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Good day Madam

RE: REQUEST FOR COMMENT FROM THE SUB-DIRECTORATE: COASTAL MANAGEMENT ON THE 21-DAY COMMENT AND REVIEW - FINAL SECTION 24G APPLICATION FORM FOR COMMENCEMENT & FURTHERANCE OF ACTIVITIES ON FARM PORTIONS 420 AND 373, OUTENIQUA GAME FARM, MOSSEL BAY MUNICIPALITY, WESTERN CAPE

Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of final Basic Assessment Report for the above-mentioned application received on 23 February 2026, refers.

1. CONTEXT

1.1. The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment. In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations".

- 1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The Western Cape Provincial Coastal Management Programme ("WC: PCMP 2022-2027) is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. This WC: PCMP 2022-2027 was adopted by the Provincial MEC for Local Government, Environmental Affairs and Development Planning on 19 May 2023 and available upon request.
- 1.3. A key priority of the PCMP is the Estuary Management Programme, which is implemented in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans of which over 20 Estuarine Management Plans have already been approved.
- 1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC PCMP. The Department developed the Provincial Coastal Access Strategy and Plan, 2017 ("PCASP") and commissioned coastal access audits per municipal district to assist municipalities with identifying existing, historic, and desired public coastal access. These coastal access audits also identify hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA. The PCASP as well as the coastal access audits are available upon request.

2 COMMENT

The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary:

- 2.1. The proposed activity comprises a combination of listed activities that have commenced prior to obtaining environmental authorisation that were commenced by previous and current owner as well as proposed activities (as per the final NEMA S24G Application Form titled "Final Application for 21-day review and comment: 12 November – 12 December 2025").

Proposed activities entail:

- i. the installation of an in-stream dam (12-meter height maximum; 150 000m³ capacity) and associated pipeline to provide water for existing and proposed activities;
 - ii. agricultural expansion on Ptn 373 (proposed – 380 ha expansion); (preferred - 20 ha expansion on Ptn 373);
 - iii. predator enclosure expansion (Ptn 420) (17 ha – proposed; 10.4 ha preferred), and;
 - iv. an elephant enclosure (Ptn 420) (1ha – proposed and preferred).
- 2.2. The final NEMA S24G Application Form (titled "Final Application for 21 day review and comment: 13 February – 06 March 2026") states that the preliminary dam design allows for the development of the dam in phases, with Phase 1 having a dam storage of about 40 000 m³ at a dam wall height of 10 m (at the spillway crest) for the expected lower scale agricultural operations in the short to medium term. The dam design has allowed for future raising of the dam for additional storage when the agricultural activities reach full scale operations. The total dam storage holding capacity is proposed at 150 000 m³, with a wall height of about 15 m (at the spillway crest) with a flooded area of about 4.9 ha. Eventually, the dam wall will be three (3)m higher than initially proposed in the Final 24G Application form (November 2025).
- 2.3. The SD:CM notes that the Final 24G Application form (February 2026) states that the release flow will be digitally monitored and submitted to Breede-Olifants Catchment Management Agency (BOCMA) as per the Water Use Licence (WUL) conditions. However, the BOCMA remains a water stressed area with high rainfall variability.
- 2.4. Both S24G application forms (November 2025 and February 2026) indicate that approximately 200ha of the property is invaded by alien trees along drainage lines (located within the area to be zoned as Open Space 3 for Conservation Use). It is imperative that these alien trees are removed as this will improve water flows in the surrounding rivers and estuary.
- 2.5. The SD:CM does not support to the commencement & furtherance of activities on Farm Portions 420 and 373, Outeniqua Game Farm in Mossel Bay. The SD:CM does not support the development of an in-stream dam within the catchment of the Klein Brak estuary, as any further abstraction of water or installation of dams in the

catchment will impede flows (particularly base flows) and will have a high impact on aquatic biodiversity and ecological functioning of the system.

3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: *"...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..."* together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.
4. The SD: CM reserves the right to revise its comments and request further information from you based on any information that may be received.

Yours faithfully

leptieshaam Bekko
CONTROL ENVIRONMENTAL OFFICER
DIRECTORATE: BIODIVERSITY AND COASTAL MANAGEMENT
DATE: 06 March 2026