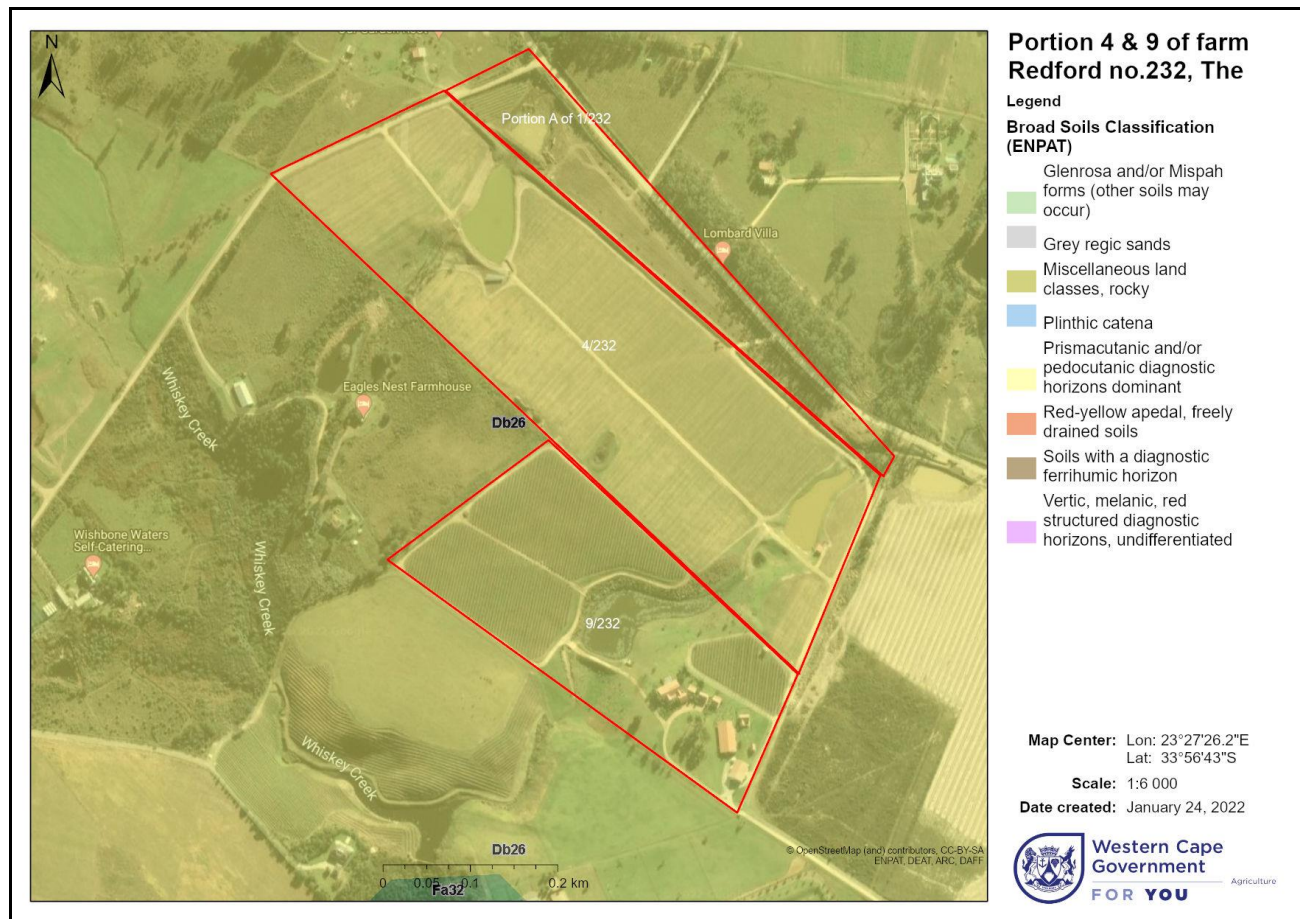


Figure 7: Soils & Geology of Portions 66 and 9 of farm Redford no.232 – Land Type Db26 Prisma-cutanic and/or pedocutanic diagnostic horizons dominant, B horizons mainly not red.

2. GRADIENT OF THE SITE

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

Flat	<input type="checkbox"/>	Flatter than 1:10	<input type="checkbox"/>	1:10 – 1:5	<input type="checkbox"/>	Steeper than 1:5	<input type="checkbox"/>
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3. LOCATION IN LANDSCAPE

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

Ridgeline	<input checked="" type="checkbox"/> Plateau	Side slope of hill/mountain	Closed valley	Open valley	Plain	Undulating plain/low hills	Dune	Sea-front	Other
If other, please describe									
n/a									

4. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

4.1 GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE (PRE-COMMENCEMENT)

Is the site(s) located on or near any of the following (cross out ("☒") the appropriate boxes)?

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

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

Shallow water table (less than 1.5m deep)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNSURE
Seasonally wet soils (often close to water bodies)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> UNSURE
Unstable rocky slopes or steep slopes with loose soil	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNSURE
Dispersive soils (soils that dissolve in water)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNSURE
Soils with high clay content	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNSURE
Any other unstable soil or geological feature	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNSURE
An area sensitive to erosion	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> 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 ("☒") the appropriate boxes)?

Perennial River	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNSURE
Non-Perennial River	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> UNSURE
Permanent Wetland	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNSURE
Seasonal Wetland	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNSURE
Artificial Wetland	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> UNSURE
Estuarine / Lagoonal wetland	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNSURE

5.2 SURFACE WATER (POST-COMMENCEMENT)

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

Perennial River	YES	NO	UNSURE
Non-Perennial River	YES	NO	UNSURE
Permanent Wetland	YES	NO	UNSURE
Seasonal Wetland	YES	NO	UNSURE
Artificial Wetland	YES	NO	UNSURE
Estuarine / Lagoonal wetland	YES	NO	UNSURE

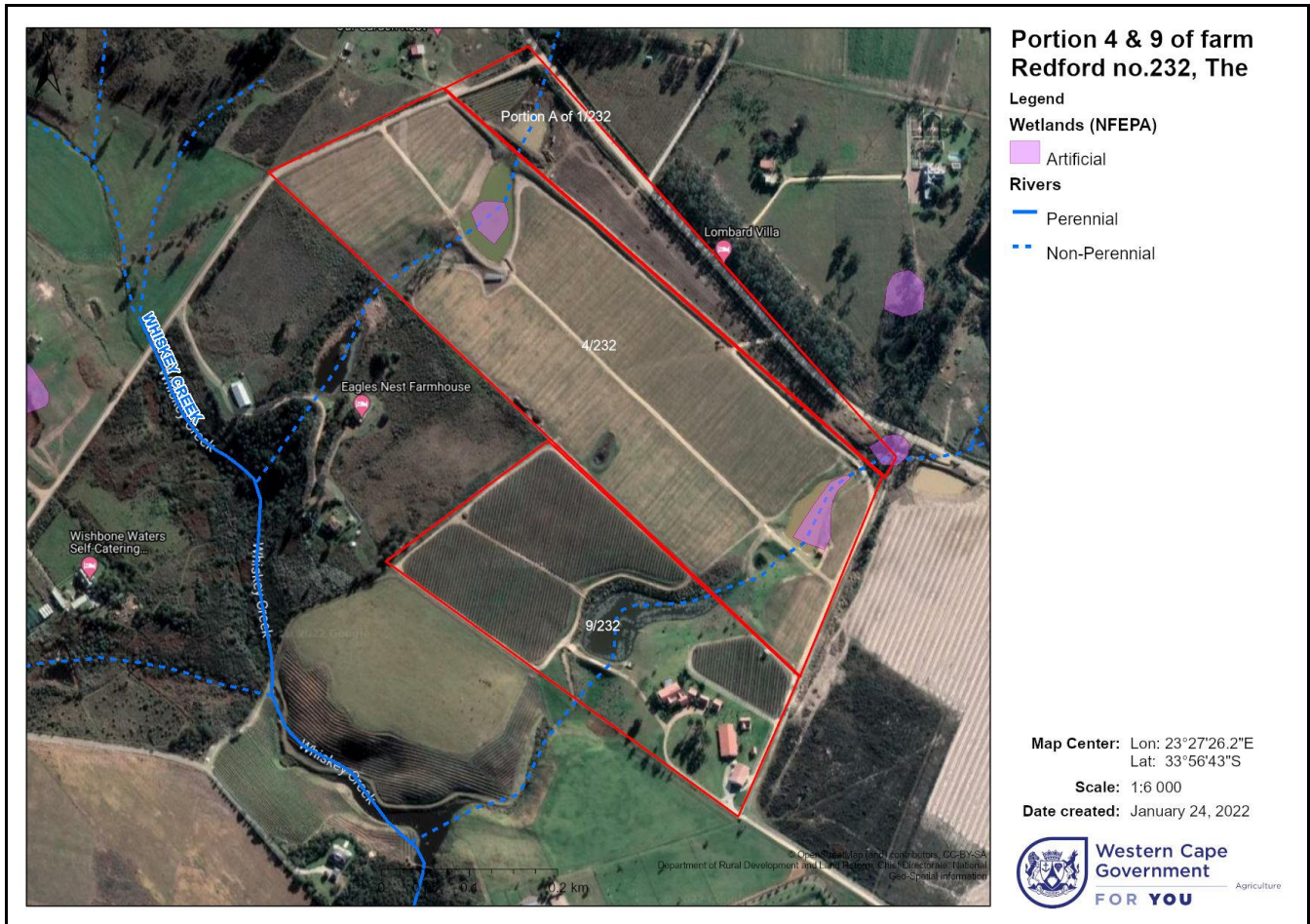


Figure 8: Rivers & Wetlands on Portions 66 and 9 of farm Redford no.232.

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		Indigenous Vegetation with heavy alien infestation	X
Describe the vegetation type above:		Describe the vegetation type above:		Describe the vegetation type above: According to VegMap 2018 derived from The Vegetation Map of South Africa, Lesotho and Swaziland, Mucina et al 2006, the vegetation in the development area is categorised as Tsitsikamma Sandstone Fynbos. However, pre-commencement conditions of the site contained heavy alien plant infestation of Black Wattles, Gum trees, Lantana, Bug Weed, etc.	
Provide ecosystem status for above:		Provide ecosystem status for above:		Provide Ecosystem status for above: Least threatened	
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)		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)	Category 1 ESA: Terrestrial & Aquatic Definition: Areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs or CBAs, and are often vital for delivering ecosystem services. Objective: Maintain in a functional, near-natural state. Some habitat loss is acceptable, provided the underlying biodiversity objectives and ecological functioning are not compromised.
				Category 1 ESA 2: Restore from other land use Definition: Areas that are not essential for meeting biodiversity targets, but that play an important role in supporting the functioning of PAs or CBAs, and are often vital for delivering ecosystem services. Objective: Restore and/or manage to minimize impact on ecological processes and ecological infrastructure functioning, especially soil and water-related services, and to allow for faunal movement.

Although, according to the GIS imagery the site was/is categorised as an ESA; ESA's and CBA's have not been adopted by the Competent Authority. In addition, the ESA had historically been impacted on by Redford Road, farming lands within the area, and property fences.

According to VegMap 2018 derived from The Vegetation Map of South Africa, Lesotho and Swaziland, Mucina et al 2006, the vegetation in the development area is categorised as Tsitsikamma Sandstone Fynbos. However, pre-commencement conditions of the site contained heavy alien plant infestation of Black Wattles, Gum trees, Lantana, Bug Weed, etc.

(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	%	
Near Natural (includes areas with low to moderate level of alien invasive plants)	%	
Degraded (includes areas heavily invaded by alien plants)	85%	The properties were heavily invaded with alien plants (Black Wattle, gums, Lantana, Bug weed, etc.) prior to commencement of activities.
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	15%	Portion 9 and 1 contained 2 horse paddocks, and 3 degraded farm dams. Portion 4 contained a derelict farmhouse, a degraded farm dam and access roads prior to commencement of activities.

(c) Complete the table to indicate:

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

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

(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)

Biodiversity

According to the updated Vegetation Map of South Africa, Lesotho and Swaziland, vegetation at 66/232 and 9/232 Redford is classified as Tsitsikamma Sandstone Fynbos which is considered Least Threatened in terms of conservation status.

A fine-scale map of vegetation was developed by Jan Vlok and Doug Euston Brown for the Garden Route (See Vlok, J.H.J., Euston-Brown D.I.W. & Wolf, T. (2008). The broad delineation of the vegetation of the study area shows that it is Tsitsikamma Plateau Proteoid Fynbos with two Tsitsikamma Perennial Streams running through both properties.

Vegetation descriptions as per Vlok, Euston-Brown & Wolf, 2008:

Fynbos

The Tsitsikamma Plateau Proteoid Fynbos can grow very tall when not burned for long periods. This

very wet unit contains many small isolated depressions, but they are impossible to map at this scale. This unit is very similar to the Tsitsikamma Mesic Proteoid Fynbos, but differs in occurring on the relatively flat coastal plateaus and not on the steep mountain slopes. The height that this vegetation can attain, up to 10 m tall, also distinguishes it from Tsitsikamma Mesic Proteoid Fynbos. It shares similar species but the following tend to be most abundant, possibly because of their ability to grow into tall plants quickly. *Rhodocoma gigantea*, *Tetralix involucrata*, *Erica sparsa*, *Erica discolor*, *Passerina falcifolia*, *Leucadendron eucalyptifolium* and *Protea mundii*.

Water Sources

By far the most abundant in the region is the central Tsitsikamma Perennial Stream unit. As is typical of this habitat, the water is dark, fresh and acidic. It is in all respects very similar to the Moordkuils Perennial Stream unit but differs in having much of the upper water catchment in inland valleys. Here *Protea mundii* replaces the typical *Protea aurea* of the western example, perhaps the easiest way to differentiate the two units. *Laurophyllus capensis* also tends to be more abundant, replacing to some extent *Leucadendron conicum*. The only rare plant known is *Gladiolus sempervirens*, but it is not restricted to this unit.

A Terrestrial Biodiversity Report dated February 2022 was compiled by Cape Vegetation Surveys and noted the following regarding the state of pre-commencement vegetation on the assessed properties:

Based on the 1985 aerial evidence found on Google Earth, and subsequent maps it can be noted that the property was historically largely disturbed due to agricultural activities. This is further supported as the surrounding area is dominated by agricultural activities. Aerial imagery also identifies invading woody species with sparse remnants of fynbos species, mostly confined to the watercourse areas.

It cannot be ascertained with any degree of confidence if the study area was natural indigenous vegetation given the level of evidenced disturbance prior to the current clearing undertaken since 2017.

The area was previously transformed from indigenous fynbos habitat to a degraded mixed habitat with agriculture pasture and alien species dominant but certainly some residual fynbos species could have survived.

Aquatic Ecosystem - Excerpt from the Aquatic Specialist Report by Confluent Environmental (October 2021):

Present Ecological State (PES) Pre-development

It is not possible to accurately determine the PES prior to the modifications listed in this report. As stated in the assumptions and exclusions, no photos of the site were available prior to clearance of vegetation and excavations. Based on discussions with the landowner, historical satellite images, and inspection of neighbouring dams, the following assumptions are made:

- There was extensive dumping of household rubbish and horse manure in the eastern wetland below Dam 1. This was removed by the landowner.
- Above and below the dams on all farm portions, widespread invasion of the wetland areas had taken place by Black Wattle. This is also evident in the historical image...
- On Portion 1 and Portion 4 the dams contained dumped building rubble, mounds of plastic and other garbage. This was presumed to have been illegally dumped by building contractors and by squatters who had occupied derelict buildings on the site. This was all cleaned out and removed by the landowner.
- Despite these aspects of degradation, the amount of littoral and aquatic vegetation observable in the historical image of the dams on Portion 4 suggest that the dams may have provided habitat for a range of biota (birds, macroinvertebrates, amphibians etc.).

While it is safe to say the wetlands were degraded prior to the unauthorised activities, the removal of all vegetation from Dams 2, 3, and 4, and wetland areas with heavy machinery reduced the opportunity for remnant indigenous flora and fauna to recover from more sensitive intervention

methods. In this sense, one set of negative impacts have been replaced with another. The PES of the watercourse prior to development was therefore likely to be similar to what it is presently. The PES of Dam 1 may have been improved through the process of revegetation of large areas of shoreline with indigenous vegetation, and due to the fact that it was not excavated to the same extent as the other 3 dams.

The landowner has subsequently spent in the region of R387 000 (this amount has since increased since the report was compiled) on indigenous plants...which have been planted around primarily Dam 1 at this stage. Future planting is planned for indigenous and wetland zones (including riparian buffers) which have been planned around the two watercourses. In this sense a reasonable degree of ecological structure and function (related to biodiversity) will be actively preserved and managed in the future, with further passive regeneration by flora and fauna expected to occur naturally from surrounding areas. It is therefore likely that the future ecological state of the wetlands will be an improvement on their pre-development state.

6.2 VEGETATION AND/OR GROUNDCOVER (POST-COMMENCEMENT)

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		Indigenous Vegetation with scattered aliens	X	Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above:	Describe the vegetation type above: According to VegMap 2018 derived from The Vegetation Map of South Africa, Lesotho and Swaziland, Mucina et al 2006, the vegetation in the development area is categorised as Tsitsikamma Sandstone Fynbos. Rehabilitation around the wetlands and dams is currently being undertaken.		Describe the vegetation type above:		
Provide ecosystem status for above:	Provide ecosystem status for above: Least Threatened		Provide Ecosystem status for above:		
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)	Cultivated land		Paved surface		

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

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	%	
Near Natural (includes areas with low to moderate level of alien invasive plants)	20%	Although, the dams have been altered, rehabilitation is currently underway and the areas around all dams and wetlands will be in an improved near natural state. Continuous alien invasive plant removal will be required and the applicant is currently clearing AIPs after every rainfall event.
Degraded	%	

(includes areas heavily invaded by alien plants)		
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	80%	4.2 ha of farmland on portion 9 has been cultivated for almond orchards. Portion 66 has been planted with cover crops to improve the health of the soil and to prevent erosion. The applicant intends to cultivate a further 10 ha of portion 66 for almond orchards; however, this is dependent on the outcome of the S24G.

(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)?

Biodiversity – the following points were noted in the Terrestrial Biodiversity Report dated February 2022 and compiled by Cape Vegetation Surveys:

The study area according to the BSP is mapped as sensitive for having the following features: primary ESA (watercourse, water recharge area) and secondary ESA (Watercourse area) to be conserved and rehabilitated. The clearance of vegetation has impacted on an ESA containing indigenous Tsitsikamma Sandstone Fynbos and Riparian elements.

From a Botanical perspective the condition of the fynbos riparian mosaic vegetation at the receiving environment following clearance of vegetation is of Low Terrestrial Biodiversity Sensitivity with a Low Plant Species Sensitivity.

There is little evidence remaining to confirm the original vegetation patterning. There appears to be no species of special concern within the study area containing plant species representative of riparian ecosystems.

It cannot be ascertained with any degree of confidence if the study area was natural indigenous vegetation given the level of evidenced disturbance prior to the current clearing undertaken since 2017...Until recently parts of the study area have been infested with Invasive Alien Species, like *Acacia mearnsii* (Black Wattle) and *Pinus pinaster* as indicated on aerial imagery from 2009, with denser stands visible in 2016.

Aquatic Ecosystem - Excerpt from the Aquatic Specialist Report by Confluent Environmental (October 2021):

The Present Ecological State (PES) of both wetlands have a Present Ecological State of D, Largely Modified. This status reflects that a large loss of natural habitat, biota and basic ecosystem functions has occurred. The WET-Health model does not have a water quality module. However, an added factor that must be considered in the PES assessment, and be included in the mitigation measures, is the high turbidity of water in the two upstream dams. This is partially related to runoff from the road, but also reflects recent disturbance related to clearing of dams and removal of vegetation both in the dam basin and along slopes above the dams for establishment of Almonds. Serious disturbance (dam-building and channel straightening) in the Eastern Wetland on the property neighbouring Redhaus Farm has also caused a decline in water quality in Dam 2 through increased turbidity.

The Ecological Importance and Sensitivity (EIS) assessment determined that the wetlands at Redhaus Farm are of VERY HIGH importance and sensitivity...While the level of confidence in the presence of Red Data species is low, it is likely that rare or unique specie were / are present in the wetlands under reference (pre-impact) conditions. The wetlands are important corridors of more natural, protected and diverse vegetation linking the forested hill areas to the north with the Whiskey Creek Nature Reserve to the south. As the level of transformation of surrounding land increases in Redford Farm area, so the importance of watercourses as a corridor for wildlife increases. The wetlands both play an important role in the maintenance of base flows in the Whiskey Creek as they provide the slow release of water as it moves through the wetland soil, which also acts as a large filter to remove pollutants and sediment. The management objective for wetlands with a Very High EIS is to improve their PES.

As per point 6.3 below please see applicant rehabilitation measures taken on site.

6.3 VEGETATION / GROUNDCOVER MANAGEMENT

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

The applicant has adopted the following mitigation and measures on the property:

1. The applicant cleaned and cleared the property of alien vegetation, removed skip loads of building rubble, plastic bottles, abandoned broken down furniture and carpets and other human garbage, and safely removed and disposed of 2 large skip loads of asbestos to a site in Port Elizabeth.
2. Secondly, the applicant established the infrastructure on the properties which included the fencing, fire breaks, roads, dam maintenance, water infrastructure for domestic use, irrigation infrastructure, electricity and solar installation, home and building renovations and the demarcation of the properties into different land use zones. The demarcation of 3 different zones or land uses: residential, agricultural and indigenous with a targeted and differentiated management plan for each zone.
3. Although, the applicant did not specifically identify a wetland zone and riparian buffer zone, the indigenous zone does incorporate the more sensitive catchment areas where reforestation and rehabilitation processes are already well underway. The applicant has expressed that her goal has always been to restore the indigenous habitat over time. To date, the applicant has planted over 11 000 plants and trees in this zone, many of them on the list of plants recommended by the aquatic specialist for rehabilitation.
4. In an effort to minimise the negative impacts of erosion, the applicant had planted Kikuyu grass. However, the applicant has already begun removing Kikuyu grass in the identified wetland zones, where appropriate, to replace with more suitable indigenous vegetation as per the aquatic report.
5. In terms of the agricultural zone, the applicant has implemented a regenerative agricultural approach which includes the use of diverse cover crops in the work rows and on the orchard ridges. In addition, an integrated pest management plan has been put in place. The applicant conducts regular soil analysis including both the chemical composition of the soil as well as the soil microbial health.
6. As previously stated, the applicant had already established buffer zones around the riparian areas; however, based on the recommendation made by the aquatic specialist regarding 25m buffer zones, the established buffer zones require extending. The applicant is currently in the process of extending the buffer zones to comply with the specialist recommendation.
7. Vegetation was planted to mitigate against the erosion caused in the watercourses as per the aquatic specialist mitigation measures and recommendations.

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

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

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

Other land uses (describe):	Derelict land In addition, the existing Redford Road transgresses the mapped ESA resulting in fragmentation of the historical ecological corridor.
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(a) Please provide a description.

<p>Portion 9:</p> <p>The applicant acquired Portion 9 in July 2017. Other than 2 horse paddocks, one in front of the barn and one where the almond orchard next to the house is, the entire property was infested with black wattle including the wetland area on either side of the dam and all the way up to edges of dam 1. The dam was not visible from the house. The entire area to the south of the dam wall had been used as a dumping ground for household waste and horse manure. There was another dumping ground up near the western boundary of the property. The water in the dam was stagnant and had a foul smell. Over and above environmental issues, the property was a fire hazard and in fact the house was burned down in a fire that swept through the property in 2007.</p> <p>Portion 66 (consolidation of portion 4 and portion 1A of the farm Redford no.232):</p> <p>The applicant acquired Portion 4 in October 2020 and subsequently Portion 1A through a subdivision and consolidation into Portion 4. This was a derelict property which the applicant purchased out of a deceased estate. The property was unattended and largely uninhabited except for 1 family member who lived in a broken-down cottage on the far western side of the property and squatters who had invaded the derelict asbestos building on the Eastern side of the property. Dams 2, 3 & 4 and the wetland area on either side of the dams were extensively infested with alien vegetation and polluted with building rubble, mounds of plastic and other garbage, and human excrement. It can be assumed that at some point the property was used as an illegal dumping site by building contractors. Portion 1A was formally a vineyard.</p>
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8. LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT)

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

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



Figure 9: GIS imagery showing small area of untransformed land within 500m of the property.

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

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

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

10. SOCIO-ECONOMIC CONTEXT

10.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

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

Portions 4 & 9 of the farm Redford 232 were allowed to become overgrown with alien vegetation and unattended by the previous landowner and portion A1 was established as a vineyard somewhere between November 2016 and October 2019 by the previous landowner.

As per the SDF 2017 of Bitou Municipality:

Kurland and The Craggs have a well-defined tourism character, with numerous accommodation establishments on small holdings and farms. It also has timber and brick yards, dairies and a winery, which give it a different, service industrial character. Its theme should thus relate to the tourism attractions in an

agricultural setting, while permitting the urban component to expand. Urban expansion should create a spread of market sectors, to complement the existing low income residential neighbourhood, while not detracting from the rural land uses and tourism attractions. The SDF should make proposals for this to become a balanced urban settlement according to the principles of walking distance access and functional and socio-economic integration.

As per the 2017 Socio-economic Profile: Bitou Municipality: The primary sector in the Bitou municipal economy employed 1 507 people (or 7.8 per cent) in 2015, with almost all of the jobs falling under the agriculture, forestry and fishing sector.

According to the Bitou Municipality IDP 2017-2022:

The annual income for households living within the Bitou municipal area is divided into three categories i.e. the proportion of people that fall within the low, middle and high-income brackets. Poor households fall under the low income bracket, which ranges from no income to just over R50 000 annually (R4 166 per month). An increase in living standards can be evidenced by a rising number of households entering the middle and high income brackets.

Amount (2016)	Eden District	Bitou	
No income	13.4	17.7	Low income
R1 – R6 327	2.8	4.5	
R6 328 – R12 653	4.4	5.7	
R12 654 – R25 306	14.3	16.3	
R25 307 – R50 6013	19.8	19.4	
R50 614 – R101 225	16.9	14.0	Middle Income
R101 226 – R202 450	12.0	9.1	
R202 451 – R404 901	9.0	6.5	
R404 902 – R809 802	5.1	4.3	High income
R809 803 – R1 619 604	1.5	1.6	
R1 619 605 – R3 239 208	0.5	0.4	
R3 239 209 or more	0.3	0.5	

Approximately 63.6 percent of households in Bitou fall within the low income bracket, of which 17.7 percent have no income. A sustained increase in economic growth within the Bitou municipal area is needed if the 2030 NDP income target of R110 000 per person, per annum is to be achieved.

PRIMARY SECTOR AGRICULTURE, FORESTRY AND FISHING

This sector comprised R133.95 million (or 6.1 percent) of the Municipality's GDP in 2015. It displayed steady growth of 2.8% for the period 2005 - 2015, but growth has nevertheless slowed in the post recessionary period (the sector experienced a relatively low growth rate of 0.9% over the period 2010 – 2015). Agriculture, forestry and fishing employed 7.9 percent of the Municipality's workforce. Employment growth over the period 2005 – 2015 has contracted by 0.8 percent per annum on average. Employment picked up significantly after the recession and grew at a rate of 4.4 percent per annum on average since 2010. On net employment, 226 jobs have been lost since 2005- not all of the jobs lost prior to and during the recession have been recovered. The labour force in the primary sector is characterised by a relatively large proportion of low skilled labour. The majority (40.3 percent or 614 workers) of the workforce in agriculture, forestry and fishing operate within the semi-skilled sector, which has experienced a contraction of 0.7 percent since 2005, nevertheless grew by 4.6 percent per annum over the post-recession period (2010 – 2015). The low-skilled sector employs 572 workers and the sector has contracted at a rate of 2.0 percent per annum since 2005 but experienced a notable recovery of 3.9 percent per annum over the post-recession period term (2010 – 2015). The skilled sector employs the smallest proportion of the industry's workforce (10.2 percent or 155 workers). This segment has shown robust growth post-recession (5.7 percent per annum), but a 0.4 percent per annum growth rate over the long term (2005 – 2015). The informal sector makes up 12.1 percent of the industry's workforce and was the only sector to experience meaningful long term growth as employment grew by 2.7 percent per annum over the period 2005 – 2015. Informal employment within the agriculture, forestry and fishing industry

furthermore experienced robust growth of 4.4 percent per annum since 2010.

GDP		2015	Trend 2005 – 2015	Recovery 2010 – 2015
		R133.95 million	2.8%	0.9%
Employment		1 525	-0.8%	4.4%
Skills	Skilled	155	0.4%	5.7%
	Semi-skilled	614	-0.7%	4.6%
	Low-skilled	572	-2.0%	3.9%
	Informal	184	2.7%	4.4%

Table 44: GDP recovery rate 2010 - 2015

10.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

Describe the post commencement social and economic characteristics of the community in order to determine any change. Where differences between pre- and post-commencement exist, state which are as a result of the activity(ies) for which rectification is being applied for.

Employment opportunities had increased in the community due to the commencement of agricultural activities on the properties.

11. HISTORICAL AND CULTURAL ASPECTS

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

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

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
 - (b) the construction of a bridge or similar structure exceeding 50m in length;
 - (c) any development or other activity which will change the character of a site-
 - (i) exceeding 5 000 m² in extent; or
 - (ii) involving three or more existing erven or subdivisions thereof; or
 - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
 - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
 - (d) the re-zoning of a site exceeding 10 000 m² in extent; or
 - (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."
- (b) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii), of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), must also be investigated, assessed and evaluated. Section 3(2) states as follows: "3(2) Without limiting the generality of subsection (1), the national estate may include—
- (a) places, buildings, structures and equipment of cultural significance;
 - (b) places to which oral traditions are attached or which are associated with living heritage;
 - (c) historical settlements and townscapes;
 - (d) landscapes and natural features of cultural significance;
 - (e) geological sites of scientific or cultural importance;
 - (f) archaeological and palaeontological sites;
 - (g) graves and burial grounds, including—
 - (i) ancestral graves;
 - (ii) royal graves and graves of traditional leaders;
 - (iii) graves of victims of conflict;
 - (iv) graves of individuals designated by the Minister by notice in the Gazette;
 - (v) historical graves and cemeteries; and
 - (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
 - (h) sites of significance relating to the history of slavery in South Africa;
 - (i) movable objects, including—
 - (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
 - (ii) objects to which oral traditions are attached or which are associated with living heritage;
 - (iii) ethnographic art and objects;
 - (iv) military objects;

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

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?		YES	NO
		UNCERTAIN	
If YES, explain:	Section 38 (c) any development or other activity which will change the character of a site— (i) exceeding 5 000 m ² in extent; Vegetation of approximately 234 600m ² was cleared for an Almond Orchard and rehabilitation of the 4 dams.		
Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		YES	NO
		UNCERTAIN	
If YES, explain:	None		
Was any building or structure older than 60 years affected in any way?	YES	NO	UNCERTAIN
If YES, explain:	None		

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.

A Notice of Intent was submitted to Heritage Western Cape/HWC. HWC confirmed that no HIA is required. Please see attached confirmation in Appendix M.

12. COASTAL ASPECTS (SEAFRONT/SEA ENVIRONMENT) Not Applicable

(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	UNSURE	
An area within 100m of the high water mark of an estuary/lagoon	YES	NO	UNSURE	
An area within the littoral active zone	YES	NO	UNSURE	
An area in the coastal public property	YES	NO	UNSURE	
Major anthropogenic structures	YES	NO	UNSURE	
An area within a Coastal Protection Zone	YES	NO	UNSURE	
An area seaward of the coastal management line	YES	NO	UNSURE	
An area within the high risk zone (20 years)	YES	NO	UNSURE	
An area within the medium risk zone (50 years)	YES	NO	UNSURE	
An area within the low risk zone (100 years)	YES	NO	UNSURE	
An area below the 5m contour	YES	NO	UNSURE	
An area within 1km from the high water mark of the sea	YES	NO	UNSURE	
A rocky beach	YES	NO	UNSURE	
A sandy beach	YES	NO	UNSURE	

(b) If any of the answers to the above is "YES" or "UNSURE", specialist input may be requested by the Department. (The 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used).

13. REGIONAL PLANNING CONTEXT

Is the activity permitted in terms of the property's existing land use rights?	YES	NO	Please explain
The property is zoned agriculture and is being used for agricultural purposes.			
Will the activity be in line with the following?			

Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
<p>The significance of the province's spatial asset base stems from the fact that it: underpins the economy, particularly agriculture which provides food security, sustains rural livelihoods and draws income into the Province, and tourism.</p> <p>As per the Western Cape PSDF (2014): "Despite the importance of secondary and tertiary economic activities, agriculture remains the backbone of the provincial economy. Farming in the Western Cape covers some 11.5m hectares and contributes almost 21% of the country's agricultural production. The agricultural sector comprises: 6 682 commercial farmers, 9 844 smallholder farmers, and some 201 230 farm workers."</p>			
Urban edge / Edge of Built environment for the area	YES	NO	Please explain
<p>The property is situated in an agricultural node.</p>			
Integrated Development Plan of the Local Municipality	YES	NO	Please explain
<p>According to the Bitou Municipality IDP (2017 – 2022), the sector of Agriculture, Forestry and Fishing contributed 5.8% of the Municipality's GDP in 2015.</p> <p>Overall, between 2004 and 2015, almost every sector showed job creation except for the agriculture, forestry and fishing sector, mining, quarrying, and manufacturing sectors. The latter two sectors were the only sectors that recorded job losses after the recession.</p> <p>Agriculture, although a minor economic sector in the Bitou economy remains important as a creator of low skilled jobs. The limited amount of arable land means that protection and better use of this resource should occupy a high priority. The Bitou MSDF advocates integration of various areas to create a well-functioning space economy.</p>			
Spatial Development Framework of the Local Municipality	YES	NO	Please explain
<p>Bitou Municipal SDF 2017 states: The small contribution which agriculture is making to the Bitou economy should be expanded. Only 50% of the available land is currently being utilised and ways of increasing agricultural production should be explored.</p>			
Approved Structure Plan of the Municipality	YES	NO	Please explain
<p>The activity is in line with the Municipal Structure Plan.</p>			
An Environmental Management Framework (EMF) adopted by the Department	YES	NO	Please explain
<p>The Garden Route EMF refers to several policies and guidelines dealing with agriculture within the Garden Route. Of particular reference, is the Western Cape PSDF. The activity is in line with the WCPSDF 2014.</p>			
Any other Plans	YES	NO	Please explain
<p>N/A</p>			

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 (<http://www.capegateway.gov.za/eadp>).

1. Was the activity permitted in terms of the property's land use rights at the time of commencement?	YES	NO	Please explain
<p>The property is zoned Agriculture and is being used for agricultural practices.</p>			

2. Was the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
<p>As per the Western Cape PSDF, 2014: "Despite the importance of secondary and tertiary economic activities, agriculture remains the backbone of the provincial economy. Farming in the Western Cape covers some 11.5m hectares, and contributes almost 21% of the country's agricultural production. The agricultural sector comprises: 6 682 commercial farmers, 9 844 smallholder farmers, and some 201 230 farm workers."</p>			

(b) Urban edge / Edge of Built environment for the area	YES	NO	Please explain
The property is situated in an agricultural node.			
(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
<p>Bitou IDP 201-2022 states the following: Agriculture, although a minor economic sector in the Bitou economy remains important as a creator of low skilled jobs. The limited amount of arable land means that protection and better use of this resource should occupy a high priority.</p> <p>Bitou Municipal SDF 2017 states: The small contribution which agriculture is making to the Bitou economy should be expanded. Only 50% of the available land is currently being utilised and ways of increasing agricultural production should be explored.</p>			
(d) Approved Structure Plan of the Municipality	YES	NO	Please explain
The activity is in line with the Municipal Structure Plan.			

(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 Garden Route EMF refers to several policies and guidelines dealing with agriculture within the Garden Route. Of particular reference, is the Western Cape PSDF. The activity is in line with the WCPSDF 2014.			
(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	NO	Please explain
Bitou IDP 201-2022 states the following: Agriculture, although a minor economic sector in the Bitou economy remains important as a creator of low skilled jobs. The limited amount of arable land means that protection and better use of this resource should occupy a high priority.			

4. Should development, or if applicable, expansion of the town/area concerned in terms of this land use (associated with the activity being applied for) have occurred here when activities commenced?	YES	NO	Please explain
<p>Due to the need to ensure successful agricultural practises on the property, it is understood that the dams were required for irrigation purposes and Alien Invasive Plant removal was required.</p> <p>However, it is advised that the applicant consult the necessary competent authorities prior to any future development on this property.</p> <p>Please take note that the applicant is practising her agricultural landuse rights.</p>			

5. Did the community/area need the activity and the associated land use concerned (was it a societal priority)? (This refers to the strategic as well as local level (e.g. development is a national priority, but within a specific local context it could be inappropriate.)	YES	NO	Please explain
The activity is broadly considered a societal priority as it has expanded and ensured agricultural success on the property, whilst providing additional employment opportunities.			

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	YES	NO	Please explain
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appendix, where applicable.)			
No additional services from the municipality were required.			
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
No additional services from the municipality were required.			
8. Was this project part of a national programme to address an issue of national concern or importance?	YES	NO	Please explain
The activity was undertaken to sustain agricultural development for the farm.			
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	NO	Please explain
The property is zoned for Agriculture. All activities undertaken were in order to enable the success of agricultural practices on the farm.			
10. How did/does the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas (built and rural/natural environment)?	YES	NO	Please explain
<p>Although, according to the GIS imagery the site was/is categorised as an ESA; ESA's and CBA's have not been adopted by the Competent Authority. In addition, the ESA had historically been impacted on by Redford Road, farming lands within the area, and property fences.</p> <p>According to VegMap 2018 derived from The Vegetation Map of South Africa, Lesotho and Swaziland, Mucina et al 2006, the vegetation in the development area is categorised as Tsitsikamma Sandstone Fynbos (Least Threatened). However, from conversations with the applicant and with review of the biodiversity impact assessment, it is noted that aerial imagery confirmed a high level of alien plant infestation on the properties prior to the clearance that took place in 2017.</p> <p>Biodiversity Impact Assessment – the following points were noted in the Terrestrial Biodiversity Report dated February 2022 and compiled by Cape Vegetation Surveys:</p> <p>It cannot be ascertained with any degree of confidence if the study area was natural indigenous vegetation given the level of evidenced disturbance prior to the current clearing undertaken since 2017...Until recently parts of the study area have been infested with Invasive Alien Species, like Acacia mearnsii (Black Wattle) and Pinus pinaster as indicated on aerial imagery from 2009, with denser stands visible in 2016.</p> <p>The study area according to the BSP is mapped as sensitive for having the following features: primary ESA (watercourse, water recharge area) and secondary ESA (Watercourse area) to be conserved and rehabilitated. The clearance of vegetation has impacted on an ESA containing indigenous Tsitsikamma Sandstone Fynbos and Riparian elements.</p>			
11. How did/does the development impact on people's health and wellbeing (e.g. in terms of noise, odours, visual character and sense of place, etc.)?	YES	NO	Please explain
The development of the dam does not impact negatively on people's health and well-being.			
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
No unacceptable opportunity cost is involved with 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

<p>Positive Impacts:</p> <ul style="list-style-type: none"> - Increased sense of place as the property has been cleaned after being derelict for several years. - The cultivation of almond orchards for financial benefit. - Continuous removal of AIPs. - Employment opportunities have been created for the local community. - Skills development of members of the local community: basic health and safety, chainsaw operators training, concrete skills, stone pitching, rehabilitation works. - Revegetated approx. 6 ha of indigenous vegetation on property that was previously alien vegetation. - Increased buffer zones around watercourses as per the aquatic specialist recommendation. - The activity will potentially contribute to the export sector and overall increase the economic status of the country. <p>Negative Impacts:</p> <ul style="list-style-type: none"> - It is assumed that the activity has resulted in the loss of probable indigenous terrestrial vegetation, but mostly aquatic vegetation, soil erosion, sedimentation of watercourses, and flow modifications. - Negative impact to ground and tree dwelling biota and compaction of soil. - Removal of topsoil, subsoil and rock from a large area may have eradicated ground-dwelling biota, creating an erosion risk and habitat loss. - Almond orchards require more water and ground contouring than the historical land use. - Pesticides and herbicides may have a negative impact on the surrounding environment.
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14. Is/was the development the best practicable environmental option for this land/site?	YES	NO	Please explain
<p>The activity has resulted in several moderately negative impacts; however, with extensive rehabilitation and the adherence of a buffer zone, the activity would pose a negligible impact on the receiving environment - the applicant has already commenced with this extensive rehabilitation as per point 6.3 above.</p>			

15. What are/were the benefits to society in general and to the local communities?	Please explain
<p>The dams do not benefit the local community directly; however, agricultural practices on the farm benefit the local community by offering employment for the locals; as well as contributions to the food production sector. Agricultural activities would not be possible without the dams.</p>	

16. Any other need and desirability considerations related to the activity?	Please explain
<p>As per the Hydrology Assessment 2021:</p> <p>Based on the assumptions described in the methodology section, the mean monthly irrigation requirements for 20 hectares of almonds under drip irrigation. These volumes are irrigation volumes that required over and above rainfall. Mean irrigation requirements are approximately 40 000 m³ per annum, with maximum requirements totalling approximately 60 000 m³ per annum (i.e. under below average rainfall conditions). While irrigation requirements can potentially be met by the hydrological inflows, storage of water is still required given the highly intermittent flow characteristics of the streams... Establishment of almond orchards represents a significant financial investment. As such security of water supply, particularly during below average rainfall conditions is critical for protection of the investment. Storage of water (during high flow periods) is therefore essential to meet irrigation demands, particularly during low rainfall periods.</p>	

17. Please describe how the general objectives of Integrated Environmental Management as set out in section 23 of NEMA were taken into account:
<p>The purpose of Section 23 of NEMA is to promote the application of appropriate environmental management tools to ensure the integrated environmental management of activities.</p> <p>The general objectives were considered by undertaking the following:</p> <ul style="list-style-type: none"> • An Environmental Assessment Practitioner/ EAP was appointed to assess the significance of the

activity on the surrounding environment.

- All significant impacts on the environment have been identified and assessed. To avoid further negative impacts on the environment, the specialists' and EAP's recommendations must be adhered to. Monitoring and management must be undertaken in accordance with the specialists' and EAP's recommendations and an approved Environmental Management Programme (EMPr). The applicant must in compliance with the EMPr, ensure that rehabilitation is undertaken according to the specialists' recommendations and proper environmental management practices.

- Lastly, a full Public Participation Process (PPP) will be undertaken as per the EIA Regulations 2014 as amended, and DEA&DP's Guidelines on PPP (2013); which allows sufficient opportunity for public consultation. An advertisement had been placed within the Knysna Plett Herald newspaper dated 3 February 2022, informing members of the public of the NEMA Section 24G Pre-Application Environmental Impact Report and available information. Other stakeholders (ward councillor, local authorities, adjacent landowners, organs of state, state departments, etc.) have been identified and have been notified of the process. In addition, a site notice had been placed at the site.

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

Section 2 of the NEMA provides principles of environmental management to serve as a framework for environmental management implementation and decision making. The main and applicable principles of environmental management as set out in Section 2 of NEMA emphasise the following:

- Environmental management placing people and their needs at the forefront of its concern, and serve their physical, physiological, developmental, cultural and social interests equitably.

Environmental degradation can be mitigated successfully through the implementation of the EMPr. I&APs and Stakeholders are allowed the opportunity to consider and submit comment and can become involved in the process, thereby ensuring that all people's needs, rights and concerns will be addressed through this process.

- Development must be socially, environmentally, and economically sustainable.

The proposed activities are considered socially, environmentally, and economically sustainable provided all mitigation measures are implemented.

- Consideration for ecosystem disturbance and loss of biodiversity.

The excavation and earthworks of the dams and removal of Alien Invasive vegetation has resulted in the loss of indigenous vegetation.

- Pollution and environmental degradation.

The potential environmental degradation has been considered and mitigation measures proposed.

- Landscape disturbance.

The proposed activity of planting Almond trees is considered in line with the current character of the area. However, the clearance of vegetation, clearing of sediment, and enlarging dams have caused modification to the landscape. Continued rehabilitation is required – which the applicant has already commenced with.

- Avoidance, minimisation and remedying of environmental impacts.

The potential environmental degradation has been considered and mitigation measures proposed.

- Interests, needs and values of Interested and Affected Parties.

This process provides potential Interested & Affected Parties (I&APs) and other key stakeholders with sufficient opportunity for review, comment and provide input into the process. Details of the Public

Participation Process undertaken are included in Appendix G of this report.

- Access of information.

Registered I&APs are all provided with access to the relevant documentation.

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 (<http://www.capegateway.gov.za/eadp>).

"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 feasible or reasonable alternative exists. Property and location/site alternatives were not investigated as part of this application since the landowner had purchased and commenced with all activities prior to this application and the very nature of the Section 24G requires the rectification of illegal activities which have already taken place as per point 6.3 above.

The activities undertaken on this property cannot be moved to any other location/site.

(b) Activity alternatives to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts, or detailed motivation if no reasonable or feasible alternatives exist:

The dams on Portions 66 and 9 of Redford farm 232 were cleared of sediment and littoral vegetation in order to utilise the dams to irrigate the almond orchard which the landowner had planned on cultivating. During this process several negative impacts occurred; however, specialists were appointed as part of the S24G process to mitigate against these negative impacts.

The following summarised list of activities have been recommended by specialists to mitigate and

manage further negative impacts:

Biodiversity:

1. As the watercourse areas are generally sensitive the applicant must conduct activities carefully and reuse or relocate as much plant material as is practical where densities allow for transplanting.
2. It is recommended that a suitably qualified experienced ECO be appointed to assist in rehabilitation planning with the landscaper and applicant. This plan to form the basis of continued mitigation measures. The ECO then to monitor and report on rehabilitation progress every 6 months next 2 years to satisfy authority of mitigation implementation Particular attention should be given to the progress of wetland habitat recovery.
3. Ensure drainage and runoff is managed to prevent erosion and soil loss during the operational lifespan of the activities.
4. Most areas have been cleared of alien plants. Ongoing measures are continuing and preventing the spread of Invasive Alien Species from entering or dispersing from the set aside natural areas and from within the study area. The ongoing management is being done with manual labour on a regular basis with consideration to disturbance of the remnant indigenous vegetation. Any Alien management plan required must build on this.

Aquatic:

1. Activities to mitigate against clearance of littoral, wetland and riparian vegetation during dam maintenance – erosion control, dam volume control, dam size control, increase wetland vegetation growth at the inflow areas of the dams, limit access by heavy machinery, rehabilitation of disturbed areas, and silt removal must be scheduled.
2. Establish riparian buffer zones.
3. Restoration of wetland vegetation to improve structure, function and habitat diversity.
4. Revegetation of dam walls, spillways and outflow points.
5. Use of pesticides - develop an Integrated Pest Management Plan (IPM) with the assistance of a consultant (if there isn't one already). The aim is to ensure that the correct pesticides are applied at the lowest possible rates and non-target impacts in terrestrial and aquatic habitats are kept to a minimum.

Hydrology:

1. The total storage capacity of 38 000 m³ is optimal with regards to storage of surface flows from the Redhaus catchments. Lower storage results in substantial deficits in irrigation requirements over a 50-year simulation period, while increasing dam volume does not yield a significant increase in assurance of supply that would warrant a larger dam volume;
2. Supplementary irrigation from a borehole will be required, particularly during very dry periods when surface inflows will be insufficient to meet the irrigation demands.
3. Any implementation of the Reserve must focus on discharging from the lowest dam in the Whiskey Creek catchment to determine whether these flows are sufficient to meet the ecological flow requirements. Any shortfall in ecological flow requirements must be addressed through a catchment scale study that focusses on ensuring equitable releases from all farm dams located throughout the catchment area.

Geohydrology:

1. Over-abstraction of groundwater from boreholes is likely to lead to depletion of the water levels in the area over time. This can cause damage to the aquifer and might impact on neighbouring and registered groundwater users that are reliant on the same source of water. Reduced baseflow to streams/rivers and groundwater dependent eco systems (wetlands).

Yield testing of boreholes as per "SANS 10299-4:2003" standards. Do not exceed calculated sustainable yield of boreholes. (2) Groundwater level monitoring - reduce abstraction in the event of anomalous lowering of groundwater levels. (3) Take "Ecological Water Reserve" into account during water balance.

2. Groundwater quality deterioration as a result of over-abstraction - Do not exceed calculated safe yield of boreholes. Groundwater level & quality monitoring - reduce abstraction in the event of

anomalous lowering of groundwater levels and/or deteriorating water quality.

(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:

Orchard ridges and work rows are continually planted with diverse cover crops to improve soil health, microbial life, insect diversity.

Fencing (as per recommendation of the aquatic specialist) - if orchards require protection from animals such as bushpigs, an alternative would be to run three strands of electrical fencing around fields starting at 40cm up to 1 m height. This will still allow tortoises movement below the lowest strand. Fencing across watercourses must allow for the movement of wildlife.

(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:

As per the Geohydrological Assessment (2021):

Production boreholes should be equipped as follow:

- Installation of a sampling tap (to monitor water quality).
- Installation of a flow volume meter (to monitor abstraction rates and volumes).
- The appropriate borehole pump must be installed, i.e. not an over-sized pump that is choked with a gate valve. If the monitoring shows that more water can be abstracted, then duty cycles (i.e. the duration of pumping time) may be increased, and not the flow rate.

(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:

Operational alternatives interlink with the design/layout alternatives and the technology alternatives listed above. In addition, the EAP recommends that should pest control be necessary, organic pest control should be used in order to prevent the pollution of the soil and downstream watercourses.

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

Ceasing the activity would result in the following negative impacts:

1. The agricultural practises on the farm will in all probability fail as a result of not having enough water to irrigate the existing and proposed Almond trees.
2. Socio-economic impacts that could have resulted in employment opportunities and skill developments of the local community would disappear.
3. The socio-economic contribution to the economy with the local sale and potential export of Almond nuts would no longer exist.
4. AIPs would reinfest the property.

This will negatively affect the landowners financial income and ability to support her family and staff.

(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:

None

(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.

Location/site alternative - No feasible or reasonable alternative exits. The activities undertaken on this property cannot be moved to any other location/site.

Activity alternatives – the recommendations of each specialist must be followed in order to mitigate against negative activity impacts on the farm. The specialist recommendations have been listed in full under Section F.7

Design/layout alternatives –cover crops have been planted to improve soil health, microbial life, and insect biodiversity. Wildlife friendly fencing should be considered.

Technology alternatives – production borehole equipment installations.

Operational alternatives - interlink with the design/layout alternatives and the technology alternatives.

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:

- Portion 9 - 4,2 ha of vegetation was cleared, for the planting of Almond trees.
- Portion 4 (now consolidated into Portion 66/232) – the clearance of alien invasive plants and the planting of green manure crops to improve the soil health.
- Sub portion A of Portion 1 (now consolidated into Portion 66/232) – a vineyard was established between November 2016 and October 2019 by the previous landowner. The current landowner and applicant has removed the vineyard and subsequently planted a sorghum green manure cover crop to improve the soil health.

Water resources:

- Taking water from water resources.
- Storing water.
- Impeding and diverting the flow of water in a watercourse.
- Altering the bed, banks and course characteristics of a watercourse.

Portion 9 Dam 1 – 2018 cleared sediment and littoral veg, enlarged dam – instream dam
 Portion 4 Dam 2 – 2020/2021 cleared sediment and littoral veg, enlarged dam – instream dam
 Portion 1A Dam 3 – 2021 cleared sediment and littoral veg to maintain dam capacity – instream dam
 Portion 4 Dam 4 – 2020/2021 cleared sediment and littoral veg, enlarged dam – instream dam

(b) Biological aspects:

Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	YES	NO
If yes, please describe:		
Although, according to the GIS imagery the site was/is categorised as an ESA; ESA's and CBA's have not been adopted by the Competent Authority. In addition, the ESA had historically been impacted on by Redford Road, farming lands within the area, and property fences.		

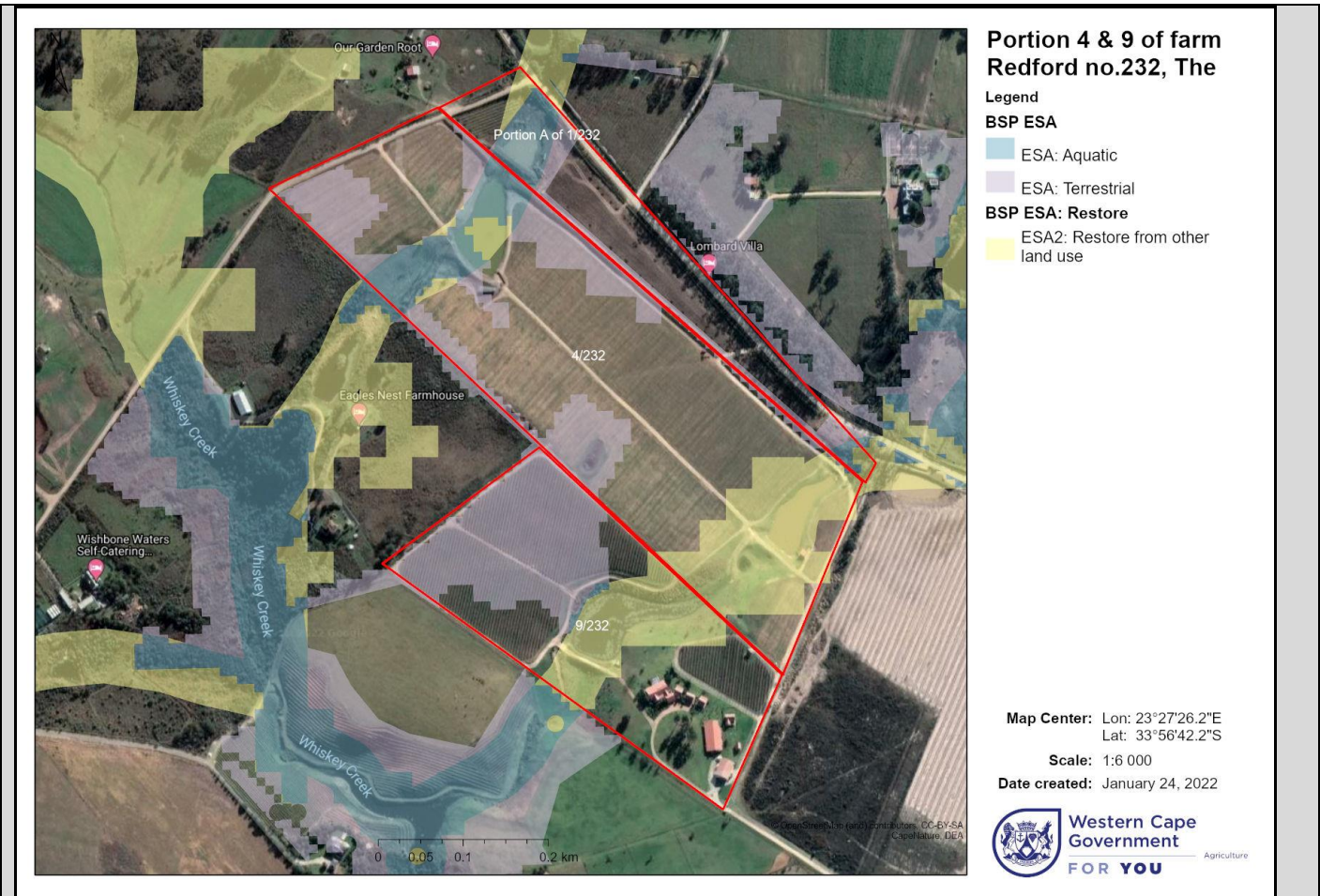


Figure 10: Western Cape Biodiversity Spatial Plan 2017: Ecological Support Areas on Portions 66 and 9 of farm Redford no.232

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

Biodiversity – the following points were noted in the Terrestrial Biodiversity Report dated February 2022 and compiled by Cape Vegetation Surveys:

The study area according to the BSP is mapped as sensitive for having the following features: primary ESA (watercourse, water recharge area) and secondary ESA (Watercourse area) to be conserved and rehabilitated. The clearance of vegetation has impacted on an ESA containing indigenous Tsitsikamma Sandstone Fynbos and Riparian elements.

From a Botanical perspective the condition of the fynbos riparian mosaic vegetation at the receiving environment following clearance of vegetation is of Low Terrestrial Biodiversity Sensitivity with a Low Plant Species Sensitivity.

There is little evidence remaining to confirm the original vegetation patterning. There appears to be no species of special concern within the study area containing plant species representative of riparian ecosystems.

It cannot be ascertained with any degree of confidence if the study area was natural indigenous vegetation given the level of evidenced disturbance prior to the current clearing undertaken since 2017...Until recently parts of the study area have been infested with Invasive Alien Species, like *Acacia mearnsii* (Black Wattle) and *Pinus pinaster* as indicated on aerial imagery from 2009, with denser stands visible in 2016.

EAPs opinion: Although, according to the GIS imagery the site was/is categorised as an ESA; ESA's and CBA's have not been adopted by the Competent Authority. In addition, the ESA had historically been impacted on by Redford Road, farming lands within the area, and property fences.

According to the Aquatic Impact Assessment (2021):

Western wetland:

1. Significant abstraction of surface water from instream dams.
2. Minor increase in flows due to stormwater and borehole storage.
3. Reduction in flood peaks due to numerous instream dams.
4. Reduced roughness due to cultivation of fields.
5. Infilling due to roads, dams and embankments approx. 10%.
6. Deposition due to erosion from road and cultivated lands.
7. Increase runoff due to vegetation clearance and cultivated lands.
8. Loss due to infrastructure like dams, roads, and gardens.
9. Shallow and deep flooding of vegetation by dams.
10. Transformation from indigenous vegetation to agriculture.

Eastern wetland:

1. Extensive abstraction of surface water from instream dams.
2. Minor increase in flows due to stormwater from roads.
3. Reduction in flood peaks due to numerous instream dams.
4. Reduced roughness due to cultivation of fields.
5. Infilling due to roads, dams and embankments approx. 15%.
6. Deposition due to erosion from road and cultivated lands.
7. Increase runoff due to vegetation clearance and cultivated lands.
8. Loss due to infrastructure like dams, roads, and gardens.
9. Shallow and deep flooding of vegetation by dams.
10. Transformation from indigenous vegetation to agriculture.

Serious disturbance (dam-building and channel straightening) in the Eastern Wetland on the property neighbouring Redhaus Farm has also caused a decline in water quality in Dam 2 through increased turbidity.

Habitat loss for aquatic and terrestrial wildlife, mortalities to various species unable to evade the disturbance, loss of viable propagules (eggs and seeds), fragmentation of ecological infrastructure.

Has the development impacted on any populations of threatened plant or animal species, and/or on any habitat that may contain a unique signature of plant or animal species?	YES	NO
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If yes, please describe:

According to the Terrestrial Biodiversity Assessment (2022):

The impact on threat status of species of special concern is unknown based on the plant species observed.

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

None

(c) Socio-Economic aspects:

<p>What was the capital value of the activity on completion?</p>	
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What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?	
Has/will the activity have contributed to service infrastructure?	YES NO
How many new employment opportunities were/will be created in the construction phase of the activity?	Approximately 20,000 to 24,000 man-days of direct employment opportunities on the farm have been created through the construction phase. This is based on an average of 20 to 25 workers per day x 48 weeks x 5 days/week. This excludes indirect employment opportunities created through the purchasing of materials and equipment etc.
What was the value of the employment opportunities during the construction phase?	
What percentage of this accrued to previously disadvantaged individuals?	100%
How was this ensured and monitored (please explain):	
The applicant was personally onsite most days of this project and interacted with the workers on a daily basis. The applicant had weekly meetings with the service providers. Only Garden Route service providers, predominantly from The Craggs and Plettenberg Bay, were used during the construction phase of this project. All their workers were local workers from the Garden Route but predominantly from the neighbouring Kurland Village.	
How many permanent new employment opportunities were/will be created during the operational phase of the activity?	The applicant currently has 9 permanent employees, and this is estimated to grow to 12 once the remaining orchards have been planted.
What is the current/expected value of the employment opportunities during the first 10 years?	
What percentage of this accrued/will accrue to previously disadvantaged individuals?	100%
How was/will this be ensured and monitored (please explain):	
The applicant is personally accountable for interviewing and hiring all workers on the farm. The applicant only employs local employees from the Kurland Village with valid work papers.	
Any other information related to the manner in which the socio-economic aspects was/will be impacted:	
None	

(d) Cultural and historic aspects:

None

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?	Unknown m ³	
Asbestos (hazardous), building rubble, and old and broken furniture and carpets.		
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?	N/A 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:		
Contact person:		
Postal address:		
	Postal code:	
Telephone:	Cell:	
E-mail:	Fax:	

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

(b) Emissions into the atmosphere

Does/will the activity produce emissions that will be disposed of into the atmosphere?	YES	NO
If yes, does it require approval in terms of relevant legislation?	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)

Municipal	Water board	Groundwater	River, Stream, Dam or Lake	Other	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: for 20 ha of Almond trees under drip irrigation	Max 5000m ³ per month/ 40 000m ³ per annum with a maximum of 60 000m ³ per annum
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Please provide proof of assurance of water supply (e.g. Letter of confirmation from municipality / water user associations, yield of borehole)		
Did/does the activity require a water use permit / license from DWA?	YES	NO
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:		
According to the hydrology assessment (2021):		

The total storage capacity of 39 000 m³ is optimal with regards to storage of surface flows from the Redhaus catchments. Lower storage results in substantial deficits in irrigation requirements over a 50-year simulation period, while increasing dam volume does not yield a significant increase in assurance of supply that would warrant a larger dam volume.

Supplementary irrigation from a borehole will be required, particularly during very dry periods when surface inflows will be insufficient to meet the irrigation demands.

4. POWER SUPPLY

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

Power Supply is a combination of Eskom and solar energy.

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:

Solar Panels have been installed at the borehole and will be used to extract water from the borehole. Solar panels have also been installed at the house and power supply is a mixture of Solar and Eskom.

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

Solar Panels will provide power to the pump house in order to irrigate the cultivated land.

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.

Methodology for Assessment of Impacts

There are mainly three categories of environmental impacts:

Direct Impacts: These impacts are caused by the development itself for example the clearing of vegetation for a development.

Indirect Impacts: These impacts are usually linked closely with the project and may have more profound results than the direct impacts for example the degradation of surface water due to soil erosion emanating from the site where vegetation clearance has taken place.

Cumulative Impacts: These impacts can be defined as the ability of natural and social environments to incorporate cumulative stresses placed on them and the likelihood of negative synergistic effects. Cumulative impacts also arise when existing future development rights set a precedent in an area. The process of cumulative impacts may arise from any of the following four events:

- A single large event
- Multiple interrelated events
- Sudden or catastrophic events
- Incremental change

Definition of key terminology:

Nature of the impact

This is an estimation of the type of effect the construction, operation and maintenance of a development would have on the affected environment. This description should include what is to be affected and how.

Extent of the impact

Describe whether the impact will be: local extending only as far as the development site area; or limited to the site and its immediate surroundings; or will have an impact on the region or will have an impact on a national scale or across international borders.

Duration of the impact

The specialist should indicate whether the lifespan of the impact would be short term (0-5 years), medium term (5-15 years), long term (16-30 years) or permanent.

Intensity

The specialist should establish whether the impact is destructive or benign and should be qualified as low, medium or high. The specialist study must attempt to quantify the magnitude of the impacts and outline the rationale used.

Probability of occurrence

The specialist should describe the probability of the impact actually occurring and should be described as improbable/unlikely (low likelihood), probable (distinct possibility), highly probable (most likely) or definite (impact will occur regardless of any prevention measures).

Reversibility

- Completely reversible – the impact can be reversed with the implementation of minor mitigation measures.
- Partly reversible – the impact is reversible but more intense mitigation measures are required
- Barely reversible – the impact is unlikely to be reversed even with intense mitigation measures
- Irreversible – the impact is irreversible, and no mitigation measures exist

Irreplaceable loss of resources

Describes the degree to which resources will be irreplaceably lost due to the proposed activity. It can be no loss of resources, marginal loss, significant loss or complete loss of resources.

Cumulative effect

An effect which in itself may not be significant but may become significant if added to other existing or potential impacts that may result from activities associated with the proposed development. The cumulative effect can be:

- Negligible – the impact would result in negligible to no cumulative effect
- Low – the impact would result in insignificant cumulative effects
- Medium – the impact would result in minor cumulative effects
- High – the impact would result in significant cumulative effects

Significance

Significance of impacts are determined through a synthesis of the assessment criteria and is described as –

- Low negative – where it would have negligible effects and would require little or no mitigation
- Low positive – the impact will have minor positive effects
- Medium negative – the impact will have moderate negative effects and will require moderate mitigation
- Medium positive – the impact will have moderate positive effects
- High negative – the impact will have significant effects and will require significant mitigation

measures to achieve an accepted level of impact

- High positive – the impact will have significant positive effects
- Very high negative – the impact will have highly significant effects and are unlikely to be able to be mitigated adequately
- High positive – the impact will have highly significant positive effects

(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:	
Nature of impact:	Flow modification
Extent and duration of impact:	Site related. Long-term
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Partly reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Medium negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium negative
Degree to which the impact can be mitigated:	Given that the activities under assessment have already taken place, namely the enlargement and maintenance of dams, mitigation measures have been proposed for the operational phase only.
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

Impacts on geographical and physical aspects:	
Nature of impact:	Water quality impairment
Extent and duration of impact:	Site related. Medium term
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Partly reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal loss
Cumulative impact prior to mitigation:	Medium negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium negative
Degree to which the impact can be mitigated:	Given that the activities under assessment have already taken place, namely the enlargement and maintenance of dams, mitigation measures have been proposed for the operational phase only.
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

Impact on biological aspects:	
Nature of impact:	Loss of riparian, aquatic and terrestrial vegetation
Extent and duration of impact:	Limited to the site – Long term
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Low – Partly reversible
Degree to which the impact may cause irreplaceable loss of resources:	Marginal – Significant
Cumulative impact prior to mitigation:	Medium negative
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium negative
Degree to which the impact can be mitigated:	Given that the activities under assessment have

	already taken place, namely the enlargement and maintenance of dams, mitigation measures have been proposed for the operational phase only.
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

Impacts on socio-economic aspects:	
Nature of impact:	Temporary employment opportunities during construction
Extent and duration of impact:	Limited to the local area for the duration of the construction phase
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:	Low positive
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low positive
Degree to which the impact can be mitigated:	N/A
Proposed mitigation:	N/A
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A

Impacts on cultural-historical aspects:	
Nature of impact:	No impacts on cultural-historical aspects are foreseen
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:	Noise pollution caused by construction machinery
Extent and duration of impact:	Limited to the site and neighbouring properties
Probability of occurrence:	Highly probable
Degree to which the impact can be reversed:	Partly reversible – only lasting for the duration of construction
Degree to which the impact may cause irreplaceable loss of resources:	No loss of resources
Cumulative impact prior to mitigation:	Negligible
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low negative
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	No mitigation measures are applicable as construction has ended.
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A

Visual impacts / Sense of Place:

Nature of impact:	The sense of place will not be impacted on.
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.**

As per specialist assessments:

Impacts on the geographical and physical aspects:	
Nature of impact:	Establishment of riparian buffer zones
Extent and duration of impact:	Limited to the site and its immediate surroundings;
Probability of occurrence:	Highly probable
Degree to which the impact can be reversed:	Medium – high
Degree to which the impact may cause irreplaceable loss of resources:	Low – medium
Cumulative impact prior to mitigation:	Without establishment of riparian buffers the cumulative impact of vegetation loss would represent a significant fragmentation of riparian habitat across the two wetlands.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low negative
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> • Begin with the establishment of 25 m buffer areas by marking them out using stakes, stones, danger tape etc. Buffers have been mapped in this report, and are measured from the edge of wetlands and dams. • As far as possible, roads and orchards must be kept out of riparian buffer zones. Where existing orchards and roads have been established (e.g. West of Dam 1) buffer zones must be established as far as possible beyond these areas. No new infrastructure should encroach into mapped buffer zones. • Buffer areas should aim for at least 80% vegetation cover with a complex of growth forms able to intercept overland flows. • Ensure that staff and contractors are aware that there are unique conditions and guidelines for the management of these areas. • Select appropriate vegetation for establishment from the list of species provided. The more diverse the better. Vegetation can be sourced from wholesale nurseries, cuttings or seed. • Do not mow / remove any establishing indigenous vegetation in buffer areas. • Staff must be trained to identify weeds. Indigenous grasses are beneficial in riparian zones and should

	<p>not be removed. (e.g. removing indigenous grasses is detrimental as they provide good coverage in buffer areas). Weeds that must be removed are recognised alien invaders such as Black Wattle, Blackwood, Bugweed etc. Staff must be trained to identify these plants.</p> <ul style="list-style-type: none"> • Kikuyu grass is an alien invasive species that will limit the success of riparian buffer planting. It must therefore be systematically removed in sections. This can be achieved by spraying it off with a suitable herbicide on hot, dry, windless days where spray drift will not extend to sensitive aquatic areas. • Kikuyu can be prevented from re-establishment using borders of gravel, bark, or logs which can be moved back each time a section is removed for replanting.
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium positive

Impacts on the geographical and physical aspects:	
Nature of impact:	Wetland rehabilitation
Extent and duration of impact:	Local – medium to long term
Probability of occurrence:	Highly probable
Degree to which the impact can be reversed:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Medium
Cumulative impact prior to mitigation:	The cumulative impacts across both wetland systems would be significant if they are not impacted due to fragmentation and loss of this sensitive habitat type.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low negative
Degree to which the impact can be mitigated:	Medium
Proposed mitigation:	<ul style="list-style-type: none"> • All staff must be made aware that wetland areas are sensitive and should be avoided, which includes mowing of vegetation. • No heavy machinery or vehicles can be driven into wetland areas. • Any existing roads that have been established through wetlands areas or their buffers must be re-routed and rehabilitated. • Only suitable wetland vegetation must be planted in these areas as terrestrial plants will perish due to the saturated soils. • The aim in wetland areas is to achieve 100% cover with suitable indigenous wetland plants in the wetland area. • The Western Wetland below Dam 4 has a fair amount of naturally present vegetation and adjoins a neighbouring area with extensive wetland vegetation. Rehabilitation in this area can therefore take a more passive approach with less active planting. • Extensive kikuyu grass is present in the wetland area below Dam 1 and Dam 4. This must be manually removed in sections and will need active replanting with wetland adapted species below Dam 1. • Water releases that take place from dams upstream must be done at very low velocities so as not to develop channels through the wetland habitat. This will result in incision and draining of

	<p>wetland habitat which is highly detrimental to this wetland type. Outflow areas should be protected with rock and dense vegetation to reduce and scour effect.</p> <ul style="list-style-type: none"> • Work with neighbours upstream and downstream to improve connectivity in habitat (mainly vegetation) and for the movement of wildlife through fencelines. • The waterhole between Dam 1 and Dam 2 must be completely surrounded by dense vegetation.
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium positive

Impacts on the geographical and physical aspects:	
Nature of impact:	Management of Dam Structures
Extent and duration of impact:	Local – short term to long term
Probability of occurrence:	Probable – highly probable
Degree to which the impact can be reversed:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Medium
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> • No trees or large shrubs must be planted on dam walls. • To improve connectivity and the biodiversity value across each of the watercourses, aim to diversify the plant species established on dam embankments. These species must effectively hold the soil and prevent erosion. Indigenous grass species such as Kweek (<i>Cynodon dactylon</i>) are effective in conjunction with scrambling plants such as <i>Helichrysum petiolare</i> and various <i>Plectranthus</i> spp and <i>Carprobrotus</i> spp. • In the event of the dams overflowing, their spillways are well protected by rock, which can be further supported by dense interplanting with indigenous plants. This has been implemented on Dam 1 and 2, and is planned for Dam 3 and 4. This will further reduce flow velocities with the aim of preventing damage to wetland areas downstream. • Any outflow areas from dams must be protected by rock and dense vegetation for at least 3 m below. This is also to reduce any scour effect from damaging sensitive wetland habitat.
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low

Impacts on the geographical and physical aspects:	
Nature of impact:	Depletion of the groundwater resource due to over-abstraction
Extent and duration of impact:	Local / limited to the site and its immediate surroundings – short term to long term
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Medium – high
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	N/A

Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low negative
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> Yield testing of boreholes as per "SANS 10299-4:2003" standards. Do not exceed calculated sustainable yield of boreholes. Groundwater level monitoring - reduce abstraction in the event of anomolous lowering of groundwater levels. Take "Ecological Water Reserve" into account during water balance.
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible

Impacts on the geographical and physical aspects:	
Nature of impact:	Groundwater quality deterioration as a result of over-abstraction
Extent and duration of impact:	Limited to the site and its immediate surroundings
Probability of occurrence:	Unlikely – probable
Degree to which the impact can be reversed:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low negative
Degree to which the impact can be mitigated:	High
Proposed mitigation:	Over-abstraction of groundwater from a borehole can potentially draw poorer water quality from the adjacent geohydrological environment into the borehole. This is likely to affect the groundwater quality in the area in general and might affect the supply in other boreholes within the fractured aquifer. Based on data acquired during the desk study and water quality results from boreholes sampled during the hydrocensus, it can be safely assumed that the water quality in the adjacent aquifers are of similar or better water quality.
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible

Impact on biological aspects:	
Nature of impact:	Clearance of vegetation in littoral, riparian and wetland areas for maintenance of dams
Extent and duration of impact:	Local/ limited to the site – short term (with mitigation) – long term (without mitigation)
Probability of occurrence:	Definite
Degree to which the impact can be reversed:	Medium – High
Degree to which the impact may cause irreplaceable loss of resources:	Low – medium
Cumulative impact prior to mitigation:	Given the high number of dams in Redford there is a considerable cumulative impact on habitat, sensitive species, and water quality if all landowners fail to follow these mitigation guidelines.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Moderate negative
Degree to which the impact can be mitigated:	High
Proposed mitigation:	<ul style="list-style-type: none"> Ensure erosion is controlled in the catchment zone of each dam. This will reduce the need for frequent

	<p>silt removal from dams. This can be achieved through the temporary installation of hay bale check dams, or silt fencing during periods of disturbance.</p> <ul style="list-style-type: none"> • Dam volumes must be maintained during maintenance and the size of the dam may not be increased. • Prior to maintenance, encourage dense growth of wetland vegetation at the inflow area (filter zone) of each dam to trap sediments and reduce their transport into dams. This should be an ongoing practice and will form part of the rehabilitation of wetlands and buffer zones at Redhaus Farm. Vegetation cover must be 100% in the filter zone. • Access by heavy machinery used to remove sediment must be limited to a maximum of two discrete locations. One from the dam wall, and the other from the side of the dam. This is to limit the footprint of disturbance and compaction of soil. • Disturbed riparian areas must be rehabilitated and replanted with suitable indigenous vegetation following access with heavy machinery. • As far as possible try not to disturb fringing littoral vegetation and concentrate silt removal from the main basin of the dam. If vegetation must be removed, then a maximum of 50% of emergent vegetation can be removed. This vegetation can be replanted in suitable areas where more dense wetland vegetation is desirable such as the filter zones. Alternatively, it can be left to dry out next to the dam for a few days so that any associated biota can find their way back to the dam. • Maintenance to remove silt must not take place during the breeding season (Sep - Feb). • Silt removal is preferably done when water levels in the dam are very low.
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low/ negligible

Impact on biological aspects:	
Nature of impact:	Management of orchards for the protection of water resources and improved biodiversity
Extent and duration of impact:	Local – short term to long term
Probability of occurrence:	Unlikely – highly probable
Degree to which the impact can be reversed:	Medium – high
Degree to which the impact may cause irreplaceable loss of resources:	Medium
Cumulative impact prior to mitigation:	Increasing use of fencing in Redford Farm will result in a fragmented and essentially sterile habitat for wildlife.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low negative
Degree to which the impact can be mitigated:	Medium
Proposed mitigation:	<ul style="list-style-type: none"> • Should rows of windbreak trees be required for the protection of Almond trees, or along borders, consider the use of valuable indigenous trees such as nitrogen-fixing Keurbooms (<i>Virgilia</i> spp.) which will attract natural enemies of insect pests. • Species composition of the orchard floor is one aspect of IPM which can also improve the runoff quality of water from the orchard during rainfall

	<p>events. A diverse, dense assemblage of indigenous grasses and forbs provides habitat for insect pests which will occupy this area instead of feeding on the trees. The other benefit of a dense orchard floor cover is the reduction of flow velocities during surface runoff, which will reduce soil loss and erosion.</p> <ul style="list-style-type: none"> • Develop an Integrated Pest Management Plan (IPM) with the assistance of a consultant (if there isn't one already). The aim is to ensure that the correct pesticides are applied at the lowest possible rates and non-target impacts in terrestrial and aquatic habitats are kept to a minimum. • Consider the need and impact of fencing. It can greatly fragment the landscape limiting the movement of wildlife. If orchards require protection from animals such as bushpigs, an alternative would be to run three strands of electrical fencing around fields starting at 40cm up to 1 m height. This will still allow tortoises movement below the lowest strand. Fencing across watercourses must allow for the movement of wildlife.
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible

Impacts on the socio-economic aspects:	
Nature of impact:	Employment opportunities
Extent and duration of impact:	Limited to the local area
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:	Low positive
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low positive
Degree to which the impact can be mitigated:	N/A
Proposed mitigation:	N/A
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A

Impacts on the cultural-historical aspects:	
Nature of impact:	No impacts on cultural-historical aspects are foreseen
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:	Noise pollution caused by heavy machinery during rehabilitation activities
Extent and duration of impact:	Limited to the site and neighbouring properties
Probability of occurrence:	Highly probable
Degree to which the impact can be reversed:	Partly reversible – only lasting for the duration of

	rehabilitation
Degree to which the impact may cause irreplaceable loss of resources:	No loss of resources
Cumulative impact prior to mitigation:	Negligible
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low negative
Degree to which the impact can be mitigated:	Low
Proposed mitigation:	No mitigation measures are applicable as construction has ended.
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	N/A

Visual impacts / Sense of Place:	
Nature of impact:	No impacts on sense of place are foreseen
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.

Potential impacts on the geographical and physical aspects:	
Nature of impact:	Removal of unlawful dams
Extent and duration of impact:	Limited to the site and its immediate surroundings – short term to medium term
Probability of occurrence:	Unlikely
Degree to which the impact can be reversed:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Medium
Cumulative impact prior to mitigation:	Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low negative
Degree to which the impact can be mitigated:	Medium
Proposed mitigation:	<ul style="list-style-type: none"> Remove the embankment material and spread it across the dam basin, levelling it as far as possible to the natural gradient of the watercourse. Any concrete must be removed from the site and disposed of appropriately, not buried or dumped in the watercourse. Reshaping of the watercourse must achieve alignment with the elevation of the bed at the inflow and outflow areas. A layer of topsoil approximately 50 cm deep must be placed across the surface of the disturbed area of the dam basin. The disturbed area must be revegetated using suitable indigenous plants as listed in this report. Vegetation cover must be at least 80%. Exposed slopes must be protected with soil saver matting until vegetation has fully established.

	<ul style="list-style-type: none"> The watercourse must be monitored for erosion following rainfall, and eroded sections must be rehabilitated by revegetation supported with soil save matting or silt fencing. This work must be overseen by an aquatic ecologist.
Cumulative impact post mitigation:	More water would be available through the system, which would provide more substantial flows downstream.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Negligible positive

Potential impacts on the geographical and physical aspects:	
Nature of impact:	Reduction of dam volumes to ELU level
Extent and duration of impact:	Limited to the site and its immediate surroundings – long term
Probability of occurrence:	Likely – highly probable
Degree to which the impact can be reversed:	Medium
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	N/A
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low positive
Degree to which the impact can be mitigated:	Medium
Proposed mitigation:	<ul style="list-style-type: none"> Water levels in the dam can be reduced a number of ways including the installation of siphons, opening of outlets etc. The most certain way to restrict the storage volume is to reduce the height of the spillways. This could be achieved using machinery positioned on the dam wall. The slope of the spillway would need to be re-sloped to a gradient of 1:3 with protection along the spillway maintained to prevent erosion. Dam banks above the reduced high water mark would need to be revegetated to incorporate the area into the riparian buffer zone. Planting should utilise the species indicated in this report.
Cumulative impact post mitigation:	N/A
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low positive

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 (<http://www.capegateway.gov.za/eadp>). A summary of all the specialist inputs/studies must be provided with the additional information.

Specialist inputs/studies and recommendations:

Terrestrial Biodiversity Environmental Sensitivity Report compiled by Cape Vegetation Surveys 2022:

1. Environmental Risks

Stormwater from the upper slopes should be carefully managed to avoid erosion of the soft substrate on site. Excess runoff must be managed to avoid erosion to the valley bottomland and watercourses.

2. Conservation and Rehabilitation

The remaining non orchard/ developed areas at the property eastern border could be maintained in a natural state with a phased removal of any existing and spreading Invasive Alien Plant Species the applicant is removing Kikuyu grass where occurring to replace with more suitable indigenous

vegetation For properties zoned for agriculture in terms of the CARA, the owner must prevent the spread of IASs from entering or dispersing from the property.

A management objective of the landowner to rehabilitate the remainder of the fynbos habitat and restore areas to near natural adjacent to watercourses and agricultural fields has good potential for biodiversity conservation.

It may be possible to create fynbos hedge rows along the property boundaries to reduce the impact of total removal of natural vegetation.

3. Mitigation and Rehabilitation Guidelines

- In watercourse areas: reuse or relocate as much plant material as is practical where densities allow for transplanting.
- A qualified and experienced ECO should be appointed to assist with rehabilitation planning.
- Erosion prevention and soil loss must be managed throughout the lifetime of the activity.
- Management of Alien Invasive Plants must be ongoing throughout the lifetime of the activity.

The landowner is aware of the above and has already begun extensive rehabilitation work as per point 6.3 of this report.

Aquatic Specialist Impact Assessment compiled by Confluent Environmental 2021:

1. Clearance of vegetation in littoral, riparian and wetland areas for maintenance of dams.

- Ensure erosion is controlled in the catchment zone of each dam. This will reduce the need for frequent silt removal from dams. This can be achieved through the temporary installation of hay bale check dams, or silt fencing during periods of disturbance.
- Dam volumes must be maintained during maintenance and the size of the dam may not be increased.
- Prior to maintenance, encourage dense growth of wetland vegetation at the inflow area (filter zone) of each dam to trap sediments and reduce their transport into dams. This should be an ongoing practice and will form part of the rehabilitation of wetlands and buffer zones at Redhaus Farm. Vegetation cover must be 100% in the filter zone.
- Access by heavy machinery used to remove sediment must be limited to a maximum of two discrete locations. One from the dam wall, and the other from the side of the dam. This is to limit the footprint of disturbance and compaction of soil.
- Disturbed riparian areas must be rehabilitated and replanted with suitable indigenous vegetation following access with heavy machinery.
- As far as possible try not to disturb fringing littoral vegetation and concentrate silt removal from the main basin of the dam. If vegetation must be removed, then a maximum of 50% of emergent vegetation can be removed. This vegetation can be replanted in suitable areas where more dense wetland vegetation is desirable such as the filter zones. Alternatively, it can be left to dry out next to the dam for a few days so that any associated biota can find their way back to the dam.
- Maintenance to remove silt must not take place during the breeding season (Sep - Feb).
- Silt removal is preferably done when water levels in the dam are very low.

2. Establishment of riparian buffer zones.

- Begin with the establishment of 25 m buffer areas by marking them out using stakes, stones, danger tape etc. Buffers have been mapped in this report, and are measured from the edge of wetlands and dams.
- As far as possible, roads and orchards must be kept out of riparian buffer zones. Where existing orchards and roads have been established (e.g. West of Dam 1) buffer zones must be established as far as possible beyond these areas. No new infrastructure should encroach into mapped buffer zones.
- Buffer areas should aim for at least 80% vegetation cover with a complex of growth forms able to intercept overland flows.
- Ensure that staff and contractors are aware that there are unique conditions and guidelines for the management of these areas.

- Select appropriate vegetation for establishment from the list of species provided. The more diverse the better. Vegetation can be sourced from wholesale nurseries, cuttings or seed.
- Do not mow / remove any establishing indigenous vegetation in buffer areas.
- Staff must be trained to identify weeds. Indigenous grasses are beneficial in riparian zones and should not be removed. (e.g. removing indigenous grasses is detrimental as they provide good coverage in buffer areas). Weeds that must be removed are recognised alien invaders such as Black Wattle, Blackwood, Bugweed etc. Staff must be trained to identify these plants.
- Kikuyu grass is an alien invasive species that will limit the success of riparian buffer planting. It must therefore be systematically removed in sections. This can be achieved by spraying it off with a suitable herbicide on hot, dry, windless days where spray drift will not extend to sensitive aquatic areas.
- Kikuyu can be prevented from re-establishment using borders of gravel, bark, or logs which can be moved back each time a section is removed for replanting.

The applicant has already begun removing Kikuyu grass in the identified wetland zones, where appropriate, to replace with more suitable indigenous vegetation as per the aquatic report.

3. Wetland rehabilitation

- All staff must be made aware that wetland areas are sensitive and should be avoided, which includes mowing of vegetation.
- No heavy machinery or vehicles can be driven into wetland areas.
- Any existing roads that have been established through wetlands areas or their buffers must be re-routed and rehabilitated.
- Only suitable wetland vegetation must be planted in these areas as terrestrial plants will perish due to the saturated soils.
- The aim in wetland areas is to achieve 100% cover with suitable indigenous wetland plants in the wetland area.
- The Western Wetland below Dam 4 has a fair amount of naturally present vegetation and adjoins a neighbouring area with extensive wetland vegetation. Rehabilitation in this area can therefore take a more passive approach with less active planting.
- Extensive kikuyu grass is present in the wetland area below Dam 1 and Dam 4. This must be manually removed in sections and will need active replanting with wetland adapted species below Dam 1.
- Water releases that take place from dams upstream must be done at very low velocities so as not to develop channels through the wetland habitat. This will result in incision and draining of wetland habitat which is highly detrimental to this wetland type. Outflow areas should be protected with rock and dense vegetation to reduce and scour effect.
- Work with neighbours upstream and downstream to improve connectivity in habitat (mainly vegetation) and for the movement of wildlife through fence lines.
- The waterhole between Dam 1 and Dam 2 must be completely surrounded by dense vegetation.

4. Management of Dam Structures

- No trees or large shrubs must be planted on dam walls.
- To improve connectivity and the biodiversity value across each of the watercourses, aim to diversify the plant species established on dam embankments. These species must effectively hold the soil and prevent erosion. Indigenous grass species such as Kweek (*Cynodon dactylon*) are effective in conjunction with scrambling plants such as *Helichrysum petiolare* and various *Plectranthus* spp and *Carprobrotus* spp.
- In the event of the dams overflowing, their spillways are well protected by rock, which can be further supported by dense interplanting with indigenous plants. This has been implemented on Dam 1 and 2, and is planned for Dam 3 and 4. This will further reduce flow velocities with the aim of preventing damage to wetland areas downstream.
- Any outflow areas from dams must be protected by rock and dense vegetation for at least 3 m below. This is also to reduce any scour effect from damaging sensitive wetland habitat.

5. Management of orchards for the protection of water resources and improved biodiversity.

- Should rows of windbreak trees be required for the protection of Almond trees, or along borders,

consider the use of valuable indigenous trees such as nitrogen-fixing Keurbooms (*Virgilia* spp.) which will attract natural enemies of insect pests.

- Species composition of the orchard floor is one aspect of IPM which can also improve the runoff quality of water from the orchard during rainfall events. A diverse, dense assemblage of indigenous grasses and forbs provides habitat for insect pests which will occupy this area instead of feeding on the trees. The other benefit of a dense orchard floor cover is the reduction of flow velocities during surface runoff, which will reduce soil loss and erosion.

The applicant has consulted with qualified agronomists and soil scientists to advise on the best ways to manage the orchard for environmental sustainability.

- Develop an Integrated Pest Management Plan (IPM) with the assistance of a consultant (if there isn't one already). The aim is to ensure that the correct pesticides are applied at the lowest possible rates and non-target impacts in terrestrial and aquatic habitats are kept to a minimum.
- Consider the need and impact of fencing. It can greatly fragment the landscape limiting the movement of wildlife. If orchards require protection from animals such as bushpigs, an alternative would be to run three strands of electrical fencing around fields starting at 40cm up to 1 m height. This will still allow tortoises movement below the lowest strand. Fencing across watercourses must allow for the movement of wildlife.

6. Ecological Water Requirements

The necessity to ensure the maintenance of downstream ecological water requirements as stipulated by the National Water Act is considered in this section. An impact assessment table was not completed because the only mitigation is to either decommission the dams or release a set quantity of water downstream. The former is assessed in the following section, and the latter is not recommended for the following reasons.

There are dams 150 - 200m downstream of both Dam 1 and Dam 4 on neighbouring properties. Ecological Water Releases would therefore flow straight into the neighbouring dams without reaching the Whiskey Creek further downstream. This would defeat the objective of releasing flows to sustain the Whiskey Creek unless the dams downstream were subject to the same EWR releases and a catchment-based approach is followed.

Dam 4 has an outlet, which is used periodically to release water downstream to sustain the neighbour's dam. The landowner of Redhaus Farm has a gentleman's agreement to this effect, and a number of releases have already been made.

The wetland hydrology upstream and downstream of the dams is not greatly affected as they still maintain zones of permanent and seasonal saturation, despite the presence of the dams. As unchanneled valley-bottom wetlands, channelled flow (e.g. from an outlet) is undesirable as it leads to channel incision and ultimately draws down the water table. The results of the hydrological assessment (Confluent Environmental 2021) indicate there is a slight reduction in mean annual runoff from the Whiskey Creek catchment, and that reductions occur during peak high flow conditions. The same assessment indicated that no reductions were estimated during low flow periods.

Based on the points above, the need for EWR releases is not considered high in this situation unless it is conducted from a catchment-wide perspective.

The landowner is aware of this and has already begun extensive rehabilitation work as per point 6.3 above.

Hydrological Assessment compiled by Confluent Environmental 2021:

- The mean estimated irrigation requirements for 20 ha of almond trees under drip irrigation is approximately 40 000 m³ per annum, with a maximum of 60 000 m³;
- The total storage capacity of 38 000 m³ is optimal with regards to storage of surface flows from the Redhaus catchments. Lower storage results in substantial deficits in irrigation requirements over a 50-year simulation period, while increasing dam volume does not yield a significant increase in assurance of supply that would warrant a larger dam volume;
- Supplementary irrigation from a borehole will be required, particularly during very dry periods

- when surface inflows will be insufficient to meet the irrigation demands;
- Storage and irrigation from Dams 1 to 4 results in a slight decrease in mean annual runoff from the Whiskey Creek catchment (~ 8 %). Flow reductions occur during peak high flow periods, whilst no reductions are estimated to occur during low flow periods;
- Any implementation of the Reserve must focus on discharging from the lowest dam in the Whiskey Creek catchment to determine whether these flows are sufficient to meet the ecological flow requirements. Any shortfall in ecological flow requirements must be addressed through a catchment scale study that focusses on ensuring equitable releases from all farm dams located throughout the catchment area; and
- Based on the analyses presented in this report an annual abstraction of 60 000 m³ from the Redhaus catchments and 24 000 m³ abstraction from a borehole will ensure security of supply for irrigation of 20 hectares of almonds over the medium to long term.

Geohydrological Assessment compiled by DHS Groundwater Consulting Services 2021:

- Based on the field work, interpretation of available and newly acquired data, the abstraction of groundwater from the site will have an overall “negligible – negative” impact on the investigated geohydrological environment after implementation of appropriate mitigation measures. During the rating and ranking procedure of impacts, all identified impacts could be countered by appropriate mitigation.
- Based on the water balance results, it is recommended to apply for an allocation of 0.025 Mm³/annum which places the application in Category A (small scale abstractions: < 60% recharge to the GRU). The tested boreholes will be able to supply in 100% of the demand, as well as the applied volume.
- From a water quality point of view EC, TDS, Chloride, Sodium, Manganese and Iron exceeds the SANS241 drinking water limits making the water unfit for human consumption without prior treatment. The main application of the water will however be irrigation and it is proposed that the applicant consult an applicable agricultural specialist to assess water quality criteria to make judgements on the fitness of water to be used for irrigation of the intended crop(s), its effects on soil properties, soil salinity tolerance of the intended crops and how these effects may be mitigated and possible treatment options.
- All of the parameters analysed for in the neighbouring borehole sampled during the hydrocensus (BHC3) (except for slightly elevated Iron concentrations) comply with the SANS241 drinking water limits.
- It is the assessor's professional opinion that adequate information was available to appropriately assess the impact of groundwater abstraction from the production boreholes on the geohydrological environment. Based on the results, it is recommended that the application be approved. It is however imperative that the applicant implements the proposed “Environmental Management & Groundwater Monitoring Program”. Production boreholes should be equipped as follow:
 - Installation of a sampling tap (to monitor water quality).
 - Installation of a flow volume meter (to monitor abstraction rates and volumes).
 - The appropriate borehole pump must be installed, i.e. not an over-sized pump that is choked with a gate valve. If the monitoring shows that more water can be abstracted, then duty cycles (i.e. the duration of pumping time) may be increased, and not the flow rate.

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):
Establishment of riparian buffer zones	Medium positive

Wetland rehabilitation	Medium positive
Management of dam structures	Low
Depletion of groundwater resource due to over-abstraction	Negligible
Groundwater quality deterioration as a result of over-abstraction	Negligible
Clearance of vegetation in littoral, riparian, wetland areas for maintenance of dams	Low/negligible
Management of orchards for the protection of water resources & improved biodiversity	Negligible
Employment opportunities for the local community	Low
Noise from heavy machinery being utilised during rehabilitation & maintenance work	Low

9. SUMMARY OF THE CONSEQUENCES OF/ IMPACTS OF THE UNLAWFULLY COMMENCED ACTIVITY/IES

Please provide a detailed summary of the consequences/impacts of commencement of the activity/ies on the environment.

<p>Summary:</p> <ul style="list-style-type: none"> • Impeding & diverting the flow of a watercourse • Erosion and sedimentation of a watercourse • Loss of riparian and terrestrial habitat • On-going occurrence of Alien Invasive Plants requiring continual removal • Clearing of indigenous vegetation belonging to the Tsitsikamma Sandstone Fynbos group (Least Threatened) as per GIS mapping; however, the property was heavily infested with alien invasive vegetation. • Increased success for future agricultural plans (positive) • New employment opportunities (positive)

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.

<ul style="list-style-type: none"> • The Environmental Management Programme must be implemented and adhered to. • The Rehabilitation and Maintenance Management Plans need to be compiled, be implemented and adhered to. • An Alien Invasive Plant Removal Programme must form part of the EMP and must be implemented. The area must be continuously maintained throughout the lifespan of the project. • No pollution of groundwater or surface water may occur due to any activity. • No permanent structures may be constructed within a 1:100 floodline or within 100 metres from a watercourse (seasonal or permanent river or stream etc), whichever is furthest without firstly obtaining authorization in terms of section 21 (c) and (i) of the National Water Act (Act 36 of 1998). • Environmental audits should be conducted quarterly during the course of rehabilitation.

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

<p>The applicant will receive the necessary training in the understanding and implementation of the EMP and will appoint a qualified ECO to undertake environmental inspections.</p>
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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 scope of the study has been determined with reference to the requirements of the relevant legislation, namely the NEMA EIA Regulations, 2014 as amended. The main responsibilities of the Environmental Consultant would include, inter alia, the following as stipulated in the EIA Regulations:

- Submission of the required Application Form to the relevant authority, in order to register the proposed project, and obtain the applicable reference number;
- Consultation with the relevant authorities and stakeholders, through the Section 24G process, to ensure that identification of relevant issues or concerns are undertaken. Ensure the assessment of and response to the issues that are raised;
- Consideration of the applicable Legislation, Guidelines & Policies;
- Compilation of the required S24G Report, describing the proposed activity, the affected environment, the potential environmental impacts, all applicable legislation and applicable guidelines, and the detail of the public participation process followed;
- Submission of the above-mentioned documents to the public for comment and to the authority (DEA&DP) for a decision.

This Section 24G process is being undertaken with sustainable development as a goal. The assessment identifies the impacts of the activity on the environment and assesses the significance of these, as well as proposed mitigation measures, as required, to ensure positive impacts and/or to reduce anticipated negative impacts to an acceptable level where they could not be avoided. This is to ensure that the activity makes "equitable and sustainable use of environmental and natural resources for the benefit of present and future generations."

The assessment methods used are anticipated to be adequate for the nature of the application and the site.

(b) Please describe the assessment criteria used.

- NEMA (Act 107 of 1998)
- NEMA: EIA Regulations 2014 as amended
- NWA (Act 36 of 1998)
- Western Cape Department of Environmental Affairs and Development Planning: Guideline Documents

The criteria are also based on the EIA Regulations, published by the Department of Environmental Affairs and Tourism (April 1998) in terms of the Environmental Conservation Act No. 73 of 1989.

These criteria include:

Nature of the impact

This is an estimation of the type of effect the construction, operation and maintenance of a development would have on the affected environment. This description should include what is to be affected and how.

Extent of the impact

Describe whether the impact will be: local extending only as far as the development site area; or limited to the site and its immediate surroundings; or will have an impact on the region or will have an impact on a national scale or across international borders.

Duration of the impact

The specialist should indicate whether the lifespan of the impact would be short term (0-5 years), medium term (5-15 years), long term (16-30 years) or permanent.

Intensity

The specialist should establish whether the impact is destructive or benign and should be qualified as low, medium or high. The specialist study must attempt to quantify the magnitude of the impacts and outline the rationale used.

Probability of occurrence

The specialist should describe the probability of the impact actually occurring and should be

described as improbable/unlikely (low likelihood), probable (distinct possibility), highly probable (most likely) or definite (impact will occur regardless of any prevention measures).

Reversibility

- Completely reversible – the impact can be reversed with the implementation of minor mitigation measures.
- Partly reversible – the impact is reversible but more intense mitigation measures are required
- Barely reversible – the impact is unlikely to be reversed even with intense mitigation measures
- Irreversible – the impact is irreversible, and no mitigation measures exist

Irreplaceable loss of resources

Describes the degree to which resources will be irreplaceably lost due to the proposed activity. It can be no loss of resources, marginal loss, significant loss or complete loss of resources.

Cumulative effect

An effect which in itself may not be significant but may become significant if added to other existing or potential impacts that may result from activities associated with the proposed development. The cumulative effect can be:

- Negligible – the impact would result in negligible to no cumulative effect
- Low – the impact would result in insignificant cumulative effects
- Medium – the impact would result in minor cumulative effects
- High – the impact would result in significant cumulative effects

Significance

Significance of impacts are determined through a synthesis of the assessment criteria and is described as –

- Low negative – where it would have negligible effects and would require little or no mitigation
- Low positive – the impact will have minor positive effects
- Medium negative – the impact will have moderate negative effects and will require moderate mitigation
- Medium positive – the impact will have moderate positive effects
- High negative – the impact will have significant effects and will require significant mitigation measures to achieve an accepted level of impact
- High positive – the impact will have significant positive effects
- Very high negative – the impact will have highly significant effects and are unlikely to be able to be mitigated adequately
- High positive – the impact will have highly significant positive effects

(c) Please describe the gaps in knowledge.

Due to the activity currently being in its operational phase, there is limited knowledge of the environment prior to any earthworks and construction. The knowledge of the state of the environment is purely from information conveyed to the EAP by the applicant, literature, GIS mapping, and specialist assessments.

(d) Please describe the underlying assumptions.

It is assumed that all the information conveyed to the EAP by the applicant and specialists are correct.

The management of this proposed development will be in line with the recommendations in this report, which will be enforced by the implementation of a detailed Environmental Management Programme.

(e) Please describe the uncertainties.

There are no identified uncertainties.

SECTION H: RECOMMENDATIONS OF THE EAP – TO BE COMPLETED IN FINAL EIR.

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	NO
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If "NO", list the aspects that should be further assessed through additional specialist input/assessment:

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
Please provide reasons for your opinion		

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.

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, <i>inter alia</i> , proof of preliminary advertisement in a local newspaper.		
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 – The newspaper advertisement was placed in the Knysna Plett Herald.		
(2) This advertisement must comply with the requirements set out in Annexure A, Section D of the Section 24G Fine Regulations, 2017 – this has been complied with.		
(3) The applicant must open and maintain of a register of interested and affected parties – this has been undertaken.		
(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." – this has been undertaken.		
Please indicate whether the applicant has a website (please tick relevant box):	YES	NO
If yes, please note that the application information as specified above must have been advertised on such website and proof thereof must accompany this application.		
Eco Route Environmental Consultancy website (www.ecoroute.co.za) was used to provide notification and to provide the Draft S24G EIR (this report) to the public.		

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	DEVIATION	
(ii) any alternative site	YES	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	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	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	DEVIATION	
(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;	YES	DEVIATION	
(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	YES	DEVIATION	
(vi) any other party as required by the Department;	YES	DEVIATION	N/A
(c) placing an advertisement in -			
(i) one local newspaper; or	YES	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
(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
(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
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? N/A	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
Department of Environmental Affairs and Development Planning: Environmental Governance	No	A decision will be issued after the submission of the Final EIR
Western Cape Department of Agriculture	No	A CARA application is currently being prepared for submission. This is being undertaken with the involvement of the WC Department of Agriculture.
Department of Environmental Affairs and Development Planning	Yes	
Department of Agriculture, Rural Development and Land Reform	Yes	
Department of Water and Sanitation/ BGCMA	Yes	
Western Cape Department of Forestry	No	Unknown

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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.)

As per the Pre-Application Public Participation:

1. Plettenberg Bay Community Environment Forum

- Not enough investigation or forethought given to the requirements for 20 hectares of almond trees or the legalities of constructing dams.

Response: No new dams were constructed by the present owner. All the dams were constructed by previous owners and existed prior to the properties been purchased. Two of the dams were constructed prior to 1998 (Dam 2 and Dam 4), and some storage is therefore considered legal as they are an Existing Lawful Use.

- Unacceptable that the dams remain, particularly as they are in wetland /instream areas that feed into Whiskey Creek.

Response: The dams on these properties are on two tributaries of the Whiskey Creek. Both tributaries have existing neighbouring dams located downstream from them, which would collect and store water that is not stored upstream. Therefore, removal of the dams does not mean the water will end up in the Whiskey Creek.

- The dams that were in existence with change of ownership should be rehabilitated and the new dams decommissioned.

Response: The historical unauthorised construction of the dams, and more recent enlargement of 3 of the 4 dams is the subject of the Water Use License Application. The WULA process is meant to provide a balanced approach to regulated water use. The relevant water authority will provide a decision on the outcome of the WULA.

2. Member of the Public

- No landowner should be allowed to divert the flow of a natural watercourse for their financial gain.

Response: All the farm portions are zoned for agricultural use, and all crops require irrigation of some sort unless they are simply dryland grazing. The precision drip irrigation system installed by the landowner ensures that irrigation efficiency is maximised. By its very nature, commercial farming requires the diversion of flow from natural watercourses for financial gain. But simultaneously provides food and products upon which human society is dependent.

- Concern regarding the environmental impact on the flow of underground water now that so many people in the area are drilling boreholes.

Response: A geohydrological assessment was requested by the BGCMA for the WULA and was done by a qualified specialist to determine the sustainability and impacts of abstracting groundwater through the borehole for supplementing irrigation. The proposed abstraction was found to pose a 'negligible negative' impact to the groundwater environment. The assessment included a hydrocensus which assesses the impact of groundwater abstraction on neighbouring properties. The specialist stated that up to 25 000m³ could be applied for without detrimental effect. The application is for 24 000m³ and the borehole is metered ensuring abstraction can be monitored.

- Concern regarding the management of bees for pollination.

Response: the bees for pollination are brought in from outside the area only for the short pollination period and removed again afterwards. They have no requirement to feed in the

Crags throughout the year.

- Concern regarding potential employment of unregistered individuals.

Response: the landowner uses Terblanche Services for several farming services and has done so over the last 4 ½ years. All his workers are South African Nationals. The landowner currently employs 9 full time workers of which 8 are registered South Africans and 1 is a Lesotho National married to a South Africa and who does have a valid work permit.

- The watercourses should be returned to their natural state.

Response: The historical unauthorised construction of the dams, and more recent enlargement of 3 of the 4 dams is the subject of the Water Use License Application. The WULA process is meant to provide a balanced approach to regulated water use. The relevant water authority will provide a decision on the outcome of the WULA.

Please see Comments and Response Report (Appendix G.6) for detailed responses to all comments received.

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.

As per the Pre-Application Public Participation:

1. Department of Environmental Affairs and Development Planning:

- The inclusion of Listing Notice 1 Activity 27 was said to be relevant to the activity.
- The department noted that a WULA would be required.
- The department noted that an EMPr would be required for comment and decision-making purposes.
- The department noted that all specialists must be SACNASP registered.

2. National Department of Agriculture, Land Reform and Rural Development:

The land owner is advised to observe and to follow the following requirements recommendations.

- According to Conservation of Agricultural Resources Act, (CARA) 43 OF 1983; The land owner must apply for a cultivation permit from this office for any piece of land he wants to cultivate if the land is virgin soil and has not been cultivated in the last 10 years as the definition in terms of the CARA.
- The land owner must apply for a cultivation permit from this office for any piece of land he wants to cultivate if the land is virgin soil and has not been cultivated in the last 10 years as the definition in terms of the CARA.
- Regulation 2(1) of the Conservation of Agricultural Resources Act (Act 43 of 1983), "Except on authority of a written permission by the executive officer, no land use shall cultivate any virgin soil: Provided that such authority shall not be required in respect of virgin land for which an approval has been granted in terms of section 4A of the Forest Act, 1972 (Act 68 of 1972).
- According to Regulation 4, sub-regulation 1 (a) "Every land user shall by means of as many of the following measures as are necessary in his situation, protect the cultivated land on his farm unit effectively against excessive soil loss as a result of erosion through the action of water". Measures that may be applicable is; - a suitable soil conservation work to be constructed and thereafter be maintained in order to divert run-off water from other land or to restrict the run-off speed of run-off water, - the land concerned or sites shall be cultivated in accordance with such methods or be laid out in such a manner that the run-off speed of run-off water is restricted and that the surface movement of soil particles be restricted, - to establishment permanent cover vegetation to prevent soil erosion, - suitable wind breaks shall be

constructed or suitable vegetation to be established to serve as a wind break.

- According to Regulation 5, sub-regulation 1 (a) (j) "Every land user shall by means of as many of the following measures as are necessary in his situation, protect the cultivated land on his farm unit effectively against excessive soil loss as a result of erosion through the action of wind: The land concerned shall be cultivated in accordance with such method or be laid out in such manner that the surface movement of soil particles through the action of wind is restricted.
- According to regulation 4, 5 and 6 of the CARA every land user shall by means of as many as necessary follow measures in his situation, protect the land on his farm unit effectively against excessive soil loss as a result of erosion through the action of water and wind: Measures applicable may include continuous monitoring for signs of soil erosion, repairing, rehabilitation, establishment of indigenous vegetation on dam banks, to construct a suitable soil conservation work and thereafter maintain it in order to divert run-off water from other land or restrict the run-off water if necessary.
- According to regulation 7 sub-regulation (1) "Subject to the provisions of the Water Act 1956 (Act 54 of 1956), and sub-regulation (2) of this regulation, no land user shall utilize the vegetation in vlei, marsh or water sponge or within the flood area of a water course or within 10 metres horizontally outside flood area in a manner that causes or may cause the deterioration of or damage to the natural agricultural resources". It is recommended that a **32m buffer** zone is kept in a natural condition.
- It is stated in the 24G application that aliens species exist, such plants need to be controlled and removed annually (on going clearing programs) as they can cause damage to the surrounding natural vegetation. According to Conservation of Agricultural Resources Act, (Act 43 of 1983), Regulation 15E method of controlling alien plants are as follow:
 - Uprooting; felling; cutting or burning
 - Treatment with a weed killer that is registered for use in connection with such plants in accordance with the directions for the use of such
 - Biological control carried out in accordance with the stipulations of the Agricultural Pests Act, (Act no.36 of 1983)

Combination of one or more methods mentioned above, and any action taken to control alien plants shall be extended with caution and in a manner that will cause least possible damage to the environment.

- Definition of cultivation in terms of the CARA: "in relation to land, means any act by means of which the topsoil is disturbed mechanically; and cultivate has a corresponding meaning."

Detailed rehabilitation plan including all mitigation plans must be included in EMP report, as the plan will be used as a guideline for ongoing monitoring of rehabilitation/mitigation plans. Such plan should be considered for decommissioning and post closure of the proposed development in ascertaining all mitigations conditions are compiled and adhered to.

3. The Department of Forestry, Fisheries & the Environment: Forestry Western Cape:

Forestry recommend that the disturbed/ cleared areas, along the watercourse, be rehabilitated with indigenous/ endemic forest tree species. That the areas along the watercourse with indigenous forest patches be kept intact.

4. Breede Gouritz Catchment Management Agency:

All illegal water uses should be ceased or discontinued until such time that a licence is issued or approval to continue with water uses is approved in writing by CME.

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 Please consult Appendix G for a detailed I&AP register

Section 24(O)(2) obliges the relevant authority to consult with every State department that administers a law relating to a matter affecting the environment when such authority considers an application for an environmental authorisation.

Provide a list of all the State departments that will be/have been consulted, including the name and contact details of the relevant official.			
State Department	Name of person	Contact details	
		Tel	
		Fax	
		E-mail	
		Tel	
		Fax	
		E-mail	
		Tel	
		Fax	
		E-mail	

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

A Directive has not been issued to the applicant. The applicant has voluntarily entered into the Section 24G Process.

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

i	<i>immediately cease the activity pending a decision on the application submitted in terms of this subsection</i>	
ii	<i>investigate, evaluate and assess the impact of the activity on the environment</i>	
iii	<i>remedy any adverse effects of the activity on the environment</i>	
iv	<i>cease, modify or control any act, activity, process or omission causing pollution or environmental degradation</i>	
v	<i>contain or prevent the movement of pollution or degradation of the environment</i>	
vi	<i>eliminate any source of pollution or degradation</i>	
vii	<i>compile a report containing-</i>	
	aa	<i>a description of the need and desirability of the activity</i>
	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>
	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>
	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>
	ee	<i>an environmental management programme</i>
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>	

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:

<i>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?</i>	YES <hr/>	NO <hr/>	UNCERTAIN <hr/>
<i>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.</i>			
<i>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?</i>	YES <hr/>	NO <hr/>	UNCERTAIN <hr/>
<i>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.</i>			
<i>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>?</i>	YES <hr/>	NO <hr/>	UNCERTAIN <hr/>
<i>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.</i>			

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 activities will not arise in any negative socio-economic impacts. The dams provide water for agricultural purposes in an area zoned for Agricultural use. The activity would result in positive socio-economic impacts as the success of cultivating crops would support food production and continuously provide employment opportunities for the local community.		

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: Both terrestrial and aquatic vegetation were removed in the clearance of sediment and the expansion of in-stream dams; resulting in a localised negative impact on biodiversity. This resulted in the loss of habitat and the modification of the natural flow of water (a localised impact).		

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 located on an agricultural farm; therefore, sense of place is not affected. In addition, the activity is not located in close proximity to any cultural heritage site or areas of traditional value/significance.		

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 is not generating any pollution.	

PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT

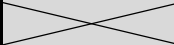
Index	Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
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:		

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:		

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: N/A no previous applications have been submitted by the applicant.		

PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES

Index	Applicant's legal persona	Place an "x" in the appropriate
Description of variable		

	box
The applicant is a natural person.	
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: this will be included in the Final S24G application.

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. To be included in the Final EIR.

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	✓
Appendix B:	Site plan(s) Dam surveys & almond orchard cultivation map	✓
Appendix C:	Building plans (if applicable)	N/A
Appendix D:	Colour photographs	✓
Appendix E:	Biodiversity overlay map	✓
Appendix F:	Permit(s) / license(s) from any other organ of state including service letters from the municipality A WULA has been submitted to the relevant authority. Proof of submission has been included in this appendix.	WUL will be sent to the Department once received.
Appendix G:	Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information as required in Section J above.	✓
Appendix H:	Specialist Report(s), if any	✓
Appendix I:	Environmental Management Programme	✓
Appendix J:	Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc.	N/A
Appendix K:	Certified copy of Identity Document of Applicant	✓
Appendix L:	Certified copy of the title deed (or title deeds in the case of linear activities)	✓
Appendix M:	Any Other (if applicable) (describe) HWC response to NID	✓

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)	N/A
Other	(please list accordingly)	

DECLARATIONS**THE APPLICANT – PLEASE SEE ATTACHED**

Note: Duplicate this section where there is more than one applicant

- I, in my personal capacity or duly authorised as (state capacity) by thereto hereby declare/affirm that all the information contained in this application to be true and correct, and that I:
- am fully aware of my responsibilities in terms of the National Environmental Management Act of 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations") in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM:WA") and all relevant specific environmental management Act(s), and that failure to comply with these requirements may constitute an offence in terms of the environmental legislation;
- appointed the environmental assessment practitioner as indicated above, which meet all the requirements in terms of Regulation 13 of the EIA Regulations to act as the independent Environmental Assessment Practitioner for this application;
- have provided the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- am aware that I may be issued with a directive and that I must comply with such a directive;
- am fully aware of the administrative fine to be paid before a decision, with respect to the continuation of the listed activity(ies), will be made;
- will be responsible for the costs incurred in complying with the environmental legislation including but not limited to –
 - costs incurred in connection with the appointment of the environmental assessment practitioner or any specialist appointed in terms of Regulation 13 of the EIA Regulations);
 - costs incurred in respect of the undertaking of any process required in terms of this application;
 - costs in respect of any prescribed fee payable in respect of this application;
 - costs in respect of specialist reviews, if the competent authority decides to recover costs;
 - the provision of security to ensure compliance with the applicable management and mitigation measures; and
 - fine costs
- am responsible for complying with the conditions that might be attached to any decision(s) issued by the competent authority;
- have the ability to implement the applicable management, mitigation and monitoring measures; and
- hereby indemnify, the government of the Republic of South Africa, the competent authority and all its officers, agents and employees, from any liability arising out of, inter alia, the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible.

am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations, 2014 (

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

Signature of the applicant:

Name:

Name of Firm (if applicable):

Date:

THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)

I **Samantha Teeluckdhari**, as the appointed independent environmental practitioner (“EAP”) hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

- act/ed as the independent EAP in this application;
- regard the information contained in this application to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the the National Environmental Management Act of 1998 (Act No. 107 of 1998) (“NEMA”), the Environmental Impact Assessment Regulations, 2014 (“EIA Regulations”) in terms of NEMA, the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) (“NEM:WA”) and the relevant specific environmental management Act(s);
- have and will not have any vested interest in the proposed activity proceeding;
- have disclosed, to the applicant and competent authority, any 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 required in terms of the NEMA, the EIA Regulations, the NEM:WA and any specific environmental management Act(s);
- am able to meet the responsibilities in terms of NEMA, the EIA Regulations (specifically in terms of Regulation 13 of the EIA Regulations, 2014) and any specific environmental management Act, and am fully aware that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the application was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments;
- have ensured that the comments of all interested and affected parties were considered, recorded and submitted to the competent authority in respect of the application;
- have kept a register of all interested and affected parties that participated in the public participation process; and
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.
- am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations

Note: The terms of reference must be attached.

S. Teeluckdhari

Signature of the environmental assessment practitioner:

Eco Route Environmental Consultancy

Name of company:

25/05/2022

Date: