

Appendix 3: Registration and comments



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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Ms Claire De Jongh

Ecoroute Environmental Consultancy

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6573

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Dear Ms De Jongh

COMMENTS ON THE DRAFT SECTION 24 G APPLICATION FOR ACTIVITIES CARRIED OUT ON PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746, CAPE ST FRANCIS, KOUGA LOCAL MUNICIPALITY, SARAH BAARTMAN DISTRICT MUNICIPALITY, EASTERN CAPE

The Department of Forestry, Fisheries, and the Environment (DFPE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Draft Section 24 G application in the subject of this letter. This Branch will provide comments based on the provisions of Section 24O (2) the National Environmental Management Act 107 of 1998 ("NEMA") and Section 5 of the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act").

The Branch O&C has the mandate to ensure the holistic management of the coast, estuarine areas and maintenance of the coastal landscapes to realise that the development and use of natural resources are sustainable. The Branch further ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes.

Based on the submitted Revised DBAR, the Branch O&C would like to submit the following comments for your consideration:

1. The Branch notes that the development has been subjected to a Section 24G application in terms of NEMA. Notwithstanding any decision taken in this regard, it must be emphasised that compliance with the ICM Act remains mandatory. Furthermore, the Section 24G process does not exempt or regularise non-compliance with the ICM Act.
2. The ICM Act promotes sustainable use, protection, and rehabilitation of the coastal environment. While the report indicates low impacts, the retrospective nature of the application highlights non-compliance with integrated coastal planning principles. The applicant is advised to demonstrate alignment with Sections 48 and 63 of the ICM Act, particularly with respect to the avoidance of inappropriate development within the Coastal Protection Zone (CPZ) and protection of coastal processes.

Furthermore, the application is silent on whether any components of the proposed development—specifically the renovated structures, associated decking, and the rerouted access road—extend seaward of the High-Water Mark (HWM). The applicant is therefore requested to provide a surveyed confirmation (prepared by a suitably qualified professional) clearly demonstrating the position of all development components relative to the HWM. This confirmation must explicitly verify that no part of the development encroaches onto Coastal Public Property (CPP), as defined in terms of Sections 7 and 11 of the ICM Act.

3. The report identifies activities occurring within 100 m of the HWM but does not indicate whether a development setback line has been determined for the area in terms of Section 25 of the ICM Act. The applicant is advised to confirm the presence or absence of a setback line; and demonstrate compliance with setback requirements or justify any encroachment.
4. The application acknowledges that the development is located in close proximity to the HWM and may be vulnerable to storm surges and dynamic coastal processes, including erosion and shoreline movement. In this regard, the applicant is advised to take cognisance of Section 15 of the ICM Act, which relates to measures to prevent or mitigate coastal erosion and associated risks; and Section 58 of the ICM Act, which empowers the competent authority to issue a directive for the removal or relocation of structures that are at risk due to dynamic coastal processes or that may contribute to coastal instability.
5. The use of the beach and the historical access road, including the proposed rerouting thereof, may have implications for public access along the coastline. It is important to note that public access to coastal public property may not be restricted without appropriate authorisation in terms of the Integrated Coastal Management Act, 2008 (Act No. 24 of 2008). In this regard, the provisions of Section 18 (Right of public access to coastal public property) and, where applicable, Section 26 (Designation of coastal access land) of the ICM Act are applicable.

The applicant is therefore advised to confirm whether the development, including the rerouting of the access road and use of the beach, has resulted or will result in any restriction of public access; demonstrate that no unlawful limitation or exclusion of public access to coastal public property has occurred or will occur during the operational phase; and provide confirmation that any required authorisation has been obtained, or will be obtained, should access be affected.

6. Figures 11 and 12 of the application indicate vehicular access traversing the beach across Portions 41, 42, and 1/746. The 2005 aerial imagery clearly reflects this access, with the 2023 imagery suggesting that such use may still persist. The applicant is requested to confirm whether this beach access route is currently in use. Should it still be operational, further clarity is required on how vehicular movement is being managed in compliance with the Control of Vehicles in the Coastal Area Regulations (GN R1399 of 2001, as amended).
7. The report acknowledges that the dwellings are located in close proximity to the HWM and are vulnerable to storm surge events. This raises concerns regarding coastal hazard risk and long-term sustainability of the development. The applicant is advised to demonstrate that the development does not exacerbate erosion, inundation, or coastal instability risks.
8. The placement of infrastructure (including decking and road realignment) within a littoral active zone and dune environment requires careful consideration. Although impacts are described as low, the report must ensure that natural coastal processes (e.g. sediment movement, dune dynamics) are not disrupted. Any stabilisation or modification of dunes or exposed sand surfaces may trigger additional provisions under the ICM Act and EIA Regulations.
9. The screening table on page 5 of the application reflects the Archaeological and Cultural Heritage component as "Waiting". Accordingly, the application cannot be properly assessed or considered in the absence of a finalised Archaeological and Cultural Heritage assessment.
10. The site is located within a relatively undeveloped coastal landscape that includes existing dwellings. The Branch notes that incremental expansions of individual properties may, over time, contribute to the cumulative degradation of coastal ecosystems. This concern is particularly relevant in the context of the proposed declaration of the Mostertshoek Nature Reserve, as illustrated in Figure 9. The figure depicts eight (8) adjacent portions, collectively covering approximately 137 hectares, which are currently under consideration for declaration in terms of the National Environmental Management: Protected Areas Act (NEMPAA).

This represents a clear and site-specific precedent that underscores the conservation importance of the broader area. The development must therefore be assessed within the context of this emerging protected area network, as it may undermine the ecological integrity, conservation objectives, and long-term management of the envisaged reserve. Accordingly, the cumulative impacts are likely to be of greater significance than currently reflected and require a more robust and precautionary evaluation.

11. The applicant is reminded that, in light of the prolonged duration of the unauthorised activity (since 1997), the sensitivity of the receiving coastal environment, and the potential cumulative impacts associated with the development, the competent authority may impose an administrative fine in terms of Section 24G (4) of NEMA.

Based on the above, the Branch supports the granting of Environmental Authorisation for the Section 24G application, provided that all the above conditions have been considered and all applicable legislative requirements are met.

Kindly note that the Branch has not reviewed the draft EMPr in detail and therefore reserves its comments on the adequacy thereof. The Branch also reserves the right to revise its comments based on new or additional information received. All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted to our office via email to OCEIA@dffe.gov.za / or **Physical Address: Department of Forestry, Fisheries & the Environment (DFFE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001**

Yours sincerely,



Mr. Ryan Peter

Director: Coastal Development & Coordination

Department of Forestry, Fisheries, and the Environment

Date: 02/06/2026

28 May 2026

To:

Ms Claire De Jongh

Eco Route Environmental Consultancy

Email: claire@ecoroute.co.za

Cc:

Department of Economic Development, Environmental Affairs and Tourism (DEDEAT)

Attention: Mr Adriaan Le Roux

SUBJECT: FORMAL COMMENTS AS INTERESTED AND AFFECTED PARTIES (IAPs) – DRAFT SECTION 24G APPLICATION FOR ACTIVITIES ON PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO. 746, CAPE ST FRANCIS

We, the undersigned Interested and Affected Parties (IAPs), hereby submit the following formal comments in respect of the Draft Section 24G Application prepared by Eco Route Environmental Consultancy on behalf of Soundprops 1246 CC for activities undertaken on Portion 12 of the Farm Ongegunde Vryheid No. 746, Cape St Francis.

These comments are submitted in terms of the public participation process conducted under the National Environmental Management Act, 1998 (Act 107 of 1998) (“NEMA”) and associated EIA Regulations.

1. INTRODUCTION

Our concerns relate primarily to:

- the significant intensification of tourism activity on the property;
- the resulting increase in vehicle traffic and operational pressure on the informal coastal access system;
- the direct impacts on neighbouring residential properties;
- the human safety implications associated with increased tourism traffic;
- and the broader cumulative impacts on the sensitive coastal environment.

Importantly, our concerns are not limited to the existence of accommodation structures themselves, but rather the nature, scale, intensity, and operational impacts of the upgraded tourism activity now occurring on the site.

The Draft Section 24G Application materially understates these impacts throughout the assessment process.

EXECUTIVE SUMMARY OF COMMENTS

The primary concern raised in this submission is not the mere existence of accommodation structures on the property, but rather the significant intensification of tourism activity and the resulting cumulative impacts on neighbouring properties, the informal coastal access system, and the sensitive coastal environment.

The upgraded nature of the development, together with the apparent operational model being promoted, indicates a transition from historically low-intensity coastal accommodation toward a materially more intensive high-end tourism and destination-style use.

This intensification has direct implications for:

- traffic generation;
- operational activity levels;
- visitor turnover;
- human safety;
- cumulative environmental pressure;
- and the suitability of the existing informal coastal access infrastructure.

Particular concern is raised regarding:

- the material under-rating of tourism impacts in Annexure M2;
- the classification of impacts as “low intensity”, “rare”, and “site specific” despite evidence to the contrary within the application itself;
- the absence of any meaningful traffic, road safety, or carrying capacity assessment;
- and the cumulative impacts of intensified tourism activity on neighbouring landowners and the surrounding coastal environment.

The current assessment focuses primarily on the physical building footprint while materially understating the operational and cumulative impacts associated with the upgraded tourism activity.

These comments therefore request that the tourism intensity, operational impacts, traffic implications, safety risks, and cumulative environmental effects associated with the development be reassessed prior to any decision being made in respect of the Section 24G application.

2. THE APPLICATION ACKNOWLEDGES THAT THE SITE IS LOCATED WITHIN A SENSITIVE COASTAL ENVIRONMENT

The specialist reports confirm that the site is environmentally sensitive and forms part of a coastal transition zone.

The Botanical Compliance Statement records that the site is located:

“within a transitional zone of thicket and the littoral/seashore vegetation...”

The same report further notes:

“A number of properties in the area are also noted to currently be in process of being designated as Mostertshoek Nature Reserve...”

These acknowledgements reinforce the need for a cautious and conservative approach to further tourism intensification in the area.

3. THE PRIMARY ENVIRONMENTAL CONCERN IS THE INTENSIFICATION OF TOURISM ACTIVITY

The application repeatedly attempts to characterise the tourism activity as longstanding and relatively benign.

However, the upgraded nature of the development clearly indicates a material intensification of tourism activity beyond that historically associated with traditional low-intensity fisherman-style coastal cottages.

The application confirms:

- expansion of the main dwelling;
- upgraded decking areas;
- plunge pool installation;
- upgraded entertainment and accommodation areas;
- and associated infrastructure improvements.

These upgrades fundamentally alter the nature and intensity of the tourism activity occurring on the property.

The upgraded development is clearly positioned as a high-end luxury coastal tourism destination rather than a traditional low-intensity fisherman's cottage.

This distinction is critically important from an environmental and cumulative impact perspective.

A traditional rustic fisherman-style cottage typically generates:

- lower occupancy intensity;
- lower visitor turnover;
- reduced vehicle movement;
- limited servicing requirements;
- and substantially lower cumulative operational impacts.

By contrast, higher-end tourism accommodation inherently generates:

- increased visitor turnover;
- increased vehicle trips;
- increased delivery and servicing activity;
- increased contractor and maintenance activity;
- increased operational activity levels;
- and significantly greater pressure on neighbouring properties and the coastal access system.

The application materially fails to assess this intensification of tourism activity and its associated cumulative impacts.

4. ADDITIONAL CONCERN REGARDING THE TYPE AND INTENSITY OF TOURISM ACTIVITY

A further concern is that the assessment materially fails to distinguish between different forms and intensities of tourism activity and the very different operational impacts associated with such uses.

Historically, lower-intensity fisherman-style coastal accommodation in the area typically catered for small groups focused primarily on fishing and nature-based activities, generally resulting in:

- lower visitor turnover;
- lower levels of social activity;
- fewer external visitors;
- reduced traffic generation;

- and lower cumulative impacts on surrounding properties and the coastal environment.

By contrast, the upgraded tourism operation currently being promoted on the property appears to target a materially different tourism market associated with higher-end luxury coastal accommodation and destination-based social tourism.

This distinction is important because higher-end tourism accommodation typically generates:

- increased visitor turnover;
- increased servicing and maintenance activity;
- increased delivery activity;
- increased social gatherings and visitor activity;
- and substantially greater traffic generation and cumulative operational impacts.

The existing informal coastal access arrangement historically functioned as a low-intensity rural/coastal access track serving limited and intermittent use. It was never designed, engineered, environmentally assessed, or intended to accommodate intensified commercial tourism traffic associated with higher-end destination tourism, event-related activity, increased visitor turnover, and operational servicing requirements.

Publicly available promotional material associated with the property, including social media marketing platforms, appears to indicate that the property is being actively promoted for higher-end destination tourism experiences and social functions, including weddings and group events.

This is highly relevant from an environmental and operational impact perspective.

Functions such as weddings and social events inherently generate:

- concentrated traffic peaks;
- increased visitor movement;
- increased parking demand;
- increased noise and disturbance;
- and increased pressure on the informal coastal access system serving the area.

Importantly, such visitors necessarily rely on vehicular access to and from the property via the same constrained informal coastal access route affecting neighbouring properties and residents.

Furthermore, the Draft Section 24G Application fails to meaningfully assess peak-load operational conditions associated with high-season tourism activity, concentrated guest arrivals and departures, event-related activity, and increased holiday-period traffic volumes. These peak conditions are highly relevant in assessing the operational suitability and safety of the existing informal coastal access system.

Despite this, the Draft Section 24G Application contains no meaningful assessment of:

- event-related traffic impacts;
- peak visitor movement;
- cumulative traffic generation;
- parking impacts;
- or the suitability of the informal coastal access system to safely accommodate intensified tourism-related activity of this nature.

These operational realities materially contradict the low-intensity and “rare impact” classifications assigned within Annexure M2.

The extensive operational mitigation measures proposed throughout Annexure M2 further demonstrate that the anticipated impacts are neither isolated nor insignificant. The proposed mitigation measures acknowledge the likelihood of ongoing operational impacts associated with tourism traffic, guest behaviour, noise, environmental disturbance, and access-related pressures. A truly low-intensity or rare impact would not reasonably require such extensive ongoing operational controls.

We therefore respectfully submit that the tourism intensity and associated operational impacts have been materially understated throughout the assessment process.

5. THE ACCESS ROAD IMPACTS HAVE BEEN MATERIALLY UNDER-ASSESSED

The principal concern is not merely the existence of a historic informal access route, but rather the substantially increased intensity of use associated with the upgraded tourism operation and the resulting impacts on neighbouring properties and the surrounding coastal environment.

While some form of historical access to the property may have existed historically in association with low-intensity agricultural and rural land use activities, such historical access arrangements were clearly not established, assessed, or intended to accommodate intensified commercial tourism activity of the nature currently being promoted through the upgraded development.

The property remains agriculturally zoned, and the operational characteristics, traffic generation, visitor turnover, and cumulative impacts associated with intensified destination-style tourism use differ materially from those historically associated with low-intensity rural or agricultural access patterns.

The application documentation itself repeatedly confirms that the property is currently zoned Agricultural and that consent use approval is required for tourism land use.

This is an important consideration because the historical access arrangements associated with agriculturally zoned rural properties differ materially from the operational demands associated with intensified destination-style tourism activity, short-term visitor turnover, event-related activity, and commercial hospitality use.

The current operational pressures being experienced on the informal coastal access system therefore cannot reasonably be equated with the lower-intensity rural access patterns historically associated with agricultural land use in the area.

The current concerns therefore relate not merely to the existence of access itself, but rather to the substantially changed nature, frequency, and intensity of use now being imposed on the existing informal coastal access environment.

The assessment focuses primarily on the physical footprint of the development itself while materially understating the impacts experienced by neighbouring landowners.

The intensified tourism operation directly impacts neighbouring properties through:

- increased vehicle movement;
- dust generation;
- increased noise and activity levels;
- reduced privacy;
- increased safety concerns;

- and degradation of the quiet low-intensity coastal character historically associated with the area.

The application itself acknowledges:

“The influx of visitors is also a burden on the access road as some weekends there are excessive amounts of vehicles speeding up and down the road.”

This statement directly contradicts the impact ratings assigned elsewhere in the assessment.

Despite acknowledging excessive tourism-related traffic and speeding concerns, the assessment still classifies the tourism impacts as:

- “Rare” in frequency;
- “Low” in intensity;
- and largely “Site Specific” in extent.

We strongly disagree with these classifications.

The operational realities clearly indicate that the impacts are:

- recurring and ongoing;
- operational in nature;
- cumulative;
- and extending well beyond the boundaries of the site itself.

The impacts therefore cannot reasonably be classified as “Rare”, “Low Intensity”, or “Site Specific”.

The assessment methodology itself recognises that impacts extending beyond the project footprint should not be classified as site-specific.

The tourism activity therefore has direct and ongoing impacts on surrounding neighbouring properties and the broader coastal environment.

6. HUMAN SAFETY RISKS HAVE BEEN MATERIALLY UNDERSTATED

The assessment materially fails to evaluate the human safety implications associated with intensified tourism traffic on the informal coastal access route.

The access track passes in close proximity to neighbouring residential dwellings and private activity areas and lacks formal engineering safety measures, including:

- no formal roadway engineering;
- no pedestrian separation;
- no sidewalks;
- no traffic calming measures;
- no formal passing bays;
- no formal stormwater infrastructure;
- and limited visibility in certain sections.

The route is sandy, constrained, environmentally sensitive, and vulnerable to storm-related erosion and instability. Certain sections of the access track are susceptible to wash-away and surface degradation during periods of heavy rainfall due to concentrated stormwater runoff flowing toward the coastline.

An additional concern is that a significant proportion of users of the access route consist of short-term visitors and first-time tourists who are unfamiliar with the physical characteristics and operational sensitivities of the route.

The existing access track is narrow, informal, single-lane in nature, and includes constrained sections with limited forward visibility and blind corners where sight distances are materially restricted.

Under these conditions, even relatively moderate travel speeds may create elevated safety risks, particularly where approaching vehicles, pedestrians, residents, children, animals, or recreational users may be encountered unexpectedly within limited reaction distances.

Unlike long-term local residents familiar with the route and its sensitivities, transient tourism-related users may be unaware of:

- the presence of neighbouring residential activity areas;
- children playing near the route;
- pedestrian movement;
- the constrained geometry of the track;
- and the need for very low operating speeds in certain sections.

Despite these obvious operational characteristics, the application contains no meaningful road safety assessment, visibility assessment, or traffic engineering review addressing the suitability of the existing access arrangement for intensified tourism-related traffic.

The EAP itself acknowledges:

“there are excessive amounts of vehicles speeding up and down the road.”

Despite this acknowledgement, no:

- traffic impact assessment;
- road safety assessment;
- engineering access assessment;
- or human safety risk assessment

has been undertaken.

Importantly, incidents have already occurred on the access route involving animals being struck by vehicles.

In addition, during the December holiday period, a serious near-miss incident reportedly occurred involving a small child and a moving vehicle on the access road.

Fortunately no fatality or major injury occurred. However, these incidents clearly demonstrate that:

- traffic volumes and vehicle behaviour on the route are already problematic;
- the current access arrangement is already under operational pressure;
- and the safety risks associated with intensified tourism activity cannot reasonably be regarded as “low intensity” or “rare”.

The absence of any formal traffic or safety assessment is therefore a significant omission in the application.

7. ANNEXURE M2 MATERIALLY UNDER-RATES THE TOURISM IMPACTS

We specifically object to the manner in which tourism and operational impacts are assessed in Annexure M2.

The assessment correctly acknowledges:

“Incorrect land use in sensitive areas can result in direct, indirect and cumulative impacts on the natural coastal environment and on other users of coastal area.”

Despite this acknowledgement, the assessment proceeds to assign:

- “Rare” frequency;
- “Low” intensity;
- and largely “Site Specific” impacts,

ultimately concluding that the tourism impacts are only of “Medium” significance before mitigation and “Low” significance after mitigation.

We strongly dispute these conclusions.

The operational realities described elsewhere in the application itself demonstrate:

- ongoing visitor turnover;
- recurring vehicle traffic;
- speeding concerns;
- impacts on neighbouring properties;
- and increasing pressure on the coastal access system.

The impacts are therefore operational, cumulative, and recurring in nature and should more appropriately be classified as:

- Regular or Frequent;
- Medium to High intensity;
- and extending beyond the site itself into the surrounding local area.

The resulting significance ratings in Annexure M2 are therefore materially understated and unreliable.

8. CUMULATIVE IMPACTS HAVE NOT BEEN ADEQUATELY ASSESSED

The assessment methodology itself defines cumulative impacts as:

“the combined effect of changes to the environment caused by multiple human activities over space and time.”

However, the actual assessment fails to properly apply this principle.

The concern is not merely one dwelling or one accommodation unit in isolation.

The concern is the cumulative effect of:

- intensified tourism activity;
- increasing visitor turnover;
- increased traffic movement;
- increased pressure on an informal coastal access system;

- increased disturbance to neighbouring properties;
- and the gradual erosion of the quiet low-intensity character of the area.

Furthermore, the assessment fails to meaningfully evaluate peak-load operational conditions associated with high-season tourism activity, concentrated guest arrivals and departures, event-related activity, and increased holiday-period traffic volumes. These peak conditions are highly relevant in assessing the operational suitability and safety of the existing informal coastal access system.

The approval and regularisation of intensified destination-style tourism activity in this location may also create cumulative precedent pressure for similar intensification along surrounding coastal properties, resulting in progressive cumulative impacts on coastal access systems, environmental sensitivity, and the low-intensity character of the area.

The current application materially understates these cumulative impacts.

9. FAILURE TO ASSESS CARRYING CAPACITY

A significant omission in the application is the absence of any meaningful carrying capacity assessment for the area.

No assessment appears to have been undertaken regarding:

- the sustainable level of tourism activity the area can accommodate;
- the carrying capacity of the existing informal access system;
- the operational sustainability of increased tourism traffic;
- or the cumulative effect of intensified tourism use on neighbouring properties and the surrounding coastal environment.

This omission is particularly concerning given the acknowledged sensitivity of the coastal environment and the operational limitations of the existing access route.

We further note that the current operational and safety concerns arise largely from the reliance on an informal coastal access arrangement that directly affects neighbouring properties and residents.

If intensified tourism activity is to be considered in this location, we respectfully submit that the applicant should be required to investigate and assess access solutions that are appropriately accommodated within the applicant's own property boundaries and designed specifically for the level and type of tourism activity being promoted.

This would materially reduce:

- traffic impacts on neighbouring properties;
- human safety concerns;
- cumulative disturbance;
- and operational pressure on the existing informal coastal access environment.

At present, the Draft Section 24G Application does not appear to meaningfully assess whether the tourism activity can reasonably internalise its own operational access impacts within the applicant's property, nor whether alternative access solutions may offer materially reduced impacts on neighbouring landowners and the surrounding coastal environment.

10. CONCLUSION

We respectfully submit that the Draft Section 24G Application materially understates:

- the intensity of the tourism activity;
- the cumulative operational impacts associated with the upgraded tourism use;
- the impacts on neighbouring properties;
- the safety implications associated with increased vehicle traffic;
- and the environmental pressure placed on the sensitive coastal access environment.

The principal concern is not merely the existence of accommodation itself, but rather the progressive intensification and commercialisation of tourism activity on an agriculturally zoned property within a highly constrained and environmentally sensitive coastal setting without corresponding infrastructure, engineered access systems, traffic management measures, or safety controls.

The current operational pressures arise largely from the reliance on an informal coastal access arrangement historically associated with low-intensity rural and agricultural access patterns, rather than the intensified destination-style tourism activity, visitor turnover, and event-related use now being promoted through the upgraded development.

In our respectful view, the application materially fails to demonstrate that the existing informal access environment is suitable for the level and type of tourism activity proposed, nor does it meaningfully assess whether the operational impacts associated with such activity can reasonably be accommodated and internalised within the applicant's own property boundaries without creating ongoing cumulative impacts on neighbouring landowners and the surrounding coastal environment.

We therefore respectfully request that:

1. The tourism and operational impacts be reassessed;
2. The impact significance ratings in Annexure M2 be reconsidered;
3. A proper traffic and road safety assessment be undertaken;
4. A carrying capacity assessment be undertaken;
5. The cumulative impacts on neighbouring properties and the coastal environment be reassessed;
6. Alternative access solutions and access suitability be properly investigated and assessed;
7. And that these comments be fully considered and formally responded to by the EAP and DEDEAT.

We reserve all rights in respect of any future administrative, legal, planning, or appeal processes arising from this application.

Yours faithfully,

Jaco Morgan
Interested & Affected Party

Selmari Morgan
Interested & Affected Party

Izak Potgieter
Interested & Affected Party

Linda Potgieter

Interested & Affected Party

From: MJ Potgieter <mj.potgieter@navenergy.com>
Sent: Tuesday, 26 May 2026 22:52
To: admin@ecoroute.co.za; claire@ecoroute.co.za; janet@ecoroute.co.za
Subject: NOTIFICATION OF PUBLIC PARTICIPATION - DEDEAT Reference: SBROB#2021-05-21: DRAFT S24G Application - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis, Kouga Local Municipality, Eastern Cape

Flag Status: Flagged

Dear Ms de Jongh,

I hereby, as a resident and landowner of Portion 42 (a Portion of Portion 41) of the Farm Ongegunde Vryheid No. 746, Cape St Francis, formally register as Interested and Affected Party regarding the activities on Portion 12 of the Farm Ongegunde Vryheid No. 746, Cape St Francis. This submission forms part of the public participation process currently being conducted.

My comments and concerns relate primarily to the environmental impact, safety implications and long-term sustainability of the primary access road currently being used to access Portion 12.

The following concerns regarding the informal access road currently being used to access the property need to be comprehensively addressed as part of the environmental assessment process :

1. The road in question lies within the coastal high-tide zone and is frequently flooded during spring tides and high tidal events. This not only renders the road impassable at times but also highlights its vulnerability to natural coastal processes, further emphasizing its unsuitability for regular or increased vehicle use.
2. As an informal road located within the coastal high-tide zone, vehicle access has become increasingly problematic. As a result, many drivers resort to driving on adjacent sandy areas to bypass flooded or damaged sections. This practice is causing significant environmental degradation and damage to dune vegetation within an already sensitive coastal ecosystem.
3. It is important to note that driving on sand in coastal areas is prohibited under South African law, specifically in terms of the National Environmental Management : Integrated Coastal Management Act. Unauthorized vehicle activity not only contravenes legal regulations but also accelerates erosion, undermines dune stability, and jeopardizes long-term conservation efforts.
4. The road, in its current informal state, lacks the structural integrity, width, surfacing and engineering design specifications necessary to safely support even the existing traffic volumes, let alone any increase associated with commercial or tourism-related activities.

5. The road lacks formal stormwater drainage systems, erosion control measures, pedestrian safety provisions, and adequate maintenance infrastructure. It fails to meet the minimum engineering and environmental standards expected for roads situated within environmentally sensitive coastal areas. This not only accelerates surface and coastal erosion but also poses ongoing risks to public safety and adjacent properties.
6. The proximity of the road, situated within approximately five meters of private residences, presents a direct and ongoing threat to the safety and well-being of families, pedestrians, children, and domestic animals within the area. Increased vehicle activity, including delivery vehicles and tourism-related traffic, substantially elevates these risks. This may constitute a violation of Section 24(a) of the Constitution of the Republic of South Africa, which guarantees every person the right to an environment that is not harmful to their health or well-being.
7. The road's frequent use for commercial purposes, particularly tourism-related activities promoted under the branding of "Salty Homes" across various social media platforms, compounds the negative impacts on the local environment. The increased traffic places additional strain on the informal infrastructure and intensifies the risks associated with wind and water erosion due to the property's sensitive coastal location.
8. Increased traffic volumes along the access route are also contributing to noise pollution, dust generation, reduced privacy for adjacent landowners and general disturbance to the peaceful residential and natural character of the area. These impacts are inconsistent with the environmental sensitivity and conservation objectives associated with the surrounding coastal environment and nature reserve.
9. The continued and intensified use of this road may further contribute to accelerated coastal degradation and dune destabilization, particularly during periods of heavy rainfall, storm surges, and seasonal tidal fluctuations. The long-term cumulative environmental impacts of ongoing vehicle usage must therefore be properly assessed.
10. There appears to be limited provision for emergency vehicle access, evacuation procedures, or safe traffic management along the existing route. The current condition and location of the road may compromise emergency response capabilities during flooding events, fires, medical emergencies, or other disaster situations.
11. A further key concern is the potential disruption of biodiversity within the declared nature reserve, including impacts on protected species, sensitive ecosystems, indigenous dune vegetation, and natural wildlife movement patterns caused by increased human and vehicle activity.
12. Commercial and tourism activities will further increase pressure on septic and sanitary systems, necessitating the use of honey sucker trucks to access properties for septic tank emptying. However, the existing roads are not designed to accommodate these heavy vehicles. There have already been instances where trucks became stuck and the subsequent recovery efforts caused significant damage to sensitive ecosystems and dune vegetation.
13. The informal access road is not suitable for the current traffic volume and composition, even without considering the additional demand resulting from commercial and tourism-related activities. Alternative access to Portion 12 should therefore be investigated and considered to ensure the safety of neighbouring properties and the protection of the surrounding environment.

We respectfully request that the cumulative environmental impacts associated with the existing and future use of this access road be independently assessed, including the suitability of the road for any commercial or tourism-related activities currently taking place or proposed in future.

We are concerned about the potential and cumulative environmental impact that the increased traffic may have on the Mostertshoek Nature Reserve and considering the above, we respectfully request that these concerns be fully considered and comprehensively addressed as part of the environmental assessment and decision-making process relating to the Section 24G application.

Kind Regards,



MJ Potgieter

Logistics and Technical Sales Engineer

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Broomfield, CO

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From: Johann Potgieter <izakjohannpotgieter@gmail.com>
Sent: Thursday, 21 May 2026 19:45
To: admin@ecoroute.co.za
Cc: Claire; Janet Ebersohn
Subject: Re: NOTIFICATION OF PUBLIC PARTICIPATION - DEDEAT Reference: SBROB#2021-05-21: DRAFT S24G Application - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis, Kouga Local Municipality, Eastern Cape

Flag Status: Flagged

Hi there,

I am writing to formally register as an Interested and Affected Party (I&AP) regarding the Section 24G application for the activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746 by Soundprops cc. As the owner of the near by property over which the primary access road traverses, this development directly impacts our land.

While we wish to maintain an amicable relationship with our neighbors, we must formally place our concerns on record regarding the intensification of use associated with the recent unauthorized developments.

1. Intensification of the Servitude Burden and Traffic Volume

The access road leading to the applicant's property crosses directly over our land, passing immediately in front of our house along the beach. This road has been used since the 1950s, establishing a historical right of way. Historically, the properties in Mostertshoek have been utilized as private agricultural and holiday homes, and the shared road experienced very low traffic volumes consistent with this use.

Recently, the applicant's property has transitioned from a private home into a high-turnover commercial rental property and a venue for weddings. This shift has resulted in a material and unacceptable intensification of the burden on our property. The servitude is no longer being exercised *civilliter modo* (in a manner causing the least inconvenience), as the frequency of trips, the number of vehicles, and the influx of transient guests have fundamentally changed the nature of the road's use.

2. Safety Hazards

The shared access is a small, single-track road. The recent commercialization of the applicant's property has led to a high volume of vehicles, many of which are driven by guests unfamiliar with the area who frequently speed past our home. With a five-year-old boy, a younger toddler, and two dogs, the current traffic situation creates a severe and continuous safety hazard right at our front door.

3. Land Use and Zoning

We understand the land is zoned for agricultural use. We formally question whether the necessary zoning approvals and consent uses are in place to operate a commercial wedding venue and high-capacity accommodation from this property. If the property is not correctly zoned for these activities, the resultant commercial traffic over our land is tied to unlawful land use.

Proposed Mitigation

We are not opposed to the applicant operating a rental business, provided it does not prejudice our property rights and family safety. To resolve this pragmatically, we are open to allowing the applicant to establish a new access road across a different, mutually agreed-upon section of our land that entirely bypasses our immediate living space.

Should the applicant choose to pursue this alternative access route to support their commercial activities, it is a strict condition of our agreement that:

- The new road is surveyed, formally registered, and constructed entirely at the applicant's expense.
- The applicant assumes full and exclusive financial responsibility for all ongoing, future maintenance of the new road.

We request that these impacts on the servient property be thoroughly evaluated in the EIA, and we look forward to your feedback on how these concerns will be addressed.

Sincerely,
Johann Potgieter

On Wed, Apr 22, 2026 at 11:21 AM admin@ecoroute.co.za <admin@ecoroute.co.za> wrote:

Good day,

Application for NEMA Section 24G Environmental Rectification
Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746
Cape St Francis, Kouga Local Municipality, Eastern Cape
DEDEAT Reference: SBROB#2021-05-21
For review and comment

Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746 require an application to be submitted in terms of the Section 24G of the National Environmental Management Act (Act 107 of 1998) for the regularization of unlawful commencement or continuation of listed activities.

A public participation process is being conducted according to Regulation 41 of the NEMA 2014 EIA Regulations (as amended, 2017). All interested and affected parties (IAPs) are encouraged to participate in the process.

The Draft 24G Application is hereby submitted to registered IAPs for a minimum of a 30-day review and comment period.

Review and comment period: 22 April – 29 May 2026

The Draft S24G application and supporting appendices are provided at:

[DRAFT S24G Application - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality, Sarah Baartman District Municipality, Eastern Cape - DEDEAT Reference: SBROB#2021-05-21 | Eco Route](#)

Please submit comments on or before 29 May 2026.

Please contact me should you require additional information.

Subconsultant to Eco Route Environmental Consultancy

Email: admin@ecoroute.co.za

Cell: 082 557 7122

Postal Address: P.O. Box 1252, Sedgefield, 6573

Kind Regards,

Claire De Jongh

0846074743

claire@ecoroute.co.za

EAPASA registration: 2021/3519

claire@ecoroute.co.za

From: admin@ecoroute.co.za
Sent: Wednesday, 22 April 2026 13:27
To: Claire
Subject: Fw: NOTIFICATION OF PUBLIC PARTICIPATION - DEDEAT Reference: SBROB#2021-05-21: DRAFT S24G Application - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis, Kouga Local Municipality, Eastern Cape

Hi Claire,

Please see below.

Kind regards,

Carina Leslie
Personal Assistant/Admin
Office: 064 691 4394
www.ecoroute.co.za



From: Ayanda Mncwabe-Mama <ayanda.mncwabe-mama@ecsrac.gov.za>
Sent: Wednesday, 22 April 2026 12:57
To: admin@ecoroute.co.za <admin@ecoroute.co.za>
Cc: Lungiswa Mzazi <lungiswam@ecphra.org.za>
Subject: Re: NOTIFICATION OF PUBLIC PARTICIPATION - DEDEAT Reference: SBROB#2021-05-21: DRAFT S24G Application - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis, Kouga Local Municipality, Eastern Cape

Dear Claire

I have noted the submission and will appreciate it if it can be registered on SAHRIS for the ECPHRA APM committee to review in our May meeting.

Best Regards,

Ayanda Mncwabe-Mama

Archaeologist

Department of Sport, Recreation, Arts and Culture: Museums & Heritage

5 Eales Street | Wilton Mkwazi Building | Qonce

Private Bag 0020 | Qonce | 5600

Tel: (043) 492 1370 / 077 603 3035 | **Email:** ayanda.mncwabe-mama@ecsrac.gov.za | www.ecsrac.gov.za



From: admin@ecoroute.co.za <admin@ecoroute.co.za>

Sent: 22 April 2026 11:07

To: TshatshuP@dws.gov.za <TshatshuP@dws.gov.za>; BloemM@dws.gov.za <BloemM@dws.gov.za>; TMbambo@dffe.gov.za <TMbambo@dffe.gov.za>; OCEIA <oceia@dffe.gov.za>; NJSithole@dffe.gov.za <NJSithole@dffe.gov.za>; Tabisile Mhlana <tmhlana@dffe.gov.za>; MMandleni@dffe.gov.za <MMandleni@dffe.gov.za>; SMbethe@dffe.gov.za <SMbethe@dffe.gov.za>; Ayanda Mncwabe-Mama <ayanda.mncwabe-mama@ecsrac.gov.za>; Lungiswa Mzazi <lungiswam@ecphra.org.za>; Randall.Moore@transport.gov.za <Randall.Moore@transport.gov.za>; Monde.Manga@etransport.gov.za <Monde.Manga@etransport.gov.za>; Ruffus.Maloma@drdar.gov.za <Ruffus.Maloma@drdar.gov.za>; V.Zikishe@sabnbi.org.za <V.Zikishe@sabnbi.org.za>

Cc: Claire <claire@ecoroute.co.za>; 'Janet Ebersohn' <janet@ecoroute.co.za>

Subject: NOTIFICATION OF PUBLIC PARTICIPATION - DEDEAT Reference: SBROB#2021-05-21: DRAFT S24G Application - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis, Kouga Local Municipality, Eastern Cape

Good day,

Application for NEMA Section 24G Environmental Rectification
Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746
Cape St Francis, Kouga Local Municipality, Eastern Cape
DEDEAT Reference: SBROB#2021-05-21

For review and comment

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Review and comment period: 22 April – 29 May 2026

The Draft S24G application and supporting appendices are provided at:

[DRAFT S24G Application - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality, Sarah Baartman District Municipality, Eastern Cape - DEDEAT Reference: SBROB#2021-05-21 | Eco Route](#)

Please submit comments on or before 29 May 2026.

Please contact me should you require additional information.

Subconsultant to Eco Route Environmental Consultancy

Email: admin@ecoroute.co.za

Cell: 082 557 7122

Postal Address: P.O. Box 1252, Sedgefield, 6573

Kind Regards,

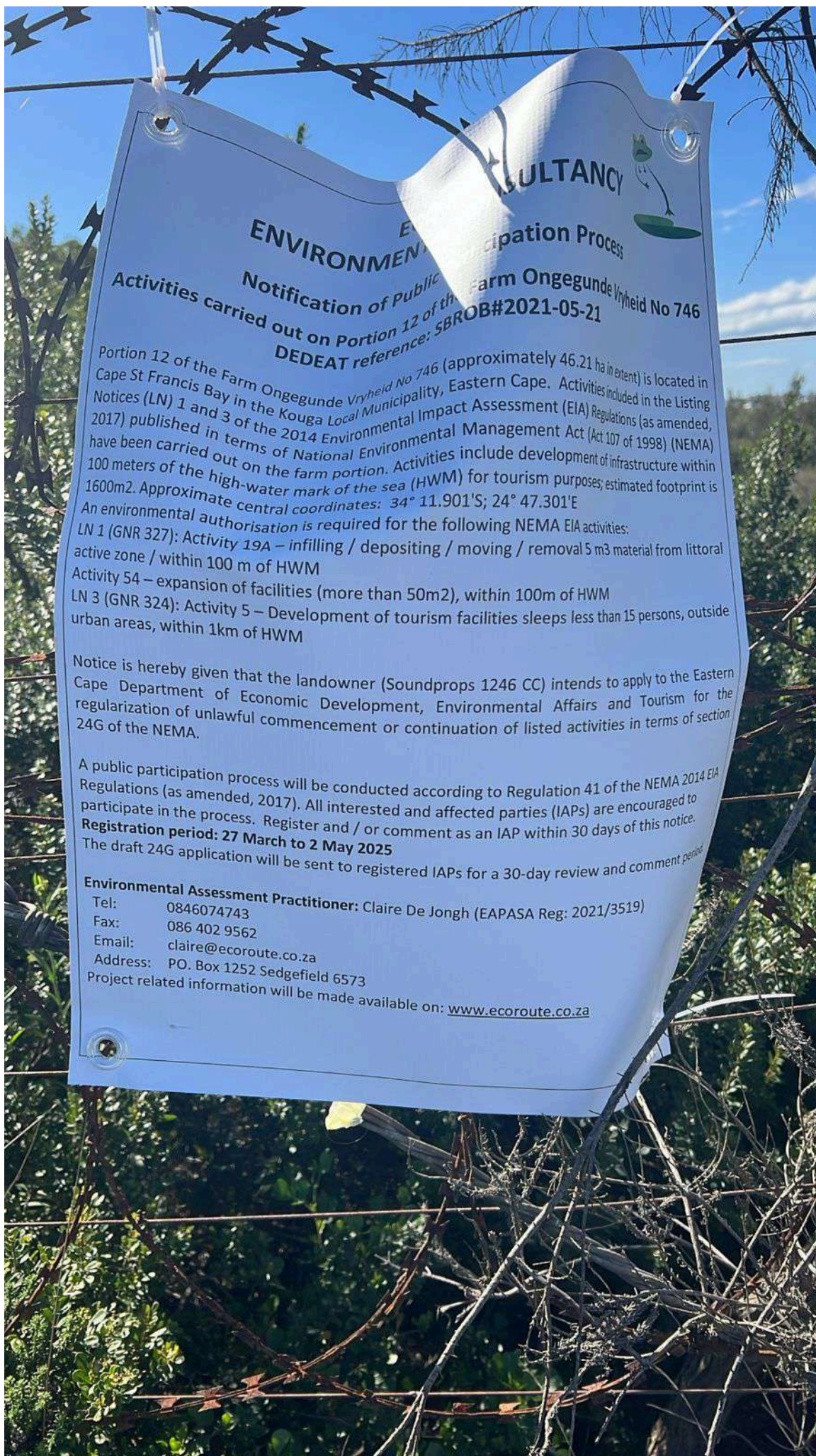
Claire De Jongh

0846074743

claire@ecoroute.co.za

EAPASA registration: 2021/3519

Andre Bok



claire@ecoroute.co.za

From: Andre Bok <andre@andrebok.co.za>
Sent: Tuesday, 25 March 2025 15:44
To: claire@ecoroute.co.za
Subject: Registration as IAP - SBROB#20210521
Attachments: EIA Notice - Joggie Calitz Tourism Development - 250325.pdf

Hi Claire

I am a trustee of the Bokspruit Family Trust, a landowner in Rebelsrus Private Nature Reserve.

Please register me as an IAP for the attached notice.

Regards

Andre Bok

Mobile: +27 - 83 - 489 8124
email: andre@andrebok.co.za

Annette De Ridder

claire@ecoroute.co.za

From: claire@ecoroute.co.za
Sent: Tuesday, 22 April 2025 11:47
To: 'deridderasaj@gmail.com'
Cc: 'ebersohn@cyberperk.co.za'; 'janet@ecoroute.co.za'; 'Elsje Smuts'
Subject: RE: Registration as IAP
Attachments: BID - Ptn 12 Farm Ongegunde Vryheid No 746_Final.pdf

Good day

Kindly note that you are registered as interested and affected parties for the S24G application process.

Kindly find the background information attached.

The S24G application and accompanying appendices will be sent to you for a 30-day review and comment period once the required specialist studies have been completed and the assessment completed.

Kindly submit any initial comments you would like to be addressed in the assessment.

Thank you for your participation in the process.

Kind regards
Claire



Claire De Jongh
Eco Route Environmental Consultancy
0846074743
EAPASA registration: **2021/3519**

From: janet@ecoroute.co.za <janet@ecoroute.co.za>
Sent: Tuesday, 22 April 2025 10:54
To: 'Admin' <admin@ecoroute.co.za>; joclyn@ecoroute.co.za; claire@ecoroute.co.za
Subject: FW: Registration as IAP

FYI

Should you require any information please do not hesitate to contact me.



Kind Regards
Janet Ebersohn
Bsc.Hon Environmental Management
EAPASA Registration Number: 2019/1286
082 5577122

From: ebersohn@cyberperk.co.za <ebersohn@cyberperk.co.za>
Sent: Saturday, 19 April 2025 23:22
To: info@ecoroute.co.za; janet@ecoroute.co.za
Subject: FW: Registration as IAP

From: Annette De Ridder <deridderasaj@gmail.com>
Sent: Saturday, 19 April 2025 17:45
To: ebersohn@cyberperk.co.za; janet@ecoroute.co.za; claire@ecoroute.co.za; Elsje Smuts <elsje@truebluecommunication.co.za>
Subject: Registration as IAP

Good day

I refer to the NOTICE OF PUBLIC PARTICIPATION issued for PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746, CAPE ST FRANCIS.

As a landowner of PORTION 42 of FARM ONGEGUNDE VRYHEID NO 746, I would like to register as an interested party and ask to be included in the process.

Thanks very much.

Annette de Ridder
Mobile 0823658878

Anonymous IAP

claire@ecoroute.co.za

From: claire@ecoroute.co.za
Sent: Tuesday, 29 April 2025 06:56
To: 'Inga Vermaak'
Subject: RE: Concerns regarding portion 12 of farm Ongegunde Vryheid no 746

Hi Inga

Noted on the anonymity.

Thank you for the information and your participation in the process.

Kind Regards
Claire

-----Original Message-----

From: Inga Vermaak <vermaak.inga@gmail.com>
Sent: Monday, 28 April 2025 09:59
To: claire@ecoroute.co.za
Subject: Concerns regarding portion 12 of farm Ongegunde Vryheid no 746
Importance: High

Good Morning Claire,

I trust you had a lovely weekend.

Thank you for taking my call on Friday, I appreciate your time.

Please see attachment with a few concerns me and my family have.

AS MENTIONED WE WOULD PLEASE LIKE TO STAY ANONYMOUS THROUGHOUT THE PROCESS FOR VARIOUS REASONS.

I have also added a few photos of the old NW dwelling. In the photos one can clearly see the size of the old dwelling. One photo is slightly cut off on the left side but the dwelling basically ended there.

On one photo of the back side of the dwelling you can see a line to the right of the photo where a small bathroom was added before the main renovation was started. I do not know where the soak-away tank is for that bathroom but that was also added.

Finally, a photo of three of the old walls still erect with the new enlarged foundations clearly around the old dwelling.
(sorry the photos are not in order)

Have a lovely day,

Best Regards,

Inga

claire@ecoroute.co.za

From: Inga Vermaak <vermaak.inga@gmail.com>
Sent: Monday, 28 April 2025 09:59
To: claire@ecoroute.co.za
Subject: Concerns regarding portion 12 of farm Ongegunde Vryheid no 746
Attachments: Concerns DEDEAT REF-SBROB#2021-05-21.docx; Untitled attachment 00012.txt; Old two room dwelling 2.JPG; New dwelling foundations with 3 walls of old dwelling inside.jpeg; Old two room dwelling 1.JPG

Importance: High

Good Morning Claire,

I trust you had a lovely weekend.

Thank you for taking my call on Friday, I appreciate your time.

Please see attachment with a few concerns me and my family have.

AS MENTIONED WE WOULD PLEASE LIKE TO STAY ANONYMOUS THROUGHOUT THE PROCESS FOR VARIOUS REASONS.

I have also added a few photos of the old NW dwelling. In the photos one can clearly see the size of the old dwelling. One photo is slightly cut off on the left side but the dwelling basically ended there.

On one photo of the back side of the dwelling you can see a line to the right of the photo where a small bathroom was added before the main renovation was started. I do not know where the soak-away tank is for that bathroom but that was also added.

Finally, a photo of three of the old walls still erect with the new enlarged foundations clearly around the old dwelling.
(sorry the photos are not in order)

Have a lovely day,

Best Regards,

Inga

Concerns regarding activities carried out on :

Portion 12 of the Farm Ongegunde Vryheid No 746

DEDEAT reference: SBROB#2021-05-21

- The renovations and enlargements that were undertaken on the SW dwelling most definitely exceeded the original footprint of the dwelling which consisted of a tiny two room shack with a small, paved area under a roof. No formal ablution facility was in place prior to the renovation.

The main concern here is that no EIA was done to determine any impact on the surrounding area when the decision was made to enlarge the dwelling. This non-compliance paves the way for other homeowners in the area to do as they please when renovating and enlarging dwellings. We don't want to set a precedent that this is acceptable.

- NE dwelling also exceeds the original footprint with a lot of sand and vegetation removed for a road and plunge pool.

- NE dwelling is used for tourism/hospitality purposes sleeping less than 15 people but with no limit to day visitors.

There have also, on occasion, been functions held, including large beach weddings. This influx of people to the area poses a threat to the sea life in the area where visitors do not respect local fishing and bait laws and visitors often drive on the beach.

The influx of visitors is also a burden on the access road as some weekends there are excessive amounts of vehicles speeding up and down the road.







Eddie Elstadt / residents and landowners of Portion 42 (a Portion of Portion 41)

claire@ecoroute.co.za

From: Eddie Elstadt <eddie@odelia.co.za>
Sent: Monday, 14 April 2025 12:32
To: claire@ecoroute.co.za
Cc: Sakkie Potgieter; Johann Potgieter; jacom@mjm-africa.com; selmaripotgieter@gmail.com; mj.nomoya@gmail.com; MJ Potgieter; Istad; Eddie Elstadt
Subject: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS

Importance: High

Dear Ms. De Jongh,

I hereby confirm our participation as an Interested and Affected Parties (IAP) in the public participation process being conducted in accordance with Regulation 41 of the Environmental Impact Assessment (EIA) Regulations, 2014 as amended in 2017 under the National Environmental Management Act (Act No. 107 of 1998) – NEMA.

This participation relates to the application for environmental authorisation by the landowner for the **regularization of activities which have commenced on Portion 12 of the Farm Ongegunde Vryheid No. 746, Cape St Francis.**

We are fully committed in contributing meaningfully to this process and request to be registered as IAP's accordingly.

Please include below contact details in all further correspondence related to this application and kindly share all relevant documentation and updates pertaining to the environmental authorisation process.

Our property details are as follows :

- Registered Owner of Property : The Izak Potgieter Mostertshoek CC
- Portion 42 (a Portion of Portion 41) of the farm Ongegunde Vryheid No. 746, Kouga Municipality

Participant Details :

- Izak Potgieter - ijp@isat.co.za
- Johann Potgieter - izakjohannpotgieter@gmail.com

- Jaco Morgan - jacom@mjm-africa.com
- Selmar Morgan - selmaripotgieter@gmail.com
- Martin Potgieter - mj.nomoya@gmail.com
- Chrismare Elstadt - lstad@mweb.co.za
- Eduard Elstadt - eddie@odelia.co.za

Thank you for facilitating this important consultation.

Eduard Elstadt (CS-JPMWL)
Mobile : +27-82-571-3120

claire@ecoroute.co.za

From: Eddie Elstadt <eddie@odelia.co.za>
Sent: Tuesday, 22 April 2025 09:40
To: claire@ecoroute.co.za
Cc: Sakkie Potgieter; Johann Potgieter; jacom@mjm-africa.com; selmaripotgieter@gmail.com; mj.nomoya@gmail.com; MJ Potgieter; Istad
Subject: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS

Dear Ms. De Jongh,

Further to my email dated 14 April 2025, kindly forward the draft 24G application for our review and comments.

As confirmed via WhatsApp on Thursday, 17 April 2025, you have received all the names required for registration purposes and the information will be forwarded accordingly.

Please do not hesitate to contact me should you require any additional information.

Regards,

Eduard Elstadt (CS-JPMWL)
Mobile : +27-82-571-3120

From: Eddie Elstadt
Sent: Monday, 14 April 2025 12:32
To: 'claire@ecoroute.co.za' <claire@ecoroute.co.za>
Cc: Sakkie Potgieter <ijp@isat.co.za>; Johann Potgieter <izakjohannpotgieter@gmail.com>; 'jacom@mjm-africa.com' <jacom@mjm-africa.com>; 'selmaripotgieter@gmail.com' <selmaripotgieter@gmail.com>; mj.nomoya@gmail.com; 'MJ Potgieter' <mj.potgieter@navenergy.com>; Istad <Istad@mweb.co.za>; 'eddie@odelia.co.za' <eddie@odelia.co.za>
Subject: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS
Importance: High

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Participant Details :

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- Johann Potgieter - izakjohannpotgieter@gmail.com
- Jaco Morgan - jacom@mjm-africa.com
- Selmari Morgan - selmaripotgieter@gmail.com
- Martin Potgieter - mj.nomoya@gmail.com
- Chrismare Elstadt - lstad@mweb.co.za
- Eduard Elstadt - eddie@odelia.co.za

Thank you for facilitating this important consultation.

Eduard Elstadt (CS-JPMWL)
Mobile : +27-82-571-3120

claire@ecoroute.co.za

From: claire@ecoroute.co.za
Sent: Tuesday, 22 April 2025 11:45
To: 'Eddie Elstadt'
Cc: 'Sakkie Potgieter'; 'Johann Potgieter'; 'jacom@mjm-africa.com'; 'selmaripotgieter@gmail.com'; 'mj.nomoya@gmail.com'; 'MJ Potgieter'; 'Istad'
Subject: RE: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS
Attachments: BID - Ptn 12 Farm Ongegunde Vryheid No 746_Final.pdf

Importance: High

Tracking:	Recipient	Read
	'Eddie Elstadt'	
	'Sakkie Potgieter'	
	'Johann Potgieter'	
	'jacom@mjm-africa.com'	
	'selmaripotgieter@gmail.com'	
	'mj.nomoya@gmail.com'	
	'MJ Potgieter'	
	'Istad'	
	Eddie Elstadt	Read: 2025/04/22 12:01

Good day

Kindly note that you are registered as interested and affected parties for the S24G appellation process.

Kindly find the background information attached.

The S24G application and accompanying appendices will be sent to you for a 30-day review and comment period once the required specialist studies have been completed and the assessment completed.

Kindly submit any initial comments you would like to be addressed in the assessment.

Thank you for your participation in the process.

Kind regards

Claire



Claire De Jongh

Eco Route Environmental Consultancy

0846074743

EAPASA registration: **2021/3519**

From: Eddie Elstadt <eddie@odelia.co.za>

Sent: Tuesday, 22 April 2025 09:40

To: claire@ecoroute.co.za

Cc: Sakkie Potgieter <ijp@isat.co.za>; Johann Potgieter <izakjohannpotgieter@gmail.com>; jacom@mjm-africa.com; selmaripotgieter@gmail.com; mj.nomoya@gmail.com; MJ Potgieter <mj.potgieter@navenergy.com>; lstad <lstad@mweb.co.za>

Subject: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS

Dear Ms. De Jongh,

Further to my email dated 14 April 2025, kindly forward the draft 24G application for our review and comments.

As confirmed via WhatsApp on Thursday, 17 April 2025, you have received all the names required for registration purposes and the information will be forwarded accordingly.

Please do not hesitate to contact me should you require any additional information.

Regards,

Eduard Elstadt (CS-JPMWL)

From: Eddie Elstadt

Sent: Monday, 14 April 2025 12:32

To: 'claire@ecoroute.co.za' <claire@ecoroute.co.za>

Cc: Sakkie Potgieter <ijp@isat.co.za>; Johann Potgieter <izakjohannpotgieter@gmail.com>; 'jacom@mjm-africa.com' <jacom@mjm-africa.com>; 'selmaripotgieter@gmail.com' <selmaripotgieter@gmail.com>; mj.nomoya@gmail.com; 'MJ Potgieter' <mj.potgieter@navenergy.com>; Istad <Istad@mweb.co.za>; 'eddie@odelia.co.za' <eddie@odelia.co.za>

Subject: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS

Importance: High

Dear Ms. De Jongh,

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This participation relates to the application for environmental authorisation by the landowner for the **regularization of activities which have commenced on Portion 12 of the Farm Ongegunde Vryheid No. 746, Cape St Francis.**

We are fully committed in contributing meaningfully to this process and request to be registered as IAP's accordingly.

Please include below contact details in all further correspondence related to this application and kindly share all relevant documentation and updates pertaining to the environmental authorisation process.

Our property details are as follows :

- Registered Owner of Property : The Izak Potgieter Mostertshoek CC
- Portion 42 (a Portion of Portion 41) of the farm Ongegunde Vryheid No. 746, Kouga Municipality

Participant Details :

- Izak Potgieter - ijp@isat.co.za
- Johann Potgieter - izakjohannpotgieter@gmail.com
- Jaco Morgan - jacom@mjm-africa.com

- Selmari Morgan - selmaripotgieter@gmail.com
- Martin Potgieter - mj.nomoya@gmail.com
- Chrismare Elstadt - lstad@mweb.co.za
- Eduard Elstadt - eddie@odelia.co.za

Thank you for facilitating this important consultation.

Eduard Elstadt (CS-JPMWL)
Mobile : +27-82-571-3120

claire@ecoroute.co.za

From: Eddie Elstadt <eddie@odelia.co.za>
To: claire@ecoroute.co.za
Sent: Tuesday, 22 April 2025 12:01
Subject: Read: RE: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS

Your message

To: Eddie Elstadt
Subject: RE: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS
Sent: Tuesday, 22 April 2025 11:44:55 (UTC+02:00) Harare, Pretoria
was read on Tuesday, 22 April 2025 12:00:49 (UTC+02:00) Harare, Pretoria.

claire@ecoroute.co.za

From: Eddie Elstadt <eddie@odelia.co.za>
Sent: Wednesday, 23 April 2025 11:46
To: claire@ecoroute.co.za
Cc: jstry@iafrica.com
Subject: RE: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS

Importance: High

Good Morning Claire,

Please register below additional participant and confirm his participation as an Interested and Affected Party (IAP) in the public participation process being conducted in accordance with Regulation 41 of the Environmental Impact Assessment (EIA) Regulations, 2014 as amended in 2017 under the National Environmental Management Act (Act No. 107 of 1998) – NEMA.

- Johan Strydom - jstry@iafrica.com

Also please add his details in all further correspondence related to this application and kindly share all relevant documentation and updates.

Regards,

Eduard Elstadt (CS-JPMWL)
Odelia Coal Trading (Pty) Ltd

Mobile : +27-82-571-3120

From: claire@ecoroute.co.za <claire@ecoroute.co.za>
Sent: Tuesday, 22 April 2025 11:45
To: Eddie Elstadt <eddie@odelia.co.za>
Cc: 'Sakkie Potgieter' <ijp@isat.co.za>; 'Johann Potgieter' <izakjohannpotgieter@gmail.com>; jacom@mjm-africa.com; selmaripotgieter@gmail.com; mj.nomoya@gmail.com; 'MJ Potgieter' <mj.potgieter@navenergy.com>; 'Istad' <Istad@mweb.co.za>

Subject: RE: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS
Importance: High

Good day

Kindly note that you are registered as interested and affected parties for the S24G appellation process.

Kindly find the background information attached.

The S24G application and accompanying appendices will be sent to you for a 30-day review and comment period once the required specialist studies have been completed and the assessment completed.

Kindly submit any initial comments you would like to be addressed in the assessment.

Thank you for your participation in the process.

Kind regards
Claire



Claire De Jongh
Eco Route Environmental Consultancy
0846074743
EAPASA registration: **2021/3519**

From: Eddie Elstadt <eddie@odelia.co.za>

Sent: Tuesday, 22 April 2025 09:40

To: claire@ecoroute.co.za

Cc: Sakkie Potgieter <ijp@isat.co.za>; Johann Potgieter <izakjohannpotgieter@gmail.com>; jacom@mjm-africa.com; selmaripotgieter@gmail.com; mj.nomoya@gmail.com; MJ Potgieter <mj.potgieter@navenergy.com>; Istad <Istad@mweb.co.za>

Subject: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS

Dear Ms. De Jongh,

Further to my email dated 14 April 2025, kindly forward the draft 24G application for our review and comments.

As confirmed via WhatsApp on Thursday, 17 April 2025, you have received all the names required for registration purposes and the information will be forwarded accordingly.

Please do not hesitate to contact me should you require any additional information.

Regards,

Eduard Elstadt (CS-JPMWL)
Mobile : +27-82-571-3120

From: Eddie Elstadt
Sent: Monday, 14 April 2025 12:32
To: 'claire@ecoroute.co.za' <claire@ecoroute.co.za>
Cc: Sakkie Potgieter <ijp@isat.co.za>; Johann Potgieter <izakjohannpotgieter@gmail.com>; 'jacom@mjm-africa.com' <jacom@mjm-africa.com>; 'selmaripotgieter@gmail.com' <selmaripotgieter@gmail.com>; mj.nomoya@gmail.com; 'MJ Potgieter' <mj.potgieter@navenergy.com>; Istad <Istad@mweb.co.za>; 'eddie@odelia.co.za' <eddie@odelia.co.za>
Subject: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS
Importance: High

Dear Ms. De Jongh,

I hereby confirm our participation as an Interested and Affected Parties (IAP) in the public participation process being conducted in accordance with Regulation 41 of the Environmental Impact Assessment (EIA) Regulations, 2014 as amended in 2017 under the National Environmental Management Act (Act No. 107 of 1998) – NEMA.

This participation relates to the application for environmental authorisation by the landowner for the **regularization of activities which have commenced on Portion 12 of the Farm Ongegunde Vryheid No. 746, Cape St Francis.**

We are fully committed in contributing meaningfully to this process and request to be registered as IAP's accordingly.

Please include below contact details in all further correspondence related to this application and kindly share all relevant documentation and updates pertaining to the environmental authorisation process.

Our property details are as follows :

- Registered Owner of Property : The Izak Potgieter Mostertshoek CC
- Portion 42 (a Portion of Portion 41) of the farm Ongegunde Vryheid No. 746, Kouga Municipality

Participant Details :

- Izak Potgieter - ijp@isat.co.za
- Johann Potgieter - izakjohannpotgieter@gmail.com
- Jaco Morgan - jacom@mjm-africa.com
- Selmari Morgan - selmaripotgieter@gmail.com
- Martin Potgieter - mj.nomoya@gmail.com
- Chrismare Elstadt - lstad@mweb.co.za
- Eduard Elstadt - eddie@odelia.co.za

Thank you for facilitating this important consultation.

Eduard Elstadt (CS-JPMWL)
Mobile : +27-82-571-3120

From: Eddie Elstadt <eddie@odelia.co.za>
Sent: Saturday, 26 April 2025 09:28
To: claire@ecoroute.co.za
Cc: Sakkie Potgieter; 'Johann Potgieter'; jacom@mjm-africa.com; selmaripotgieter@gmail.com; 'MJ Potgieter'; mj.nomoya@gmail.com; 'Istad'; jstry@iafrica.com
Subject: FW: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS
Attachments: mostertshoek.jpg; old structure.jpg; old structure 1.jpg; new structure.jpg; new structure 1.jpg; new structure 2.jpg; erosion pic 1.jpg; erosion pic 2.jpg; erosion pic 3.jpg; erosion pic 4.jpg; erosion pic 5.jpg; Mostertshoek Nature Reserve 1.jpeg; Mostertshoek Nature Reserve 2.jpeg
Importance: High

Dear Ms. De Jongh,

We hereby on behalf of residents and landowners of Portion 42 (a Portion of Portion 41) **would like to formally submit comments that we would like to be addressed in your assessment** of Portion 12 of the farm Ongegunde Vryheid NO 746 Cape St Francis. This will form part of the public participation process which is currently being conducted in accordance with Regulation 41 of the Environmental Impact Assessment (EIA) Regulations, 2014 as amended in 2017 under the National Environmental Management Act (Act No. 107 of 1998) – NEMA.

Our comments and concerns relates particular to Activity 5 under the current Section 24G application for environmental authorisation regarding Portion 12 of the Farm Ongegunde Vryheid No. 746, Cape St Francis submitted in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) and the environmental impact it will have.

(A) The following points of concern regarding the informal access road currently used to specific property needs to be addressed in your assessment :

- The road in question lies within the coastal high-tide zone and is frequently flooded during spring tides and high tidal events. This not only leaves the road trackless at times but also highlights its vulnerability to natural coastal processes further emphasizing its unsuitability for regular or increased vehicular use.
- As an informal road which is located within the coastal high-tide zone, vehicle access has become increasingly problematic. As a result, many drivers resort to driving on the adjacent sandy areas to bypass. This practice is causing significant environmental and dune vegetation damage to the already sensitive beach ecosystems. It is important to note that driving on sand in coastal areas is prohibited under South African law, specifically in terms of the National Environmental Management: Integrated Coastal Management Act. Unauthorized vehicle activity not only contravenes legal regulations but it also accelerates erosion and it undermines dune stability. This in total jeopardizes long-term conservation efforts.

- As an informal road, it lacks structural and design specifications necessary to support even existing levels of traffic let alone any additional traffic. Current usage already raises concerns about overcrowding and long-term sustainability particularly under commercial or tourism-related pressures.
- The road lacks formal stormwater drainage and erosion control (see erosion pic 1 to 5) and it definitely fails to meet the minimum engineering standards expected for roads in environmentally sensitive coastal areas. This not only accelerates surface and coastal but it also poses risks to public safety.
- The proximity of the road which is within five meters of private residences presents a direct and ongoing threat to the safety of families, pedestrians and animals in the area. This constitutes a potential violation of Section 24(a) of the Constitution of the Republic of South Africa which guarantees every person the right to an environment that is not harmful to their health or well-being.
- The road's frequent use for commercial purposes and particularly tourism-related activities promoted under the branding of "Salty Homes" on various social media platforms, compounds the negative impacts on the local environment. The increased traffic not only places additional strain on the informal infrastructure but also intensifies the risks posed by wind and water erosion due to the property's sensitive coastal location.

(B) Another major concern that warrants attention during the assessment process is the renovation work carried out on the southwest dwelling and specifically the following :

- Renovations and construction to the southwest dwelling has significantly exceeded the original footprint of the old structure (Attached photos marked mostertshoek, old structure, new structure) clearly confirms our observation)
- This matter raises concerns regarding future compliance with relevant planning and zoning regulations as previous regulations were clearly disregarded.

(C) It is also important to note that **Portion 42 (a Portion of Portion 41)**, belonging to **Izak Potgieter Mostertshoek CC** is in its final process to be declared as a **Nature Reserve** and will be known as the **Mostertshoek Nature Reserve**. **The application was done (including a public participation and declaration process) in accordance with Section 23(1) of the National Environmental Management: Protected Areas Act (No. 57 of 2003) The declaration notice number will be confirmed once it is published in the Provincial Government Gazette.**

We are concerned about the potential and cumulative environmental impact that the proposed activities on Portion 12 may have on the Mostertshoek Nature Reserve which lies in close proximity to the development. (please see attached pics marked Mostertshoek Nature Reserve 1 and 2)

Key concerns include:

- Potential disruption of biodiversity within the declared nature reserve including impacts on protected species and sensitive ecosystems
- Lack of proper consultation with adjacent landowners and custodians of the nature reserve prior to the commencement of the activities being applied for under Section 24G
- Increased human activity and infrastructure development in an area declared for conservation purposes which may be contrary to the objectives of the Protected Areas Act.

It is of the utmost importance that all of the above points of concern is addressed in your formal assessment.

For the record, I would like to confirm the IAP Property:

- Portion 42 (a Portion of Portion 41), Farm Ongegunde Vryheid No. 746
- Registered Owner: The Izak Potgieter Mostertshoek CC

Written acknowledgment of the above mentioned is required for future correspondence and it needs to be included in all future submissions, reports and decisions related to this application.

Yours Sincerely

Eduard Elstadt (CS – JPMWL)
On behalf of the Affected Landowners
Mobile : +27-82-571-3120

From: claire@ecoroute.co.za <claire@ecoroute.co.za>

Sent: Tuesday, 22 April 2025 11:45

To: Eddie Elstadt <eddie@odelia.co.za>

Cc: 'Sakkie Potgieter' <ijp@isat.co.za>; 'Johann Potgieter' <izakjohannpotgieter@gmail.com>; jacom@mjm-africa.com; selmaripotgieter@gmail.com; mj.nomoya@gmail.com; 'MJ Potgieter' <mj.potgieter@navenergy.com>; 'Istad' <Istad@mweb.co.za>

Subject: RE: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS

Importance: High

Good day

Kindly note that you are registered as interested and affected parties for the S24G appellation process.

Kindly find the background information attached.

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Kindly submit any initial comments you would like to be addressed in the assessment.

Thank you for your participation in the process.

Kind regards

Claire



Claire De Jongh

Eco Route Environmental Consultancy

0846074743

EAPASA registration: **2021/3519**

From: Eddie Elstadt <eddie@odelia.co.za>

Sent: Tuesday, 22 April 2025 09:40

To: claire@ecoroute.co.za

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From: Eddie Elstadt

Sent: Monday, 14 April 2025 12:32

To: 'claire@ecoroute.co.za' <claire@ecoroute.co.za>

Cc: Sakkie Potgieter <ijp@isat.co.za>; Johann Potgieter <izakjohannpotgieter@gmail.com>; 'jacom@mjm-africa.com' <jacom@mjm-africa.com>; 'selmaripotgieter@gmail.com' <selmaripotgieter@gmail.com>; mj.nomoya@gmail.com; 'MJ Potgieter' <mj.potgieter@navenergy.com>; Istad <Istad@mweb.co.za>; 'eddie@odelia.co.za' <eddie@odelia.co.za>

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Importance: High

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- Johann Potgieter - izakjohannpotgieter@gmail.com
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- Martin Potgieter - mj.nomoya@gmail.com
- Chrismare Elstadt - lstad@mweb.co.za
- Eduard Elstadt - eddie@odelia.co.za

Thank you for facilitating this important consultation.

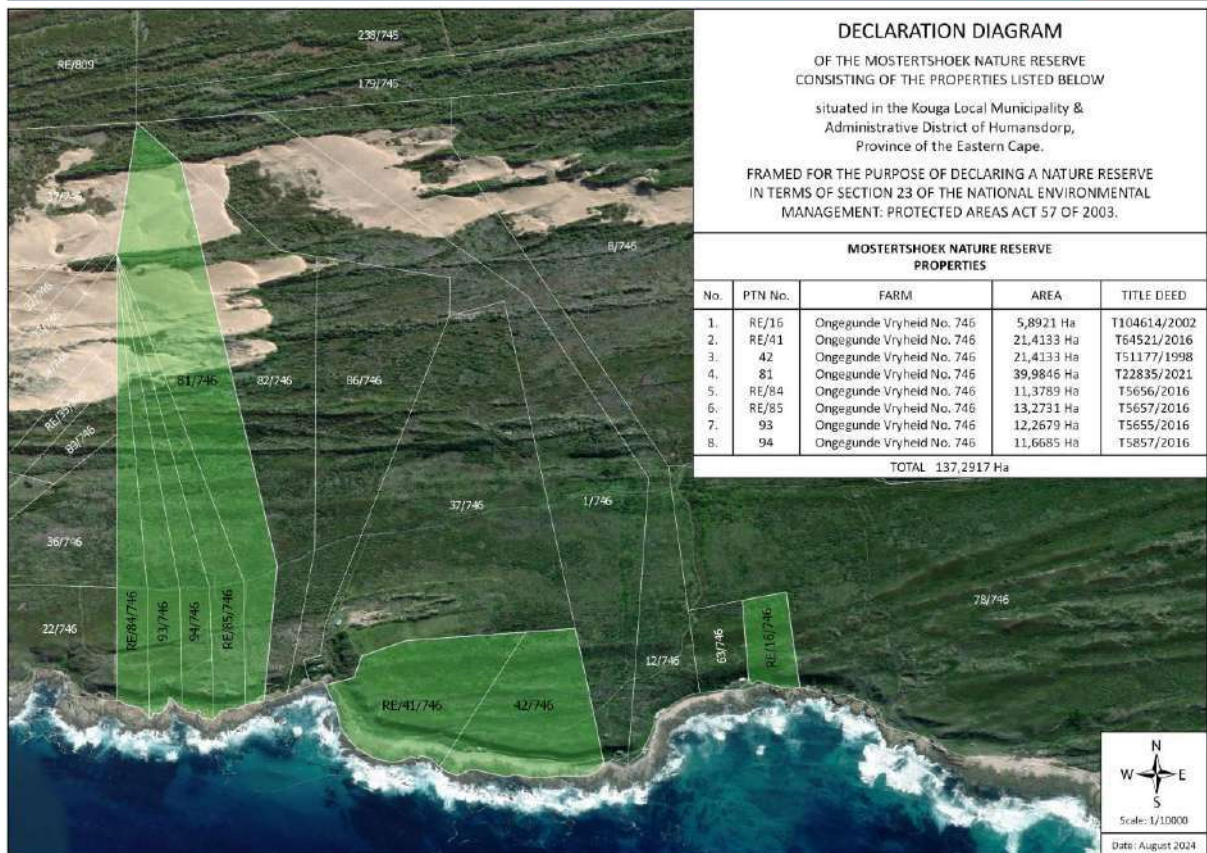
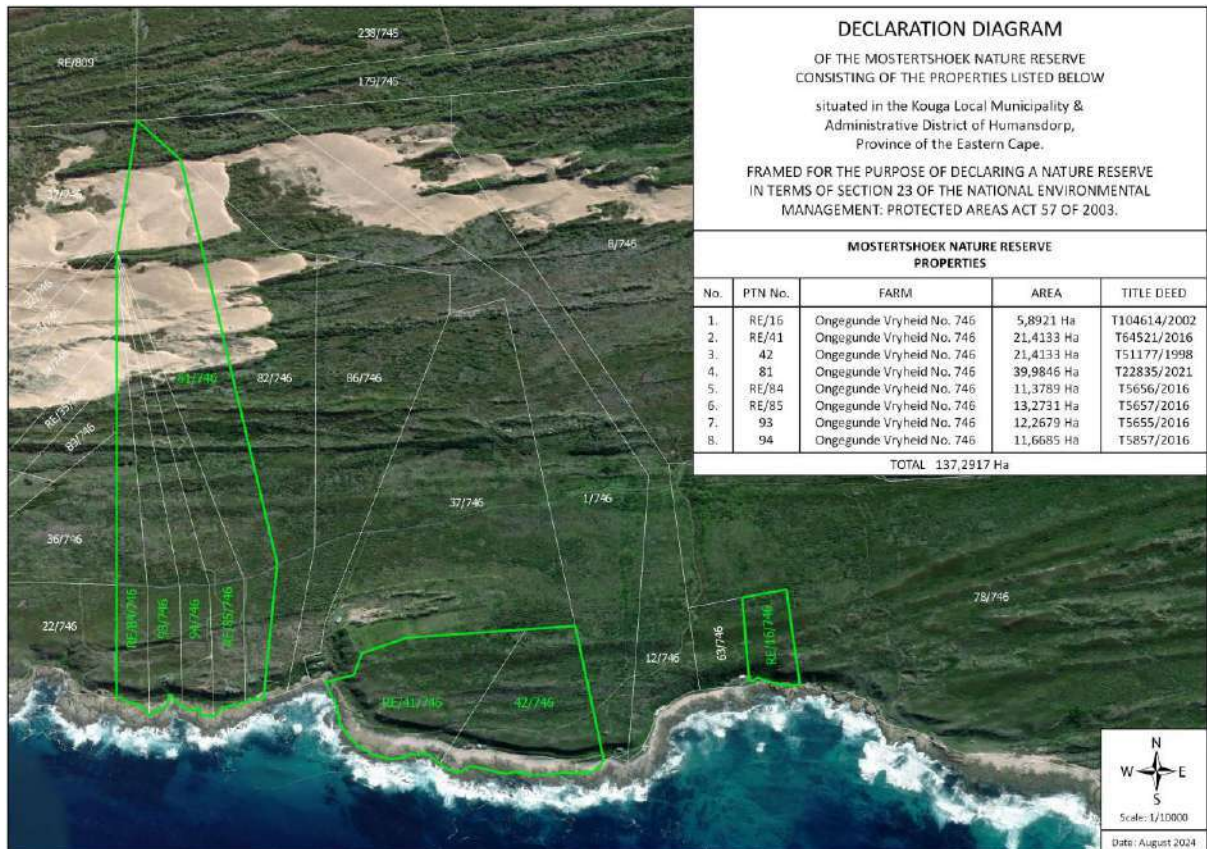
Eduard Elstadt (CS-JPMWL)
Mobile : +27-82-571-3120

Photographs - Eduard Elstadt





















Elsje Smuts

claire@ecoroute.co.za

From: Elsje Smuts <elsje@truebluecommunication.co.za>
Sent: Tuesday, 22 April 2025 13:37
To: claire@ecoroute.co.za
Cc: ebersohn@cyberperk.co.za; janet@ecoroute.co.za; deridderasaj@gmail.com
Subject: RE: Registration as IAP

Noted thank you.

FYI - I am Annette de Ridder's daughter.

Elsje



Elsje Smuts
+27 (0)82 873 7663  
elsje@truebluecommunication.co.za
www.truebluecommunication.co.za

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From: claire@ecoroute.co.za <claire@ecoroute.co.za>
Sent: Tuesday, 22 April 2025 11:47
To: deridderasaj@gmail.com
Cc: ebersohn@cyberperk.co.za; janet@ecoroute.co.za; 'Elsje Smuts' <elsje@truebluecommunication.co.za>
Subject: RE: Registration as IAP

Good day

Kindly note that you are registered as interested and affected parties for the S24G application process.

Kindly find the background information attached.

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Thank you for your participation in the process.

Kind regards

Claire



Claire De Jongh
Eco Route Environmental Consultancy
0846074743
EAPASA registration: **2021/3519**

From: janet@ecoroute.co.za <janet@ecoroute.co.za>
Sent: Tuesday, 22 April 2025 10:54
To: 'Admin' <admin@ecoroute.co.za>; joclyn@ecoroute.co.za; claire@ecoroute.co.za
Subject: FW: Registration as IAP

FYI

Should you require any information please do not hesitate to contact me.



Kind Regards
Janet Ebersohn
Bsc.Hon Environmental Management
EAPASA Registration Number: 2019/1286
082 5577122

From: ebersohn@cyberperk.co.za <ebersohn@cyberperk.co.za>
Sent: Saturday, 19 April 2025 23:22
To: info@ecoroute.co.za; janet@ecoroute.co.za
Subject: FW: Registration as IAP

From: Annette De Ridder <deridderasaj@gmail.com>
Sent: Saturday, 19 April 2025 17:45
To: ebersohn@cyberperk.co.za; janet@ecoroute.co.za; claire@ecoroute.co.za; Elsje Smuts <elsje@truebluecommunication.co.za>
Subject: Registration as IAP

Good day

I refer to the NOTICE OF PUBLIC PARTICIPATION issued for PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746, CAPE ST FRANCIS.

As a landowner of PORTION 42 of FARM ONGEGUNDE VRYHEID NO 746, I would like to register as an interested party and ask to be included in the process.

Thanks very much.

Annette de Ridder
Mobile 0823658878



Virus-free. www.avast.com

Jacqui Sauer and Prof Warwick HH Sauer
Dept of Ichthyology & Fisheries Science Rhodes University

Thalassa
Portion 22 of the Farm Ongegunde vryheid
Rebelsrus
St Francis Bay

1 May 2025

ATT: Claire De Jongh
Eco Route Environmental Consultancy
0846074743

Email: claire@ecoroute.co.za

Dear Clair

Ref: **SBROB#2021-05-21**

Applicant: Soundprops 1246 cc

Environmental authorisation application process in terms of Section 24G of the National Environmental Management Act, 1998 (Act 107 of 1998) Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape st Francis Kouga Local Municipality, Sarah Baartman District Municipality Eastern Cape DEDEAT reference:

Date of Notice: 27 March 2025
Closing Date: 2 May 2025 17:00

Comments from: WHH Sauer & J Sauer

**REGISTERED OWNER: ERF 746/22 SEA VISTA
PHYSICAL ADDRESS: THALASSA, PORTION 22 OF THE FARM ONGEGUNDE VRYHEID, REBELS,
ST FRANCIS BAY**

We have been furnished with a copy of the Background Information Document for the regularization of unlawful commencement or continuation of listed activities in terms of Section 24G of the NEMA. Contravention is noted for the following activities:

LN 1 (GNR 327): Activity 19A

LN 1 (GNR 327): Activity 54

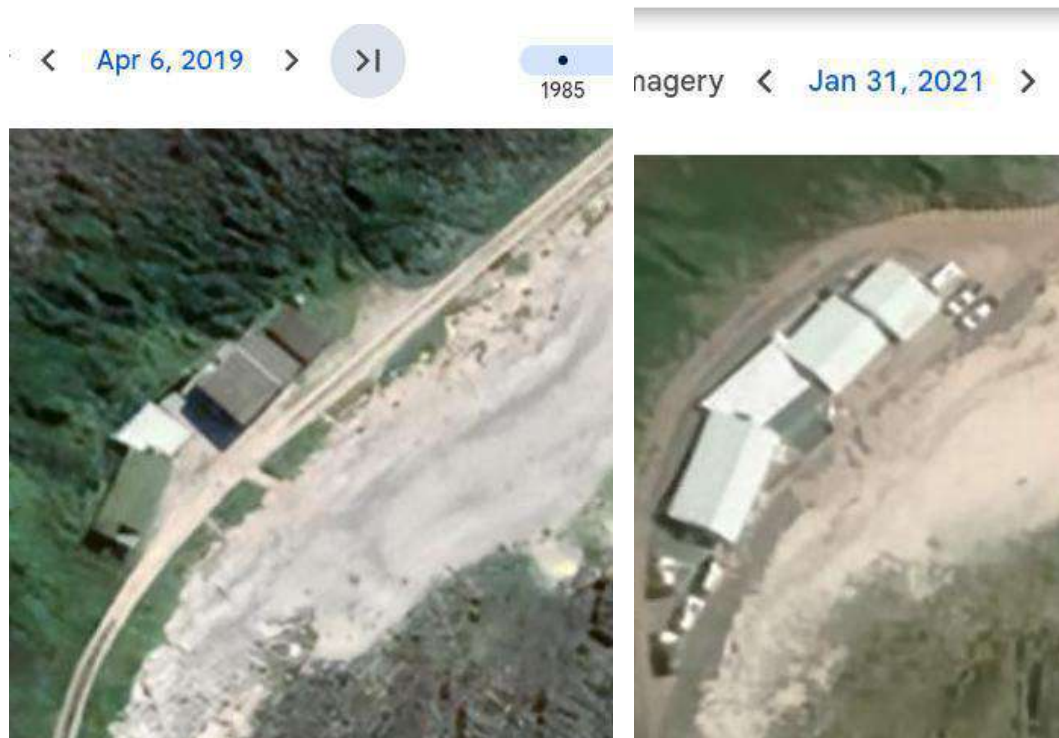
LN 1 (GNR 327): Activity 54

LN 3 (GNR 324): Activity 5

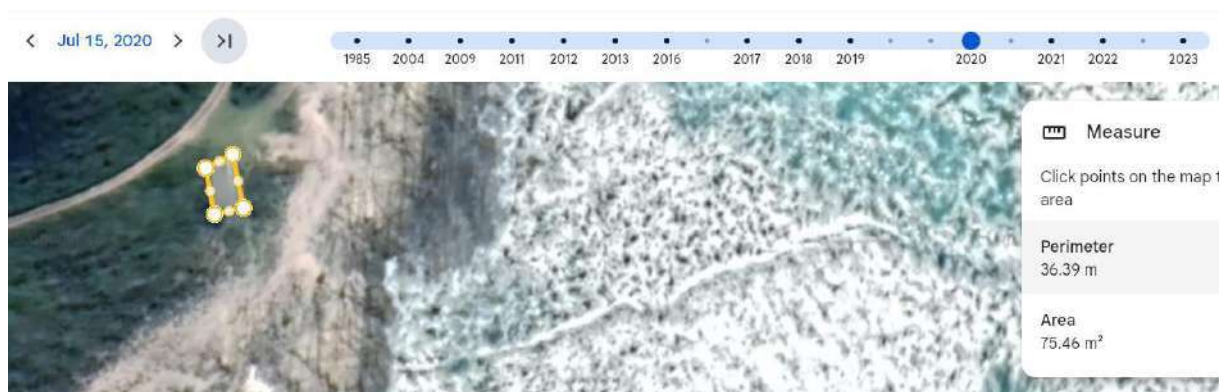
We noted the following in your BID document:

1. Background:

- a. Date of refurbishing the northeast building and rerouting of the road appears to be earlier than 2021 as stated in your document.
- b. Rerouting of road: This would have required quite substantial bush clearing and stabilization of the dune behind the northeast building



- c. Your BID states that “Renovation of southwestern dwelling in the same development footprint”. This is inaccurate. The footprint size was substantially increased.





1 New foundations outside the perimeter of the old structure (south western building)

2. **Screening:**

- a. No reports were attached to the BID documents. Please provide the screening report.

- b. Could you provide details on how the level of each of the identified sensitivities was decided. Further, is there any mitigation for those sensitivities that are deemed high. There are a number of items that have been identified (see items listed below) as medium to high sensitivity. Why are only two specialist reports identified as being required. Surely specialist reports are required for all high and very high sensitivities.
- Agricultural theme - Medium Sensitivity
 - Animal Species - High Sensitivity
 - Archaeological and Cultural Heritage - Very High Sensitivity
 - Paleontological - Very High sensitivity
 - Plant Species Assessment - Medium sensitivity
 - Terrestrial Biodiversity - Very High Sensitivity
 - Civil Aviation Assessment - High sensitivity
- c. Aquatic biodiversity is deemed low sensitivity. Increased effort owing to increased fishers in the area will impact the aquatic biodiversity. There are many resident and non-resident species along this coast-line that should not be removed/ caught.
- d. Both building that were renovated were old beach shacks, originally owned by John and De Villiers Melville. John Melville in his book, "A century of Business in Humansdorp", notes the north eastern building (which used to be called *The Den*) being in use in October 1955 (p.89).

3. Other Comments

- a. Use of the communal road: The current access road from the R330 to Mostertshoek is maintained by the residents of Mostertshoek, Rebelsrus, Tula Moya and Rocky Cost Farm, through a levy. If there is to be a tourist business introduced, then there is a need for mitigation for the significant increase on the use of the road. This value should be negotiated, and a further levy introduced into the current road fund.
- b. Impact on Marine Resources: In the past, the situation was limited dwellings, not used for tourism, which resulted in only medium pressure on the coastal flora and fauna for families and friends. Many of the fish species found along this section of coastline are highly resident. Apart from removing fish to eat, catch and release

fishing results in the same fish being caught repeatedly and the post capture mortality increases to a high level. Self-catering tourists remove shellfish to consume and increase the pressure, ultimately removing most shellfish along this section of coast. At present several nature reserves are being proclaimed along this section of coast and the use of the marine environment is an important consideration, above obeying the current Government regulations on the removal of marine species. The best solution would be a no-take rule introduced for any paying tourists visiting the area. Generally, a Fishing Policy would also be a good idea, where the highly resident species are afforded a measure of protection, in addition to the current regulations as per the Living Marine Resources Act. This will ensure a healthy fish population in the area, while still allowing fishing activity and the removal of selected species for consumption. It is important that the marine resources are not exploited by tourists.

- c. Waste Management: The waste structures of most of the buildings in Mostert's Hoek are conservancy tanks. These tanks would have been designed for use periodically for family and friends not as for use in a 10 to 15 sleeper guest house. The proximity to the water and increased flow into the conservancy tanks may be an issue in terms of marine pollution.
- d. Sense of Place: This section of the coast has traditionally been privately owned and utilized as a retreat and holiday space for owners and friends. A tourist destination within the space alters the sense of space and the way the environment is utilised. It also places increased pressure on all the resources within the area. The presence of more people with no ties or affiliation to the area could impact those existing land owners in Mostert's Hoek and neighbouring reserves. Tourists could abuse the natural resources and may not take other residents and their privacy into consideration.

Yours faithfully



Prof Warwick HH Sauer
Dept of Ichthyology & Fisheries Science
Rhodes University



Jacqui Sauer

Thalassa, section 22, Rebelsrus, St Francis Bay

Contact Tel Number: 0827741337 and 0731712906

Email Address: w.sauer@ru.ac.za and jacqui@itsnet.co.za

claire@ecoroute.co.za

From: claire@ecoroute.co.za
Sent: Tuesday, 08 April 2025 16:33
To: 'jacqui@itsnet.co.za'
Cc: 'Janet Ebersohn'; 'Admin'
Subject: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality
Attachments: BID - Ptn 12 Farm Ongegunde Vryheid No 746_27 March 2025.pdf

Good day Jacqui

Thank you for the phone call this morning. I have registered you as an interested / affected party for this process.

The background information document is attached.

Kindly submit your comments and concerns which you may have so they can be addressed in the process.

Thank you

Kind regards

Claire


Claire De Jongh
Eco Route Environmental Consultancy
0846074743
EAPASA registration: **2021/3519**

claire@ecoroute.co.za

From: Jacqui Sauer <jacqui.sauer@outlook.com> on behalf of Jacqui Sauer <jacqui@itsnet.co.za>
Sent: Thursday, 10 April 2025 08:51
To: claire@ecoroute.co.za
Cc: 'Janet Ebersohn'; 'Admin'
Subject: RE: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

Thanks Claire

From: claire@ecoroute.co.za <claire@ecoroute.co.za>
Sent: 08 April 2025 16:33
To: jacqui@itsnet.co.za
Cc: 'Janet Ebersohn' <janet@ecoroute.co.za>; 'Admin' <admin@ecoroute.co.za>
Subject: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

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Claire De Jongh
Eco Route Environmental Consultancy
0846074743
EAPASA registration: **2021/3519**

claire@ecoroute.co.za

From: Jacqui Sauer <jacqui.sauer@outlook.com> on behalf of Jacqui Sauer <jacqui@itsnet.co.za>
Sent: Friday, 02 May 2025 13:45
To: claire@ecoroute.co.za
Cc: 'Janet Ebersohn'; 'Admin'
Subject: RE: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality
Attachments: Comments SAuer Pnt 12 of 746.pdf

Afternoon Claire

Herewith our comments on your Bid document for 12/746

Please confirm receipt of the document

Kind regards

Jacqui

From: claire@ecoroute.co.za <claire@ecoroute.co.za>
Sent: 08 April 2025 16:33
To: jacqui@itsnet.co.za
Cc: 'Janet Ebersohn' <janet@ecoroute.co.za>; 'Admin' <admin@ecoroute.co.za>
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EAPASA registration: **2021/3519**

claire@ecoroute.co.za

From: Jacqui Sauer <jacqui.sauer@outlook.com> on behalf of Jacqui Sauer <jacqui@itsnet.co.za>
Sent: Friday, 02 May 2025 13:45
To: claire@ecoroute.co.za
Cc: 'Janet Ebersohn'; 'Admin'
Subject: RE: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality
Attachments: Comments SAuer Pnt 12 of 746.pdf

Afternoon Claire

Herewith our comments on your Bid document for 12/746

Please confirm receipt of the document

Kind regards

Jacqui

From: claire@ecoroute.co.za <claire@ecoroute.co.za>
Sent: 08 April 2025 16:33
To: jacqui@itsnet.co.za
Cc: 'Janet Ebersohn' <janet@ecoroute.co.za>; 'Admin' <admin@ecoroute.co.za>
Subject: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

Good day Jacqui

Thank you for the phone call this morning. I have registered you as an interested / affected party for this process.

The background information document is attached.

Kindly submit your comments and concerns which you may have so they can be addressed in the process.

Thank you

Kind regards
Claire



Claire De Jongh

Eco Route Environmental Consultancy

0846074743

EAPASA registration: **2021/3519**

claire@ecoroute.co.za

From: claire@ecoroute.co.za
Sent: Friday, 02 May 2025 14:06
To: 'Jacqui Sauer'
Cc: 'Janet Ebersohn'; 'Admin'
Subject: RE: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

Hi Jacqui

Thank you, the comments have been received.

Kind Regards
Claire

From: Jacqui Sauer <jacqui.sauer@outlook.com> **On Behalf Of** Jacqui Sauer
Sent: Friday, 02 May 2025 13:45
To: claire@ecoroute.co.za
Cc: 'Janet Ebersohn' <janet@ecoroute.co.za>; 'Admin' <admin@ecoroute.co.za>
Subject: RE: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

Afternoon Claire

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Jacqui

From: claire@ecoroute.co.za <claire@ecoroute.co.za>

Sent: 08 April 2025 16:33

To: jacqui@itsnet.co.za

Cc: 'Janet Ebersohn' <janet@ecoroute.co.za>; 'Admin' <admin@ecoroute.co.za>

Subject: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

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The background information document is attached.

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Thank you

Kind regards

Claire



Claire De Jongh

Eco Route Environmental Consultancy

0846074743

EAPASA registration: **2021/3519**

Jadri Hurter

claire@ecoroute.co.za

From: Jadri Hurter (EyaBantu) <jadri@eyabantupe.co.za>
Sent: Tuesday, 22 April 2025 14:07
To: claire@ecoroute.co.za
Subject: SBROB#2021-05-21 - PORTION 12 of the farm ongegunde vryheid N0746

Dear Claire

My name is Jadri Hurter, one of the owners in the Mosterdshoek area. I would like to participate in the process for the EIA application made. Could you please assist me with the process and what else I need to do to be part of the process.

Looking forward to your response.

Thanks

Regards



Jadri Hurter (*Pr.Tech.Eng, ECSA*)
DIRECTOR
B.Tech (Elec Eng),
ECSA, MSAIEE

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claire@ecoroute.co.za

From: claire@ecoroute.co.za
Sent: Wednesday, 23 April 2025 08:39
To: 'Jadri Hurter (EyaBantu)'
Subject: RE: SBROB#2021-05-21 - PORTION 12 of the farm ongegunde vryheid N0746
Attachments: BID - Ptn 12 Farm Ongegunde Vryheid No 746_Final.pdf

Good day

Thank you for your email. You have been registered for the S24G NEMA application process.

As soon as the draft S24G application and accompanying appendices is compiled, it will be submitted to you for a 30 day comment and review period.

Kindly send any initial comments you would like to be addressed in the assessment.

Thank you

Kind Regards
Claire



Claire De Jongh
Eco Route Environmental Consultancy
0846074743
EAPASA registration: **2021/3519**

From: Jadri Hurter (EyaBantu) <jadri@eyabantupe.co.za>
Sent: Tuesday, 22 April 2025 14:07
To: claire@ecoroute.co.za
Subject: SBROB#2021-05-21 - PORTION 12 of the farm ongegunde vryheid N0746

Dear Claire

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Looking forward to your response.

Thanks

Regards



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claire@ecoroute.co.za

From: Jadri Hurter (EyaBantu) <jadri@eyabantupe.co.za>
Sent: Friday, 02 May 2025 14:59
To: claire@ecoroute.co.za
Subject: RE: SBROB#2021-05-21 - PORTION 12 of the farm ongegunde vryheid N0746
Attachments: BID - Ptn 12 Farm Ongegunde Vryheid No 746_Final.pdf

Dear Claire

The attach document has reference. I made some comments on your document which I believe needs to be addressed or corrected as per the comments made. Main comments to be considered:

1. Impact of running the premisses as a quest house – currently the impact has been extensive.
 - Your report mentioned a low sensitivity on Aquatic Biodiversity. This is simply not true. Guest renting here is fishing, snorkeling, spear fishing, etc. extensively in the area. Most of them are uneducated when it comes to fishing and fish species, removing juvenile under sized fish. Also, continuous snorkelling and removing bait and sea food for consumption in the area. Over the years we have noticed the decline in certain fish and rock creatures, like giant periwinkle”älikreukel”, Venus ear, mussels, etc. Most of them have no permits for these activities and also do not stick to bag limits or minimum sizes.
 - Impact on the road – and moving roads. This has an impact on the vegetation and surrounding environment.
 - Driving illegally on the beach and other properties.
 - Privacy – Outside people renting has no respect for another person’s land or privacy.
 - We have applied and is in the final stages of getting our property rezoned as a nature reserve. The above impact goes against what we trying to achieve in terms of conservation and protecting the area.

All other comments made on the document also needs to be addressed and rectified.

Thanks for the opportunity to raise our concerns and we look forward to partaking in the rest of this procedure.

Regards

From: claire@ecoroute.co.za <claire@ecoroute.co.za>
Sent: Wednesday, 23 April 2025 08:39

To: Jadri Hurter (EyaBantu) <jadri@eyabantupe.co.za>

Subject: RE: SBROB#2021-05-21 - PORTION 12 of the farm ongegunde vryheid N0746

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Thank you

Kind Regards

Claire



Claire De Jongh

Eco Route Environmental Consultancy

0846074743

EAPASA registration: **2021/3519**

From: Jadri Hurter (EyaBantu) <jadri@eyabantupe.co.za>

Sent: Tuesday, 22 April 2025 14:07

To: claire@ecoroute.co.za

Subject: SBROB#2021-05-21 - PORTION 12 of the farm ongegunde vryheid N0746

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Looking forward to your response.

Thanks

Regards



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claire@ecoroute.co.za

From: claire@ecoroute.co.za
Sent: Thursday, 03 July 2025 17:34
To: 'Jadri Hurter (EyaBantu)'
Subject: RE: SBROB#2021-05-21 - PORTION 12 of the farm ongegunde vryheid N0746

Good day

The draft report will be sent for 30-day comment and review.
I will try to get it out for review by all interested / affected parties this month.

Kind Regards
Claire

From: Jadri Hurter (EyaBantu) <jadri@eyabantupe.co.za>
Sent: Thursday, 03 July 2025 14:24
To: claire@ecoroute.co.za
Subject: RE: SBROB#2021-05-21 - PORTION 12 of the farm ongegunde vryheid N0746

Hi Claire

Hope you well. Just following up on the below. I have received no document S24G to review as of yet. Any progress on the whole process.

Thanks

Regards

From: claire@ecoroute.co.za <claire@ecoroute.co.za>
Sent: Wednesday, 23 April 2025 08:39
To: Jadri Hurter (EyaBantu) <jadri@eyabantupe.co.za>
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NOTIFICATION OF PUBLIC PARTICIPATION

Environmental authorisation application process in terms of Section 24G of the National Environmental Management Act, 1998 (Act 107 of 1998)

Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape st Francis

**Kouga Local Municipality, Sarah Baartman District Municipality
Eastern Cape**

DEDEAT reference: SBROB#2021-05-21

Introduction

Portion 12 of the Farm Ongegunde Vryheid No 746 (approximately 46.21 ha in extent) is located in Cape St Francis Bay in the Kouga Local Municipality, Eastern Cape.

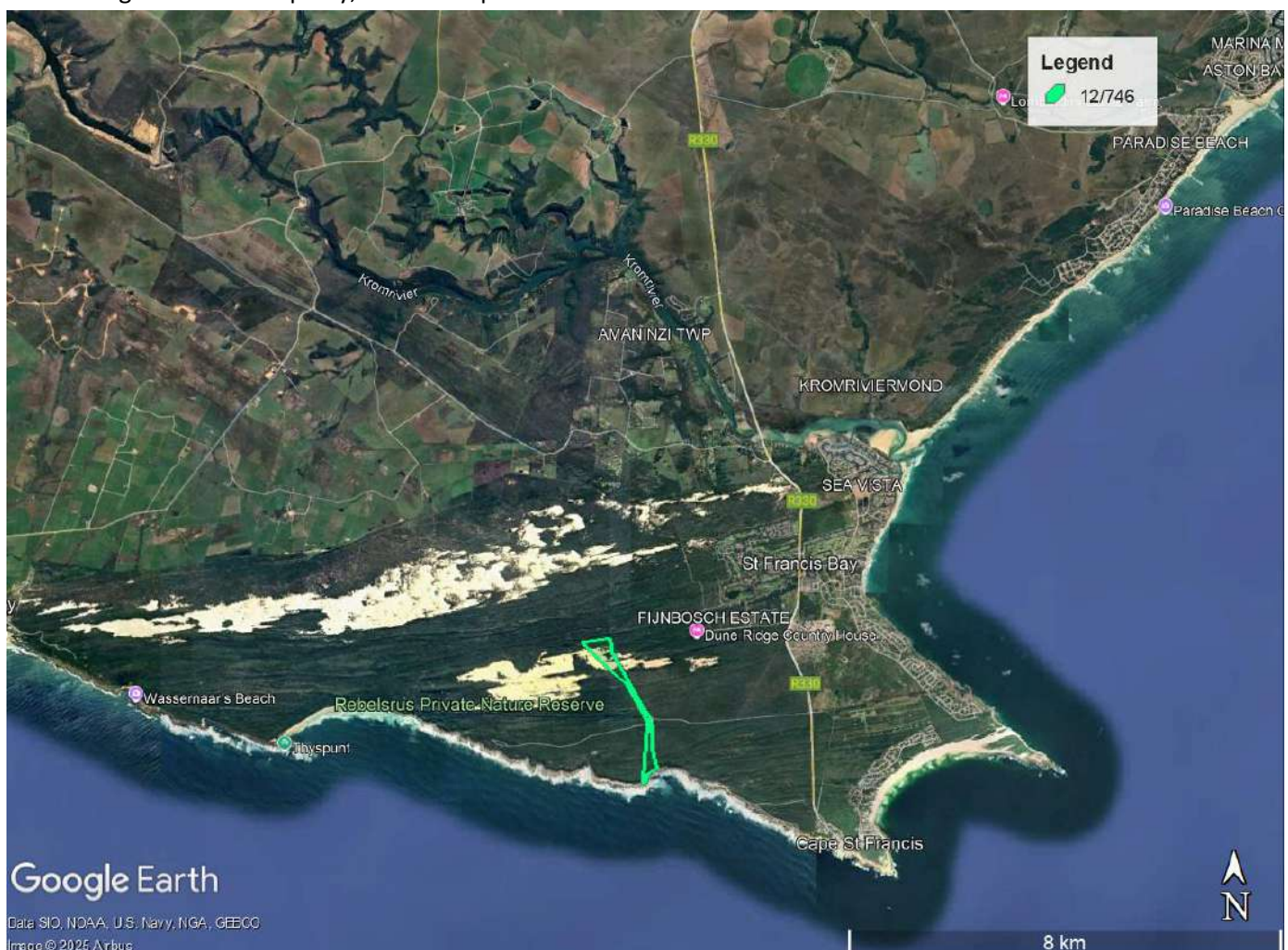


Figure 1: Location of Portion 12 of the Farm Ongegunde Vryheid No 746



Eco

ENVIRONMENTAL

REGISTRATION NO. 1998/031976/23

DR. COLLEEN EBERSOHN

PhD Univ. Pretoria

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email: ebersohn@cyberperk.co.za

MS. JANET EBERSOHN

BSc. Hons. Environmental Management

Cell: 082 557 7122

e-mail: janet@ecoroute.co.za

The Eastern Cape Department of Economic Development and Environmental Affairs and Tourism (DEDEAT) issued a notice of intention to issue a compliance notice to the landowner (Soundprops 1246 cc) on 23 October and 26 October 2024.

The notice was issued in terms of section 31L of the National Environmental Management Act, 1998 (Act 107 of 1998) as amended in respect of the commencement of activities on portion 12 of the Farm Ongegunde Vryheid No 746.

Listed activities in terms of the 2014 Environmental Impact assessment (EIA) regulations, as amended, 2017 included in the notice dated 23 October 2024:

LN 1 (GNR 327): Activity 19A

LN 1 (GNR 327): Activity 54

Listed activities in terms of the 2014 EIA regulations, as amended, 2017 included in the notice dated 26 October 2024:

LN 1 (GNR 327): Activity 54

LN 3 (GNR 324): Activity 5

Soundprops 1246 cc responded on 4 November 2024 to indicate that the intention is to apply to the DEDEAT for the regularization of unlawful commencement or continuation of listed activities in terms of Section 24G of the NEMA.

Purpose of the BID

The main purpose of this Background Information Document (BID) is to:

- Provide potential Interested and Affected Parties (IAPs) with information regarding the proposed development;
- Describe the environmental process being undertaken in terms of the NEMA and the EIA regulations, 2014, as amended
- Outline the 24G application process and the public participation process

Background

The property was purchased by the current landowner in 1993; two dwellings were in place at the time. Google Earth historical imagery (2005) shows two dwellings in place on the property. The south western dwelling has been used by the landowners as a private holiday residence; the north eastern dwelling consists of 5 rooms and an outside room; the 5 rooms can sleep 2 persons per room and have been rented to guests since ownership in 1993. The outside room is not rented. A maximum of 12 guests (10 adults; 2 children) have been permitted at the NE dwelling over the years. In about 2021 the owner refurbished and renovated the dwellings; the following activities took place:

- Rerouting of road (200m²) behind the NE dwelling, renovation of dwelling, putting in place a deck with a plunge pool (140m²) in the footprint of the old road
- Renovation of south western dwelling in the same development footprint.

The total development footprint of the two dwellings and road is approximately 1600m².

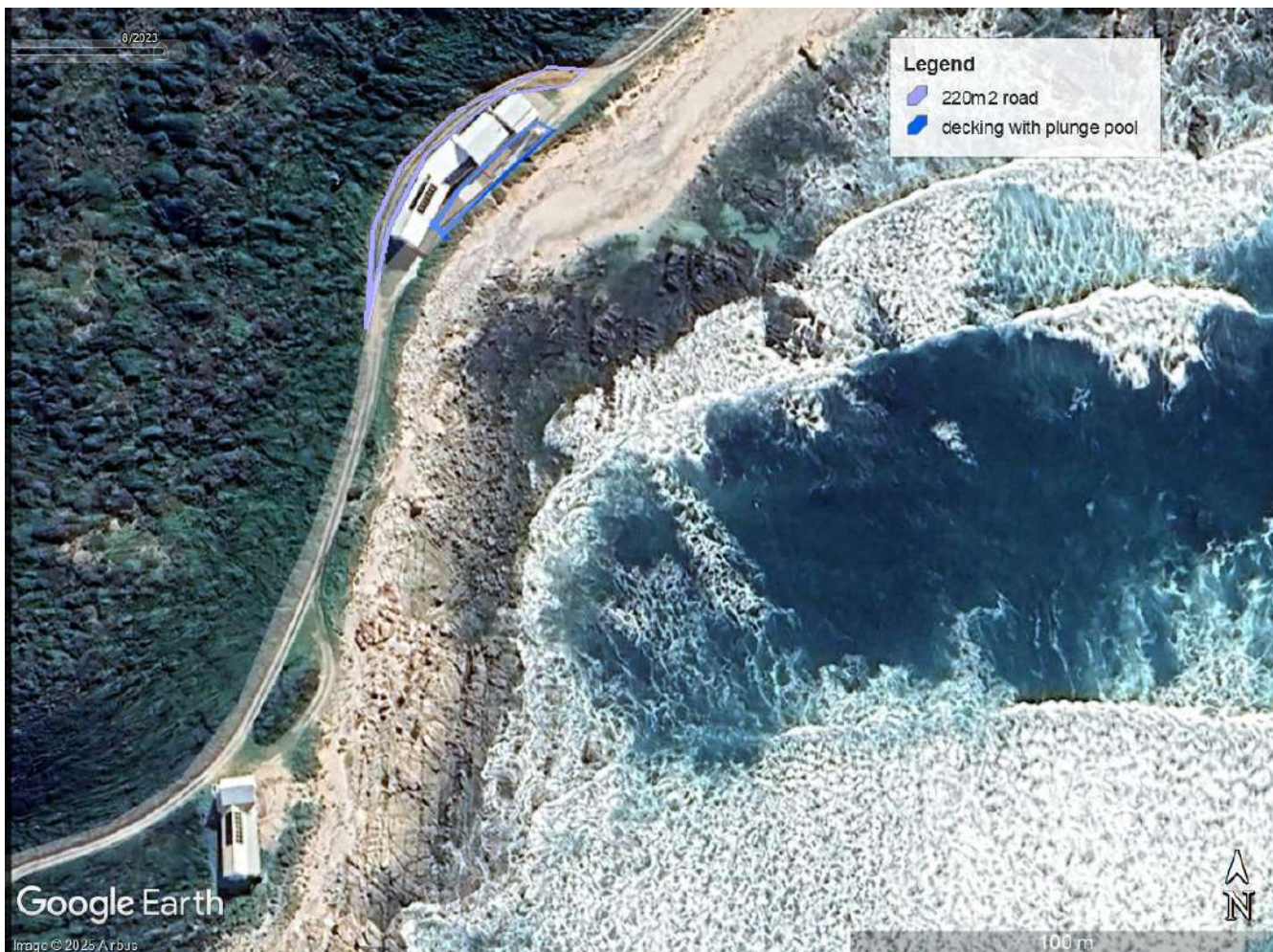


Figure 2: Activities carried out within 100 m of HWM; NE dwelling is rented to holiday makers; maximum 12 guest permitted; SW dwelling is used for private residential / holiday purposes.

Environmental Sensitivities

The following is applicable to the site:

- The National Freshwater Ecosystem Priority Areas map for the study area shows no wetland areas, minor streams or watercourses mapped within 100 meters of the site.
- In terms of the National Vegetation Map, 2018, vegetation on the property is mapped as St Francis Dune Thicket (AT57) (Ecosystem Status, 2022: *least concern*).
- The site is located within 5km of a Rebelsrus Private Nature Reserve (NEMPA: informal protected)
- In terms of the Eastern Cape Biodiversity Conservation Plan, 2019 (ECBCP) the site falls within a terrestrial Critical biodiversity area (CBA) 1.
- Both dwellings are located in close proximity to the High-Water Mark of the sea.



Figure 3: Vegetation types in terms of NatVEG Map, 2019



Figure 4: Site located within 5km of Rebelsrus Private Nature Reserve



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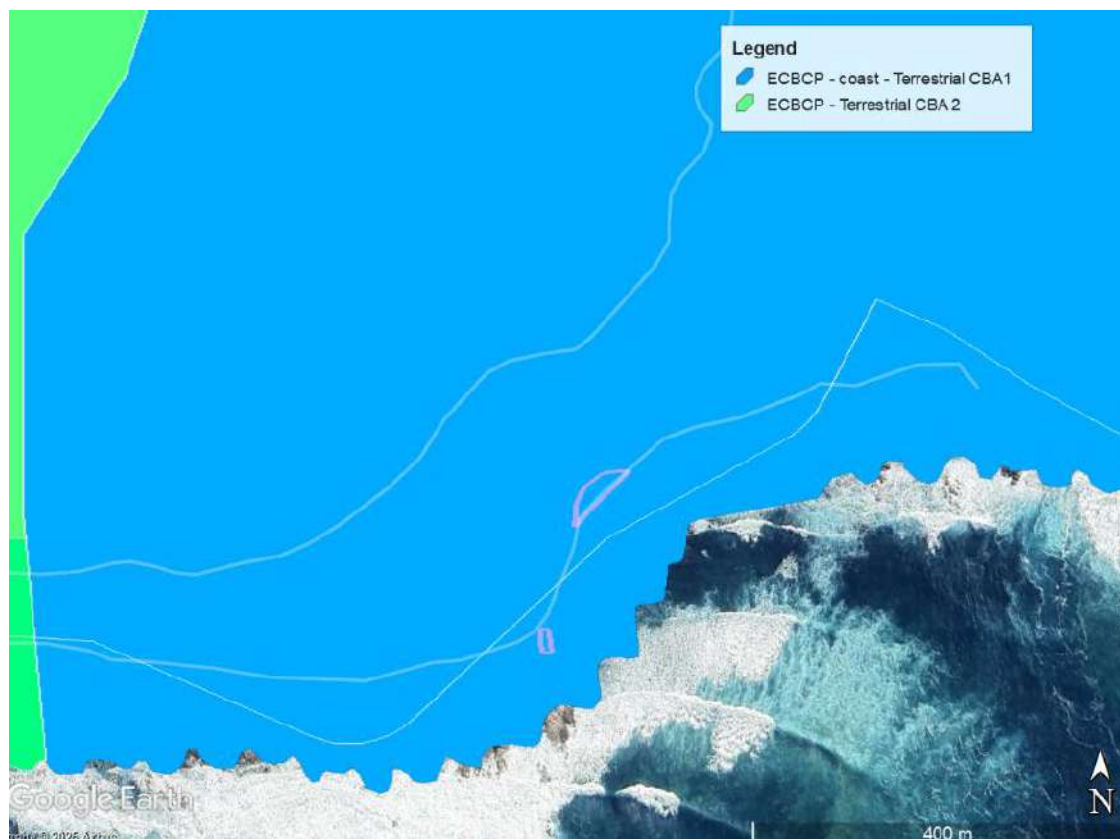
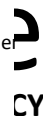
e-mail: janet@ecoroute.co.za

Figure 5: Site falls within terrestrial CBA 1 (ECBCP, 2019)

Legal Requirements - National Environmental Management Act (Act 107 of 1998)

The NEMA 2014 Environmental Impact Assessment (EIA) Regulations (as amended, 2017) sets out a list of identified activities that may not commence without environmental authorisation from the competent authority. The activities took place in 2021; an application for environmental authorisation will be submitted in terms of section 24G of the NEMA for the following NEMA EIA activities:

Listing Notice; Activity	Description of Listed activity	Description of development
Activity 19A LN 1 (GNR 327):	The infilling or depositing of any material of more than 5 cubic meters into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic meters from— (ii) the littoral active zone, an estuary or a distance of 100 meters inland of the high-water mark of the sea or an estuary, whichever distance is the greater; ...	 Renovations occurred within 100 meters of the HWM of the sea
Activity 54 LN 1 (GNR 327):	Commencing with: The expansion of facilities- (i)...; (ii)...; (iii)...; (iv)...; (v) if no development setback exists, within a distance of 100 meters inland of the high-water mark of the sea or an estuary,	Renovations occurred within 100 meters of the HWM of the sea



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	whichever is the greater; In respect of- (a)...; (b)...; (c)...; (d)...; (e) buildings where the building is expanded by 50 square meters or more; (f) infrastructure where the development footprint is expanded by 50 squares or more; but excluding- (aa)-(bb).	
LN 3 (GNR 324): Activity 5	The development of resorts, lodges, hotels and tourism or hospitality facilities that sleep less than 15 people. (d) In Eastern Cape: (ii) Outside urban areas, in: (bb) Areas seawards of the development setback line or within 1 kilometer from the high-water mark of the sea if no such development setback line is determined; or...	Renovations occurred within 100 meters of the HWM of the sea. NE dwelling is used as tourism / hospitality facilities that sleeps less than 15 people.

Screening Tool

A screening tool has been developed by the Department of Forestry, Fisheries and Environmental Affairs (DFFE). The Screening Tool identifies related exclusions and/ or specific requirements including specialist studies applicable to the proposed site and/or development, based on the national sector classification and the environmental sensitivity of the site. A screening report was generated for the proposed project; the sensitivities identified are provided below.

- | | |
|--|-----------------------|
| - Agricultural theme - | Medium Sensitivity |
| - Animal Species - | High Sensitivity |
| - Aquatic Biodiversity - | Low sensitivity |
| - Archaeological and Cultural Heritage - | Very High Sensitivity |
| - Paleontological - | Very High sensitivity |
| - Plant Species Assessment - | Medium sensitivity |
| - Terrestrial Biodiversity - | Very High Sensitivity |
| - Civil Aviation Assessment - | High sensitivity |
| - Defence theme - | Low sensitivity |



Specialist Studies

The following specialist studies will be carried out:

- Aquatic compliance statement
- Terrestrial Biodiversity Assessment including Flora and Fauna

Application Processes – NEMA Section 24 G

The following steps will be undertaken:

- Generation of screening tool report; complete
- Submission of Notice of Intent to apply for Environmental Authorisation to the competent authority (DEDEAT) (current)
- Public participation starts (**current**) and entails:



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- Identifying potential Interested and Affected Parties (IAPS) including landowners, adjacent landowners, relevant organs of state and stakeholders
- Notice of intent to apply for EA and 30-day registration by IAPS (Current) (27 March – 2 May 2025)
 - Placement of Site Notices at the site
 - Placement of advert in a local newspaper
 - Email notice and background information
- Maintain stakeholder database; keep record of comments received, responses provided, throughout the process
- Specialist studies, site verification, impact assessment and associated recommendations / mitigation / rehabilitation measures, Comments and Response Report
- Submission of draft S24G application for 30-day comment and review period
- Submit final S24G application to DEDEAT for decision making
- An Environmental Authorisation (EA) with conditions, may be issued to the applicant
- A copy of the EA is made available to all IAPs to consider, along with the reasons for the decision made. If you disagree with the decision, you are provided with information on how to lodge an appeal.

Public participation process

A vital part of the process is public consultation. The public participation process provides IAPs with an opportunity to gain an informed understanding of the activities through the review relevant reports and provides an opportunity for IAPS to comment on the activities and raise issues or concerns.

Notice is hereby given in terms of Regulation 41 of the NEMA EIA regulations that the landowner will be applying for an environmental authorisation from the DEDEAT for the regularization of activities which have commenced on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape st Francis.

A public participation process will be conducted according to Regulation 41 of the NEMA 2014 EIA Regulations (as amended, 2017). All interested and affected parties (IAPs) are encouraged to participate in the process. Register and submit initial comments as an IAP within 30 days of this notice

Registration: 27 March – 2 May 2025

Environmental Assessment Practitioner: Claire De Jongh (EAPASA Reg: 2021/3519)

Tel: 0846074743

Fax: 086 402 9562

Email: claire@ecoroute.co.za

Address: PO. Box 1252 Sedgfield 6573

Project related information will be made available via our website: www.ecoroute.co.za

Registered IAPs will be sent the draft S24G application report for a 30-day review and comment period. Thereafter the final S24G application will be submitted.

Jeremey Stobbs

claire@ecoroute.co.za

From: claire@ecoroute.co.za
Sent: Wednesday, 02 April 2025 08:55
To: 'jjstobbs@gmail.com'
Subject: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality
Attachments: BID - Ptn 12 Farm Ongegunde Vryheid No 746_27 March 2025.pdf

Hi Jeremy

Thank you for the phone call. I have registered you as an interested / affected party for this process.

The background information document is attached.

Kind regards
Claire



Claire De Jongh
Eco Route Environmental Consultancy
0846074743
EAPASA registration: **2021/3519**

claire@ecoroute.co.za

From: MJ Potgieter <mj.potgieter@navenergy.com>
To: claire@ecoroute.co.za
Sent: Tuesday, 22 April 2025 16:15
Subject: Read: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS

Your message

To: MJ Potgieter
Subject: RE: CONFIRMATION OF PARTICIPATION IN THE PUBLIC PARTICIPATION PROCESS - PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746 CAPE ST FRANCIS
Sent: Tuesday, April 22, 2025 3:44:55 AM (UTC-07:00) Mountain Time (US & Canada)
was read on Tuesday, April 22, 2025 8:15:20 AM (UTC-07:00) Mountain Time (US & Canada).

Pieter de Jongh

claire@ecoroute.co.za

From: claire@ecoroute.co.za
Sent: Monday, 07 April 2025 13:31
To: 'prop1@vodamail.co.za'
Subject: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality
Attachments: BID - Ptn 12 Farm Ongegunde Vryheid No 746_27 March 2025.pdf

Good day Pieter de Jongh

Thank you for the phone call. I have registered you as an interested / affected party for this process.

The background information document is attached.

Kindly submit your comments and concerns which you raised so they can be addressed in the process.

Thank you

Kind regards
Claire


Claire De Jongh
Eco Route Environmental Consultancy
0846074743
EAPASA registration: **2021/3519**

claire@ecoroute.co.za

From: Shena Ruth <sruth@kouga.gov.za>
Sent: Thursday, 03 July 2025 18:18
To: claire@ecoroute.co.za
Subject: RE: FW: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

Flag Status: Flagged

Thanks Claire. When will the Response Report and Appendices be out?



On 03 Jul 2025 at 17:33 +0200, claire@ecoroute.co.za <claire@ecoroute.co.za>, wrote:

You don't often get email from claire@ecoroute.co.za. [Learn why this is important](#)

Hi Shena

The full comments and response report will be provided with the S24G application and accompanying appendices for a 30-day review and comment period.

Kind Regards

Claire

From: Shena Ruth <sruth@kouga.gov.za>

Sent: Thursday, 03 July 2025 16:41

To: claire@ecoroute.co.za

Subject: Fwd: FW: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

Good afternoon Claire

Please can you provide me with documentation confirming receipt of the Sauer Comments as per email below.

Also, can you provide me with the full list of comments and responses for this application.

Many thanks

Regards

<image002.png>

----- Forwarded message -----

From: Jacqui Sauer <jacqui@itsnet.co.za>

Date: 03 Jul 2025 at 14:24 +0200

To: Shena Ruth <sruth@kouga.gov.za>, Lorraine Maree <lmaree@kouga.gov.za>

Cc: Jadri Hurter (jadri@eya-bantu.co.za) <jadri@eya-bantu.co.za>

Subject: FW: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

Hi Shena & Lorraine

Herewith the objection letter for the guest house in Mostert's Hoek. We have had no feedback from Claire from Ecoroute despite requesting it and no register of comments. We are concerned that any comments or objections are not going to be passed on to the powers that be.

I'm not sure you guys are the correct people to send it to. If not please could you forward to whom ever deals with it.

Kind regards

Jacqui

From: Jacqui Sauer **On Behalf Of** Jacqui Sauer

Sent: 02 May 2025 13:45

To: claire@ecoroute.co.za

Cc: 'Janet Ebersohn' <janet@ecoroute.co.za>; 'Admin' <admin@ecoroute.co.za>

Subject: RE: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

Afternoon Claire

Herewith our comments on your Bid document for 12/746

Please confirm receipt of the document

Kind regards

Jacqui

From: claire@ecoroute.co.za <claire@ecoroute.co.za>

Sent: 08 April 2025 16:33

To: jacqui@itsnet.co.za

Cc: 'Janet Ebersohn' <janet@ecoroute.co.za>; 'Admin' <admin@ecoroute.co.za>

Subject: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

Good day Jacqui

Thank you for the phone call this morning. I have registered you as an interested / affected party for this process.

The background information document is attached.

Kindly submit your comments and concerns which you may have so they can be addressed in the process.

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Claire De Jongh
Eco Route Environmental Consultancy
0846074743
EAPASA registration: **2021/3519**

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Flag Status: Flagged

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SHENA RUTH
MMC FINANCE & ECONOMIC DEVELOPMENT
PR COUNCILLOR

  
@kougamunicipality

 078 072 8598
 sruth@kouga.gov.za
 www.kouga.gov.za
 33 Da Gama Road | Jeffreys Bay | 6330


KOUGA
local municipality
Good Governance through Service Excellence

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Subject: DEDEAT Ref: SBROB#2021-05-21 - Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape St Francis Bay, Kouga Local Municipality

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Kind regards

Claire



Claire De Jongh
Eco Route Environmental Consultancy
0846074743
EAPASA registration: **2021/3519**

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**Activities carried out on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape st Francis****Kouga Local Municipality, Sarah Baartman District Municipality, Eastern Cape****DEDEAT reference: SBROB#2021-05-21**

Mr. Xolani Myanga Telephone:
021493 7060

E-mail: OCEIA@dffe.gov.za
XMyanga@dffe.gov.za

Reference: EDMS 273460

Date: 31 August 2026

Thank you for your engagement in the process. This document provides the responses to the comments and recommendations received from the Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) on the Draft NEMA Section 24G application and retrospective assessment carried out for the commencement and continuation of activities on Portion 12 of the Farm Ongegunde Vryheid No 746, Cape st Francis, St Francis Bay, Kouga Local Municipality, Eastern Cape province as per the National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA") and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICM Act"). Kindly find the responses provided in the table below.

COMMENT	EAP COMMENT / RESPONSE
Organs of state	
COMMENTS ON THE DRAFT SECTION 24 G APPLICATION FOR ACTIVITIES CARRIED OUT ON PORTION 12 OF THE FARM ONGEGUNDE VRYHEID NO 746, CAPE ST FRANCIS, KOUGA LOCAL MUNICIPALITY, SARAH BAARTMAN DISTRICT MUNICIPALITY, EASTERN CAPE	Noted
The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the Draft Section 24 G application in the subject of this letter. This Branch will provide comments based on the provisions of Section 24O (2) the National Environmental Management Act 107 of 1998 ("NEMA") and Section 5 of the National Environmental Management: Integrated Coastal Management Act 24 of 2008 ("ICM Act"). The Branch O&C has the mandate to ensure the holistic management of the coast, estuarine areas and maintenance of the coastal landscapes to realise that the development and use of natural resources are sustainable. The Branch further ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes. Based on the submitted Revised DBAR, the Branch O&C would like to submit the following comments for your consideration:	
1. The Branch notes that the development has been subjected to a Section 24G application in terms of NEMA.	Noted



COMMENT	EAP COMMENT / RESPONSE
Notwithstanding any decision taken in this regard, it must be emphasised that compliance with the ICM Act remains mandatory. Furthermore, the Section 24G process does not exempt or regularise non-compliance with the ICM Act.	
2. The ICM Act promotes sustainable use, protection, and rehabilitation of the coastal environment. While the report indicates low impacts, the retrospective nature of the application highlights non-compliance with integrated coastal planning principles. The applicant is advised to demonstrate alignment with Sections 48 and 63 of the ICM Act, particularly with respect to the avoidance of inappropriate development within the Coastal Protection Zone (CPZ) and protection of coastal processes.	The development constitutes a NEMA Section 24G application, and that operational activities and renovations were undertaken prior to obtaining Environmental Authorisation. The purpose of this application is to regularise the activity and ensure full compliance with all applicable environmental legislation, including the ICM Act. The development is located within 100 m of the High-Water Mark and therefore within the Coastal Protection Zone (CPZ). However, the following is noted: • The development was undertaken on existing, historically disturbed footprints, with no new greenfield encroachment into previously undisturbed coastal areas. • The expansion of the dwellings (approximately 445 m² combined) was directed away from the coastline and towards already transformed areas, thereby limiting further intrusion into the CPZ. • The re-routing of the access road behind the dwelling reduced disturbance within the more sensitive seaward portion of the site. • The surrounding area already contains existing coastal dwellings and low-density tourism/residential use, indicating an established land use context. Specialist inputs confirm that: • The affected footprint has low terrestrial biodiversity sensitivity due to historical disturbance; • No significant loss of intact coastal vegetation or critical habitat occurred; • The remainder of the property, including more sensitive dune and littoral areas, remains undisturbed and intact. Potential impacts on coastal processes, including erosion, storm surge dynamics, and shoreline stability, have been assessed in the impact assessment (Annexure M2). Key findings include: • The development is located landward of the active littoral zone, and no direct interference with coastal geomorphological processes has been identified; • No hard engineering structures (e.g. seawalls, revetments) were introduced that would alter sediment transport or wave dynamics;



Eco Route

ENVIRONMENTAL CONSULTANCY

REGISTRATION NO. 1998/031976/23

DR. COLLEEN EBERSOHN

PhD Univ. Pretoria

Cell: 072 222 6013

email: ebersohn@cyberperk.co.za

MS. JANET EBERSOHN

BSc. Hons. Environmental Management

Cell: 082 557 7122

e-mail: janet@ecoroute.co.za

COMMENT	EAP COMMENT / RESPONSE
	- Identified risks relate primarily to exposure of the structures to storm surge events, rather than alteration of coastal processes themselves; - Recommended mitigation measures include: - Maintaining natural vegetation buffers to prevent erosion; - Avoiding further disturbance within the seaward portion of the property; - Implementing strict access control (no informal pathways or beach driving); - Ongoing environmental management and monitoring. These measures have been incorporated into the EMPr and are considered adequate to ensure that coastal processes are not adversely affected. While the retrospective nature of the application is acknowledged as non-compliant with procedural requirements, the assessment demonstrates that: - The development avoided expansion into undisturbed CPZ areas as far as practicable; - No significant or irreversible impacts on coastal processes have occurred; - Appropriate mitigation and management measures are proposed to ensure ongoing compliance with the objectives of the ICM Act. The application seeks to regularise the development in a manner that aligns with integrated coastal management principles and ensures the long-term protection of the coastal environment.
Furthermore, the application is silent on whether any components of the proposed development—specifically the renovated structures, associated decking, and the rerouted access road—extend seaward of the High-Water Mark (HWM). The applicant is therefore requested to provide a surveyed confirmation (prepared by a suitably qualified professional) clearly demonstrating the position of all development components relative to the HWM. This confirmation must explicitly verify that no part of the development encroaches onto Coastal Public Property (CPP), as defined in terms of Sections 7 and 11 of the ICM Act.	Based on the site assessment and specialist inputs included in the application: - All development components, including the renovated dwellings, associated decking, and rerouted access road, are located landward of the High-Water Mark (HWM); - The development footprint is situated within an already historically disturbed area, associated with the original dwellings and access infrastructure; - No infrastructure was intentionally placed within the active littoral zone or in a manner that would constitute occupation of Coastal Public Property. - A survey (dated July 2026) was carried out following comments received from DFFE: Oceans and Coast. The survey is provided in Appendix M6 of the final application and attached to this response. The survey confirms that no component of the development extends seaward of the high-water mark and no encroachment onto coastal public property (as



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COMMENT	EAP COMMENT / RESPONSE
	defined in sections 7 and 11 of the ICMA) has occurred. The impact assessment confirms that the development is located in close proximity to, but not seaward of, the HWM, with impacts relating primarily to exposure (e.g. storm surge risk) rather than physical encroachment onto coastal public property . The applicant acknowledges that a surveyed confirmation is required to conclusively demonstrate compliance with Sections 7 and 11 of the National Environmental Management: Integrated Coastal Management Act (Act 24 of 2008). Accordingly: • Following your comment, a land surveyor was appointed to undertake a site survey to determine the following: ○ Delineate the High-Water Mark (HWM) in accordance with accepted methodologies; ○ Plot the exact positions of all development components (dwellings, decking, and access road); and ○ Clearly demonstrate the spatial relationship between the development and the HWM. • The survey output includes scaled plan and supporting confirmation, explicitly verifying whether: ○ The survey confirms that no component of the development extends seaward of the high-water mark ○ No encroachment onto coastal public property (as defined in sections 7 and 11 of the ICMA) has occurred. The survey is provided in Appendix M6 of the final application and attached to this response.
3. The report identifies activities occurring within 100 m of the HWM but does not indicate whether a development setback line has been determined for the area in terms of Section 25 of the ICM Act. The applicant is advised to confirm the presence or absence of a setback line; and demonstrate compliance with setback requirements or justify any encroachment.	A review of available spatial planning instruments and coastal management frameworks indicates that: • No formally gazetted coastal setback line has been identified for the specific site at Portion 12 of Farm Ongegunde Vryheid No. 746; and • In the absence of a gazetted setback line, the 100 m zone from the High-Water Mark (HWM) is used as a screening and regulatory trigger in terms of the EIA Regulations, rather than a fixed prohibition line. Kindly note: • The development is located within 100 m of the HWM, but has been confined to historically disturbed footprints, with expansions directed away from the shoreline;



COMMENT	EAP COMMENT / RESPONSE
	• No new development has extended into previously undisturbed coastal areas or the active littoral zone; • The impact assessment concludes that no significant impacts on coastal processes or coastal integrity are anticipated, with risks primarily relating to exposure (e.g. storm surge), rather than inappropriate siting; • A land surveyor was appointed to undertake a site survey and confirms that no component of the development extends seaward of the high-water mark and no encroachment onto coastal public property (as defined in sections 7 and 11 of the ICMA) has occurred. The survey is provided in Appendix M6 of the final application and attached to this response. • Mitigation measures are proposed to ensure protection of coastal processes and avoidance of further encroachment towards the seaward boundary. While no gazetted coastal setback line is applicable to the site, the development has been assessed in line with the intent of Section 25 of the ICM Act, and it is considered that: • The siting of the development does not conflict with the objectives of setback line provisions; and • No further encroachment towards the coast has taken place / is proposed.
4. The application acknowledges that the development is located in close proximity to the HWM and may be vulnerable to storm surges and dynamic coastal processes, including erosion and shoreline movement. In this regard, the applicant is advised to take cognisance of Section 15 of the ICM Act, which relates to measures to prevent or mitigate coastal erosion and associated risks; and Section 58 of the ICM Act, which empowers the competent authority to issue a directive for the removal or relocation of structures that are at risk due to dynamic coastal processes or that may contribute to coastal instability.	A review of available spatial planning instruments and coastal management frameworks indicates that: • No formally gazetted coastal setback line has been identified for the specific site at Portion 12 of Farm Ongegonde Vryheid No. 746; • In the absence of a gazetted setback line, the 100 m zone from the High-Water Mark (HWM) is used as a screening and regulatory trigger in terms of the EIA Regulations, rather than a fixed prohibition line. The following is noted: • The development is located within 100 m of the HWM, but has been confined to historically disturbed footprints, with expansions directed away from the shoreline • The siting of the development does not conflict with the objectives of setback line provisions • A land surveyor was appointed to undertake a site survey and confirms that no component of the development extends seaward of the high-water mark and no encroachment onto coastal



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COMMENT	EAP COMMENT / RESPONSE
	public property (as defined in sections 7 and 11 of the ICMA) has occurred. • The survey is provided in Appendix M6 of the final application and attached to this response • No new development has extended into previously undisturbed coastal areas or the active littoral zone • Significant impacts on coastal processes or coastal integrity are not anticipated, with risks primarily relating to exposure (e.g. storm surge) • Mitigation measures are proposed to ensure protection of coastal processes and prevent encroachment towards the seaward boundary.
5. The use of the beach and the historical access road, including the proposed rerouting thereof, may have implications for public access along the coastline. It is important to note that public access to coastal public property may not be restricted without appropriate authorisation in terms of the Integrated Coastal Management Act, 2008 (Act No. 24 of 2008). In this regard, the provisions of Section 18 (Right of public access to coastal public property) and, where applicable, Section 26 (Designation of coastal access land) of the ICM Act are applicable. The applicant is therefore advised to confirm whether the development, including the rerouting of the access road and use of the beach, has resulted or will result in any restriction of public access; demonstrate that no unlawful limitation or exclusion of public access to coastal public property has occurred or will occur during the operational phase; and provide confirmation that any required authorisation has been obtained, or will be obtained, should access be affected.	The development does not result in the unlawful limitation or exclusion of public access to coastal public property. Controlled access to private land is distinguished from public coastal access, which remains unaffected and in compliance with the provisions of Section 18 of the ICM Act. Public access to coastal public property will not be restricted during the operational phase. The applicant confirms that access to the broader property is controlled via a gate as part of a privately managed area. This access control applies to vehicular and formal entry to the property and is not intended to restrict public access to coastal public property. The controlled access point relates to private land management and does not extend to, or affect, coastal public property as defined in the ICM Act. The development has not resulted in any restriction of public access along the coastline or beach, and the shoreline remains accessible to the public. No infrastructure associated with the development (including decking, dwellings, or the rerouted access road) obstructs lateral movement along the beach or access to coastal public property. With regards to the rerouted access road: • The adjustment of the access alignment was undertaken to reduce environmental disturbance in more sensitive seaward areas; • The rerouting does not introduce any new barriers to public coastal access and is considered to improve protection of the coastal environment. Should any future management measures have the potential to affect public access, the applicant will engage with the relevant authority and obtain any required authorisation in terms of the ICM Act.
6. Figures 11 and 12 of the application indicate vehicular access traversing the beach across Portions 41, 42, and 1/746. The 2005 aerial imagery clearly reflects this access, with the 2023 imagery suggesting that such use may still persist. The applicant is requested to confirm whether this beach access route is currently in use. Should it still be operational, further clarity is required on how vehicular movement is being managed in compliance with the	Vehicular access to the property is obtained via a controlled access point through a private gate, after which the route historically extends toward the coastline and, in part, makes use of the beach to access the coastal dwellings. This access arrangement reflects a longstanding, legacy access pattern, as evidenced in



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Control of Vehicles in the Coastal Area Regulations (GN R1399 of 2001, as amended).	historical aerial imagery (2005), and appears to have persisted over time. Vehicular use of the beach falls within the scope of the Control of Vehicles in the Coastal Area Regulations (GN R1399 of 2001, as amended by GN R 496 of 2014), and that such use requires appropriate authorisation. No formal authorisation for vehicular use of the beach has been confirmed as part of this application. The current use is limited in scale and associated primarily with access to existing dwellings, rather than general or recreational beach driving. The land portion (and surrounding area) is constrained by steep topography and intact thicket vegetation inland, and the creation of a new formal access road through these areas would likely result in significant environmental impacts, including vegetation fragmentation, habitat disturbance, and increased erosion risk. The existing access arrangement therefore reflects a historical balance between access requirements and environmental constraints. Mitigation management measures contained within the EMP include, <i>inter alia</i>: ○ Limiting vehicular movement strictly to existing access route ○ No offroad driving ○ Prohibiting recreational driving on the beach; The applicant commits to engaging with the competent authority to ensure that the access arrangement is appropriately managed and aligned with applicable legislation, while also considering the environmental sensitivities of alternative access options. Control of Vehicles in the Coastal Area Regulations (GN R1399 of 2001, as amended by GN R 496 of 2014): <i>4. Permits to use vehicles in coastal area</i> <i>(1) A permit to use a vehicle in the coastal area may be issued by the Minister for the purposes of</i> <i>(d) accessing private property provided there is no reasonable alternative access to the property;</i>
7. The report acknowledges that the dwellings are located in close proximity to the HWM and are vulnerable to storm surge events. This raises concerns regarding coastal hazard risk and long-term sustainability of the development. The applicant is advised to demonstrate that the development does not exacerbate erosion, inundation, or coastal instability risks.	The dwellings are located in relatively close proximity to the HWM and may be exposed to coastal hazards, including storm surge events and extreme wave conditions. However, it is important to distinguish between: • Risk to the development (receptors); and • Impacts of the development on coastal processes, dune dynamics, and shoreline stability.
8. The placement of infrastructure (including decking and road realignment) within a littoral active zone and dune environment requires careful consideration. Although impacts are described as low, the report must ensure that natural coastal processes (e.g. sediment movement, dune dynamics) are not disrupted. Any stabilisation or modification of dunes or exposed sand surfaces may trigger additional provisions under the ICM Act and EIA Regulations.	Based on the findings of the impact assessment: • The development is located landward of the active littoral zone, and no infrastructure has



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	been placed within areas that actively drive coastal geomorphological processes; • The works were undertaken on existing, historically disturbed footprints, with no significant expansion into previously undisturbed dune or coastal areas; • No hard engineering structures (e.g. seawalls, revetments, gabions, or retaining structures) have been installed that would interfere with sediment transport, wave action, or shoreline movement; • No infrastructure has been constructed in a manner that interrupts natural sediment movement or dune dynamics; • No deliberate stabilisation, reshaping, or artificial modification of dunes or exposed sand surfaces has been undertaken; • Existing dune and littoral vegetation outside of the immediate disturbed footprint remains intact and functional, contributing to natural stabilisation processes. • The rerouting of the access road behind the dwelling has reduced disturbance within more sensitive seaward areas. The development is subject to coastal hazard risk due to its proximity to the HWM, however, it is not deemed to exacerbate coastal erosion, inundation, or instability, or disrupt natural dune dynamics or sediment movement processes. The primary risk is to the development itself, and not to the functioning of the coastal system. Impacts on coastal processes, including dune dynamics and sediment movement, are low to negligible, provided that mitigation measures are implemented. The development is therefore considered to be consistent with the protection of coastal processes and dune environments, subject to the implementation of recommended mitigation and management measures. To ensure the continued protection of coastal processes and dune environments, the following measures are proposed: • Retention and protection of natural dune vegetation; • Avoidance of further development or disturbance toward the seaward boundary; • Restriction of access to defined routes to prevent informal trampling or destabilisation of dunes; • Implementation of appropriate stormwater and erosion control measures; • Adoption of soft management approaches (e.g. rehabilitation using indigenous vegetation) where minor disturbance has occurred.



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	The applicant acknowledges that any future stabilisation or modification of dunes, if required, may trigger additional provisions under the ICM Act and EIA Regulations, and commits to obtaining the necessary authorisations prior to undertaking such activities.
9. The screening table on page 5 of the application reflects the Archaeological and Cultural Heritage component as "Waiting". Accordingly, the application cannot be properly assessed or considered in the absence of a finalised Archaeological and Cultural Heritage assessment.	This is an error. A heritage assessment (C Booth, 2026) has been carried out (Refer to Appendix M2) and the theme is verified as low sensitivity for this development. The NEMA S24G application and assessment has been updated accordingly. <i>The alterations has resulted in some clearing of natural vegetation elements, however it is unlikely that more than 300 m2 of natural vegetation was cleared. The entire activity has taken place within an area that was previously disturbed by the historical seaside dwelling. . Two eroded and exposed cuttings in front of both Dwelling 1 and Dwelling 2 yielded accumulations of marine shells associated with the rocky coastline. The marine shells identified include a variety of Scutellastra sp., most likely Perna perna (brown mussel), Turbo sarmaticus (aliekrekel / ollycrock), Oxystele sinensis (pink-lipped topshell) and other marine shells, that could possibly be associated as being archaeological shell midden material. No other artefactual or organic, faunal, material was noted to occur in the cutting.</i> <i>The renovations and extensions to the two dwellings and the rerouted portion of access road have been completed and is currently part of a S24G application process. No further construction activities will be undertaken. No further recommendations or mitigation is required.</i>
10. The site is located within a relatively undeveloped coastal landscape that includes existing dwellings. The Branch notes that incremental expansions of individual properties may, over time, contribute to the cumulative degradation of coastal ecosystems. This concern is particularly relevant in the context of the proposed declaration of the Mostertshoek Nature Reserve, as illustrated in Figure 9. The figure depicts eight (8) adjacent portions, collectively covering approximately 137 hectares, which are currently under consideration for declaration in terms of the National Environmental Management: Protected Areas Act (NEMPAA). This represents a clear and site-specific precedent that underscores the conservation importance of the broader area. The development must therefore be assessed within the context of this emerging protected area network, as it may undermine the ecological integrity, conservation objectives, and long-term management of the envisaged reserve. Accordingly, the cumulative impacts are likely to be of greater significance than currently reflected and require a more robust and precautionary evaluation.	The applicant acknowledges the high conservation importance of the broader coastal area, including the potential declaration of the Mostertshoek Nature Reserve in terms of the National Environmental Management: Protected Areas Act (Act 57 of 2003) (NEMPAA). The need to consider cumulative impacts and adopt a precautionary approach is supported. The landowner has expressed an intention to pursue conservation-oriented land use for the broader property (the farm portion is an estimated 46 ha in extent), including the potential rezoning to a conservation or compatible land use category. While this process is not currently being undertaken as part of the broader Mostertshoek Nature Reserve application, it reflects a long-term alignment with conservation objectives for the area. No further expansion beyond the currently developed footprint is proposed. The property is therefore likely to remain low-density and conservation-oriented in the long term and the development is not expected to undermine the ecological integrity or management objectives of the envisaged protected area network. All works are confined to previously disturbed and historically developed footprints, with no expansion into



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	intact or sensitive natural areas beyond these footprints; there has been no new development or greenfield transformation. The majority of the property (46 ha), including intact coastal vegetation and dune systems, remains undisturbed and available for conservation purposes. The scale and footprint of the development are small and localised, and do not result in fragmentation of larger intact habitat areas. The development does not compromise the ecological connectivity or conservation objectives of the broader area, including land potentially earmarked for inclusion in the proposed reserve. The development has been assessed within the context of the broader coastal landscape and emerging conservation initiatives. Due to its limited scale, location within historically disturbed areas, and alignment with long-term conservation intent, it is not considered to result in significant cumulative impacts or to undermine the ecological integrity or conservation objectives associated with the proposed Mostertshoek Nature Reserve. Any future development proposals will be subject to the applicable environmental assessment processes and consideration of cumulative impacts.
11. The applicant is reminded that, in light of the prolonged duration of the unauthorised activity (since 1997), the sensitivity of the receiving coastal environment, and the potential cumulative impacts associated with the development, the competent authority may impose an administrative fine in terms of Section 24G (4) of NEMA.	The development constitutes a Section 24G application for the rectification of unlawful commencement of listed activities and the competent authority may impose an administrative fine, taking into account factors such as the duration of the activity, the sensitivity of the receiving environment, and cumulative impacts. The applicant confirms their understanding of the provisions of Section 24G and will comply with any determination made by the competent authority in this regard.
Based on the above, the Branch supports the granting of Environmental Authorisation for the Section 24G application, provided that all the above conditions have been considered and all applicable legislative requirements are met.	The support for the granting of Environmental Authorisation for the Section 24G application, subject to the consideration of the above comments and compliance with applicable legislative requirements, is noted and appreciated. The applicant confirms that all comments raised by the Department have been carefully considered and addressed within this Comments and Responses Report, and that the proposed mitigation and management measures have been incorporated into the Environmental Management Programme (EMPr), where applicable. The applicant remains committed to ensuring that the development complies with all relevant environmental legislation, including the National Environmental Management Act, 1998 (Act 107 of 1998), and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008).



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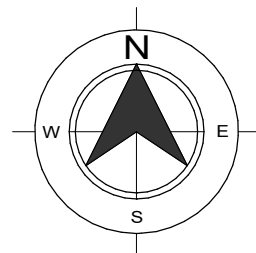
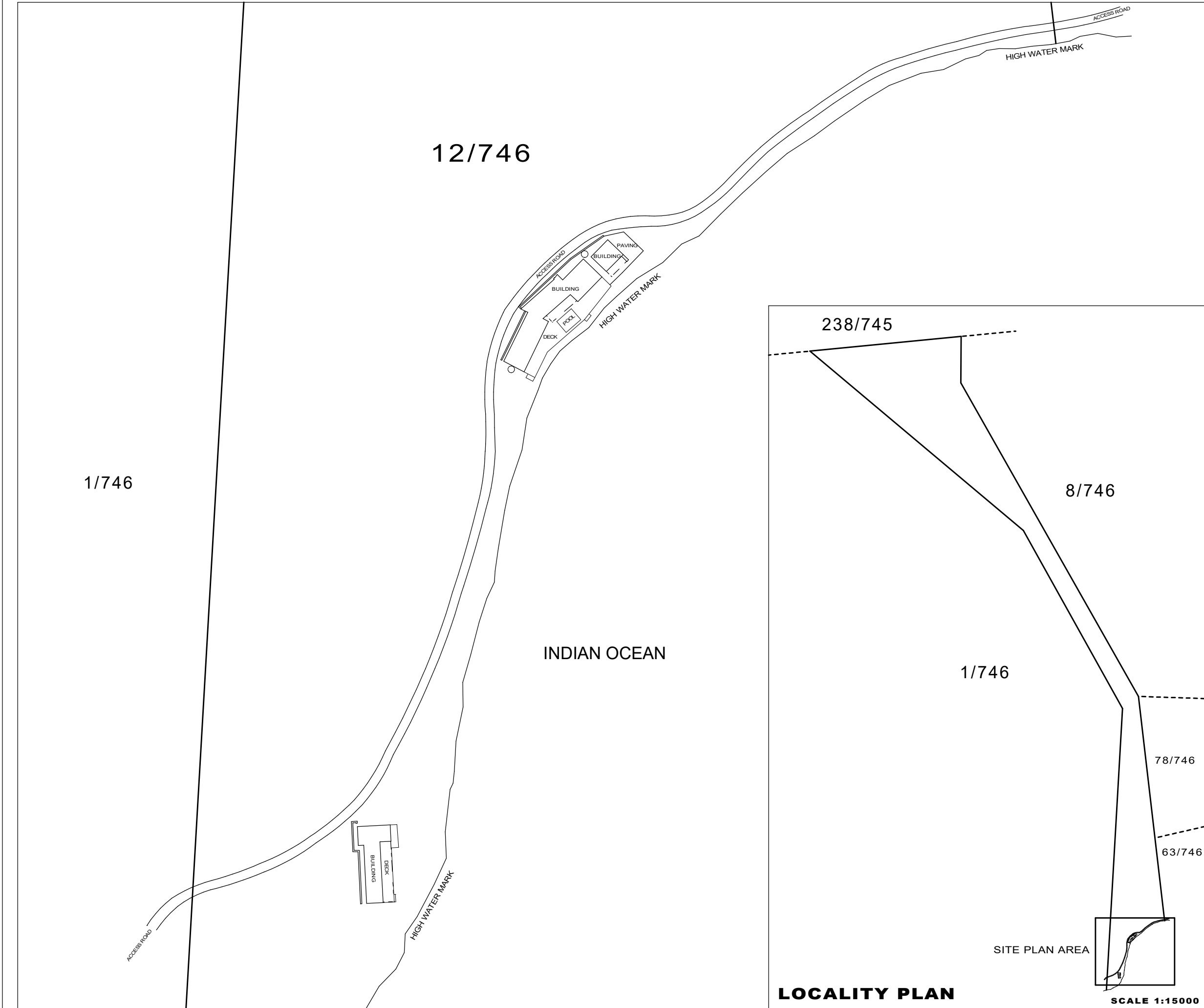
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Kindly note that the Branch has not reviewed the draft EMP in detail and therefore reserves its comments on the adequacy thereof. The Branch also reserves the right to revise its comments based on new or additional information received. All correspondence, documentation, and / or requests (hard copy and an electronic copy) should be submitted to our office via email to OCEAIA@dffe.gov.za / or Physical address: Department of Forestry, fisheries & the Environment (DFFE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001	Noted



- NOTES
1. NO COMPONENT OF THE DEVELOPMENT EXTENDS SEAWARD OF THE HIGH WATER MARK
 2. NO ENCROACHMENT ONTO COASTAL PUBLIC PROPERTY (AS DEFINED IN SECTIONS 7 AND 11 OF THE ICM ACT) HAS OCCURRED

SURVEY CERTIFIED BY ME

Deon Lategan

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PROJECT DESCRIPTION	
SITE PLAN	
PROPERTY DESCRIPTION	
PORTION 12 OF FARM 746 ONGEGUNDE VRYHEID SITUATE IN THE KOUGA MUNICIPALITY AND ADMINISTRATIVE DISTRICT OF HUMANSDORP	
CLIENT	
SOUNDPROPS 1246 CC	
PLAN NUMBER	
12_746_SP_AE19	
SCALE	DATE
1: 1000	JULY 2026