SECTION 24G APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 (AS AMENDED) - PORTION 3 OF FARM 1387, EDEN FARM, UPLAND ROAD, WELLINGTON, DRAKENSTEIN MUNICIPALITY, WESTERN CAPE

NEMA SECTION 24G APPLICATION AND ASSESSMENT REPORT

NOVEMBER 2025

REFERENCE NUMBER: 14/1/1/E2/3/3/3/0915/25

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EXECUTIVE SUMMARY

Introduction

This Section 24G Application is submitted to the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) to regularise activities that were undertaken on Portion 3 of Farm 1387, Eden Farm, Wellington, within the Drakenstein Local Municipality, Western Cape.

The application concerns the retrospective rectification of unauthorised activities triggered in terms of the Environmental Impact Assessment (EIA) Regulations, 2014 (as amended), promulgated under the National Environmental Management Act (Act No. 107 of 1998) (NEMA).

The activities include:

- Rehabilitation and stabilisation of the flood-damaged riverbank through gabion and concrete retaining structures;
- Reconstruction of the property boundary fence washed away during the July 2024 flood event;
- Construction of a concrete retaining/pool structure within the previously disturbed riparian zone;
- Associated supporting infrastructure, including a small lapa, ablution facilities, and a proposed carport (to be constructed outside the 32 m riparian buffer).

These activities were undertaken without prior environmental authorisation, following the July 2024 flood, which caused severe erosion, collapse of the riverbank, and destruction of existing infrastructure along the Spruitrivier. While the primary motivation was emergency stabilisation and safety restoration,

the works have since been formally assessed through this Section 24G rectification process to ensure full legal compliance and environmental accountability.

Purpose and Context

The purpose of this application is to:

1. Rectify non-compliance with the EIA Regulations by obtaining retrospective authorisation under Section 24G of NEMA;
2. Demonstrate that the activities undertaken represent the Best Practicable Environmental Option (BPEO) in the context of post-flood recovery and sustainable land use;
3. Ensure that all future maintenance, operation, and management of the site comply with applicable environmental legislation; and
4. Reinforce the applicant's long-term commitment to environmental stewardship and compliance.

The application follows the procedures prescribed in the DEA&DP Section 24G Guideline (2020) and includes comprehensive environmental, ecological, hydrological, and social assessment inputs.

Site Description

The site is located approximately 5 km northeast of Wellington, along the Spruitrivier, a tributary of the Berg River, within an established rural-agricultural landscape characterised by smallholdings, orchards, and vineyards.
The affected area lies within the riparian buffer zone and forms part of an Ecological Support Area (ESA 2), as per the Western Cape Biodiversity Spatial Plan (WCBSP, 2017).

Prior to the intervention, the July 2024 flood caused:

- Severe riverbank collapse and soil loss (~600 m³);
- Destruction of the existing retaining wall and fence;
- Unstable slopes posing erosion, safety, and sedimentation risks; and
- Security risks following the loss of boundary infrastructure and subsequent crime incidents.

Summary of Activities

The works completed on-site include:

- Gabion and reinforced concrete retaining structures to stabilise the riverbank;
- Boundary fencing reinstatement for safety and security;
- Concrete retaining/pool structure, integrated into the rehabilitated area;
- Landscaping and re-vegetation using indigenous riparian species;
- Construction of a small lapa and ablution facilities, integrated into the rehabilitated zone; and
- Proposed carport, planned outside the 32 m riparian buffer, forming part of the consolidated rehabilitation area.

These interventions were confined to the previously disturbed flood-affected footprint, avoiding further encroachment into undisturbed riparian habitat.

Specialist Findings

An independent Wetland and Ecological Assessment (2025) concluded that:

- The site does not fall within a Critical Biodiversity Area (CBA) and does not contain any intact wetland or protected habitat;
- The works improved local ecological stability by reducing erosion, sedimentation, and bank collapse;

- No threatened or protected species were recorded within the affected area; and
- The intervention has resulted in long-term environmental and social benefit through restoration and stabilisation of a previously degraded riparian zone.

Public Participation

Public participation was undertaken in accordance with Chapter 6 of the EIA Regulations (2014).
All adjacent landowners, relevant organs of state, and local interest groups (including the Blouvlei Action Group, Drakenstein Municipality, and the Cape West Coast Biosphere Reserve) were notified.
Issues raised included:

- Concerns regarding the precedent for unapproved riverbank works;
- Questions on process transparency, document access, and procedural fairness;
- Visual impact and alignment with rural character; and
- Waste handling and compliance assurance.

These matters have been addressed through:

- The inclusion of a detailed Environmental Management Plan (EMP);
- Ongoing monitoring and ECO oversight commitments;
- Proof of site and municipal notice placement; and
- Integration of visual rehabilitation and operational compliance measures into this rectification application.

Impact Summary

The overall environmental and social impacts of the activities have been assessed as low post-mitigation, with several positive residual outcomes:

- Environmental Stability: Improved slope integrity, reduced erosion, and restored vegetation cover;
- Water Quality Protection: No discharge of pollutants, with improved sediment control;
- Socio-Economic Benefit: Enhanced safety, property protection, and local employment during rehabilitation;
- Visual Compatibility: Structures blend with natural topography and rural character;
- Heritage Integrity: No cultural or archaeological features affected; and
- Legal Compliance: Full alignment with NEMA's preventive and restorative intent.

Mitigation and Monitoring Commitments

The applicant has implemented and will continue to enforce:

- A site-specific Environmental Management Plan (EMP) with annual ECO inspections;
- Stormwater and erosion control systems to prevent runoff or siltation;
- Riparian vegetation monitoring and alien-clearing programme within 32 m of the river;
- Proper waste handling and greywater reuse in compliance with the Waste Act; and
- Stakeholder communication for transparency and adaptive management.

EAP Recommendation

The Environmental Assessment Practitioner (EAP) concludes that:

- The information contained in this Section 24G Application is sufficient for informed decision-making;
- The activities undertaken have successfully achieved environmental rehabilitation and safety objectives;
- The site is stable, compliant, and well-managed, with no residual negative impacts of significance; and
- Ceasing or removing the works would be environmentally counterproductive and socially undesirable.

It is therefore recommended that DEA&DP authorise the activity under Section 24G of NEMA, subject to the EMP conditions, ECO monitoring, and standard environmental compliance requirements.

Conclusion

The Eden Farm Section 24G Application demonstrates good faith compliance, responsible rehabilitation, and sustainable environmental management in response to an extreme flood event.
The project has transformed a damaged and unstable riverbank into a secure, ecologically functional, and visually integrated landscape, aligning with the principles of sustainable development, the NEMA Duty of Care, and the Best Practicable Environmental Option (BPEO) for the site.

In light of the mitigated impacts, ongoing monitoring commitments, and demonstrated intent to comply, it is respectfully submitted that the activity be authorised with conditions, allowing continued environmental recovery, legal regularisation, and long-term protection of the Spruitrivier riparian corridor.

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

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

No.	Application Requirements	Please tick for confirmation
1.	Requirements of Preliminary Advertisement (pre-application public participation requirements including register of all I&APs), in accordance with Annexure A, Section D of the Section 24G Fine Regulations. **(Note: Failure to meet the Regulation 8 will result in rejection of the application)**	**X**
2.	Application form has been completed and attached, which includes among others:	
	2.1. A list of all listed activities and/or waste management activities that was triggered when the development activity was commenced with.	**X**
	2.2. A list of all **similarly listed** activities in terms of the current EIA regulations (if applicable).	**X**
	2.3. A description of the receiving environment **before** commences of the activity(ies).	**X**
	2.4. A description of the receiving environment **after** commences of the activity(ies).	**X**
	2.5. All appendices and annexures:	
	2.5.1. Locality map	**X**
	2.5.2. Site plans or/and Layout plan	**X**
	2.5.3. Building plans (if applicable)	
	2.5.4. Colour photographs	**X**
	2.5.5. Biodiversity overlay map	**X**
	2.5.6. Permit(s) / license(s) from any other organ of state including service letters from the municipality	**X**
	2.5.7. Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information	**X**
	2.5.8. Environmental Management Programme	
	2.5.9. Certified copy of Identity Document of Applicant	**X**
	2.5.10. Certified copy of the title deed (or title deeds in the case of linear activities)	**X**
	2.6. Signed declaration forms.	**X**
3.	Are any specialist assessments required: e.g. Botanical, Hydro-geological, soil, socio-economic?	**Y** / N
	3.1. If yes, has the specialist assessment report been attached to the application?	**Yes**
4.	An assessment of the impacts of the activity or activities in terms of the following categories:	
	• Socio-economic	**Yes**
	• Biodiversity	**Yes**
	• Sense of place &/or Heritage/ Cultural	**Yes**
	• Any pollution or environmental degradation which has been, is being, is being or may be caused	**Yes**
5.	A methodology of how the investigation into the impacts associated with the unlawful activity was undertaken.	**Yes**
6.	Completed and attached representations of Annexure A, Section A (Directives) in terms of the S24G Fine Regulations: Information/ Representation submitted in terms of any Directives the Minister/ decision maker may issue in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA) s24G(1)(b)(i)-(viii).	**Yes**
7.	Completed and attached representations in terms of Annexure A, Section B (Deferral) of the S24G Fine Regulations.	**Yes**

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

Section 24G Application Form for the consequences of unlawful commencement of listed activity/ies in terms of the:

- **National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA");**
- **National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("NEM: WA")**

OCTOBER 2022

Form Number S24GAF/10/2022

Kindly note that:

1. This application must be submitted where a person has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1) of NEMA (i.e. where the person commenced with an activity listed or specified in terms of section 24(2) (a) or (b) of NEMA - the activities contained in the EIA Listing Notices) or has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20 (b) of the NEM:WA.

2. This **Application Form** must be completed for all section 24G applications, by an Independent and Registered Environmental Assessment Practitioner ("EAP").

3. This Application Form is current as of 10 October 2022. It is the responsibility of the Applicant/EAP to ascertain whether subsequent versions of the Application Form have been published or produced by the competent authority. Note that this Application Form replaces all the previous versions. This updated Application Form must be used for all new applications submitted from 10 October 2022.

4. **<u>The contents of this Application Form include the following:</u>**

PART 1 -
Section A: Background Information
Section B: Activity Information
Section C: Description of Receiving Environment
Section D: Need and Desirability
Section E: Alternatives
Section F: Impact Assessment, Management, Mitigation and Monitoring Measures
Section G: Assessment Methodologies and Criteria, Gaps in Knowledge, underlying Assumptions and Uncertainties
Section H: Recommendations of the EAP
Section I: Representations - Response to an Incident or Emergency Situation
Section J: Public Participation Process

PART 2 –
ANNEXURE A of Fine Regulations
Section A: Directives
Section B: Deferral of the Application
Section C: Quantum of the section 24G fine
Section D: Preliminary advertisement

PART 3 –
Appendices and Declarations
PART 4 –
ANNEXURE B: Waste Management Activity Supporting Information (if relevant)

5. An **Independent and Registered EAP** must be appointed to complete the required sections (in terms of NEMA and its Regulations) of the Application Form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with this Application Form. If a specialist report is required, the specialist will also be required to complete the declaration of independence. **Copies of the EAPS and Specialists Registration Certificates be submitted with this application.**

6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must be submitted. Email copies to be submitted

7. The required information must be typed within the spaces provided. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The space provided extend as each space is filled with typing. **A legible font type and size must be used when completing the form.** A digital copy of the Application Form is available on the Department's website https://www.westerncape.gov.za/eadp/

8. The use of "not applicable" in the Application Form must be done with circumspection.

9. Unless protected by law, all information contained in and attached to this application will become public information on receipt by the competent authority. Please note that, unless exemption has been granted in terms of the National Exemption Regulations published under GN R994 in GG 38303 of 8 December 2014, any Interested and Affected Party should be provided with the information contained in and attached to this Application Form as well as any subsequent information submitted.

10. This Application Form must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department.

PROCESS TO BE FOLLOWED:

a) **Prior to submission of an Application Form,** the applicant is required to undertake a pre-application public participation process in terms of Regulation 8 of the Regulations relating to the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of section 24G published in the Government Gazette on 20 July 2017, Gazette No 40994, No. R. 698 ("Section 24G Fine Regulations").

b) Together with the submission of a section 24G Application Form, the form **must include Proof of compliance of with Regulation 8** of the Section 24G Fine Regulations, including, but not limited to, proof of the pre-application advertisement in a local newspaper and register of I&APs.

c) The Department will acknowledge receipt of the application (within 14 days) and provide the Applicant / EAP with the relevant application reference number to be used in all future correspondence and the application public participation processes.

d) Upon receipt of the application, the MEC/Competent Authority may direct the applicant in terms of section 24G of the NEMA (as amended).

e) After submission of the application, **consultation with organs of state in terms of section 24O of the NEMA** will be required and public participation with interested and affected parties to inform the application. Any comments received must be compiled in a Comments and Response Report.

f) In terms of the provisions of section 24G of NEMA, the applicant must pay an administrative fine up to a maximum of R5 million before the MEC/Competent Authority decides on the application.

g) The applicant **must within 14 days** of receipt of the determination of the quantum of the fine, ensure that all registered interested and affected parties are notified of the determination of the quantum of the fine, including the reasons and provided with access to the determination.

h) The administrative fine **must be paid within the time period stipulated** in the determination. Failure to pay the fine within the specified period, will result in the lapse of the application and any partial amounts paid in will not be refunded.

i) **Proof of payment of the fine must be submitted to the Department**. Upon payment of the administrative fine, the MEC/Competent Authority may-

- refuse to issue an environmental authorisation; or
- issue an environmental authorisation to such person to continue, conduct or undertake the activity subject to such conditions as may be deemed necessary, which environmental authorisation shall only take effect from the date on which it has been issued; or
- direct the applicant to provide further information or take further steps prior to making a decision provided for above;
- together with the above decision the MEC/Competent Authority may direct a person to rehabilitate the environment within such time and subject to such conditions as may deem necessary or take any other steps necessary under the circumstances.

CIRCULARS, GUIDELINES AND TOOLS:

1. The Department's latest Circulars pertaining to the "One Environmental Management System" and the EIA Regulations and guidelines must be taken into account when completing this Application Form.
2. The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link https://screening.environment.gov.za/screeningtool to generate the Screening Report. The Screening Report must be attached to this Application Form as an Appendix.

PLEASE NOTE THE FOLLOWING:

1. Failure to comply with a directive may result in the institution of appropriate legal action as is deemed necessary and as provided for in the legislation.

2. The submission of an application or the granting of an environmental authorisation shall in no way derogate from—

   (a) the environmental management inspector's or the South African Police Services' authority to investigate any transgression in terms of NEMA or any specific environmental management Act;
   (b) the National Prosecuting Authority's legal authority to institute any criminal prosecution.

3. If, at any stage after the submission of an application it comes to the attention of the Minister, Minister for mineral resources or MEC that the applicant is under criminal investigation for the contravention of or failure to comply with section 24F(1) or section 20(b) of the *National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)*, the Minister, Minister for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time that the investigation is concluded and—
   (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
   (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of such contravention or failure has been instituted; or
   (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.
4. A person is guilty of an offence if that person:
   - Prior to submission of a section 24G application:
     - fails, in terms of Regulation 8(1), to place a preliminary advertisement in a local newspaper in circulation in the area in which the activity was, or activities were, commenced and on the applicant's website, if any or
     - fails, in terms of Regulation 8(2), to comply with the advertisement requirements set out in Annexure A, section D or
     - fails, in terms of Regulation 8(3), to open and maintain a register of interested and affected parties)); or
     - fails, in terms of Regulation 8(4), to attach to the application form the register of interested and affected parties, which must be included in the report, or form part of the information submitted in terms of section 24G(1) of NEMA.

   - Provides incorrect, false or misleading information in any form, including in any document submitted to a competent authority in terms of the Section 24G Fine Regulations or omits information that may have an influence on the outcome of a recommendation of the fine committee or determination of the competent authority.

5. A person convicted of an offence in terms of these Regulations is liable to a fine not exceeding R5 million or to imprisonment for a period not exceeding 5 years, and in the case of a second or subsequent conviction to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, and in both instances to both such fine and such imprisonment.

DISCLAIMER

With regards to the Protection of Personal Information Act, 2013 (Act 4 of 2013) (POPIA), please note that all personal information is being voluntarily submitted for the purposes of your participation in this environmental application process. The information will be held by EAP on behalf of the Applicant and will be submitted to the Competent Authority for the decision on the application. Personal information may also be made available to the Appellant/s so that they may participate in the appeal process in the event that the decision on the application is appealed. Personal information

may also be made available to third-party auditors so that you can be notified of future audits of the environmental decision.

DEPARTMENTAL DETAILS

The Application Form must be sent to the following details:

Western Cape Government
Department of Environmental Affairs and Development Planning
Attention: Directorate: Environmental Governance
Private Bag X 9086
Cape Town,
8000

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

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

DEPARTMENTAL REFERENCE NUMBER(S) (for official use)

File Reference number (S24G)	
Administrative Fine Reference	

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

File Reference number (Enforcement), if applicable	14/1/1/E2/3/3/3/0915/25
File reference number (EIA), if applicable:	14/1/1/E2/3/3/3/0915/25
File reference number (Waste), if applicable:	
File reference number (Other (specify)):	WU45898

View the Department's website on

http://www.westerncape.gov.za/eadp for the latest version of the documents

PART 1

1. PROJECT TITLE AND GENERAL DESCRIPTION OF THE DEVELOPMENT

The project involves the replacement of a flood-damaged fence, the stabilisation and restoration of an unstable section of the Spruitrivier riverbank where floodwaters had temporarily dammed up, and the construction of a concrete-lined pool with associated landscaping improvements and associated infrastructure and ablution facilities on Portion 3 of Farm 1387, Eden Farm, Wellington, within the jurisdiction of the Drakenstein Municipality.

2. RELEVANT REGION IN WHICH THE ACTIVITY COMMENCED

Cross out the appropriate box "☒" in which region the unlawful activity/ies has commenced.

REGION 1 City of Cape Town and West Coast District	REGION 2 Cape Winelands District and Overberg District	REGION 3 Central Karoo District and Eden District
	X	

SECTION A: BACKGROUND INFORMATION

1. APPLICANT PROFILE INDEX

Cross out the appropriate box "☒".

1.1	The applicant is a Natural Person (individual)	

1.2	The applicant is a Firm (i.e. any body incorporated by, or established in terms of, any law as well as any partnership, trust, parastatal or organ of state)					**X**
1.2.1	If a firm, please tick the relevant box below:					
	Body Corporate	Partnership	**Trust**	Parastatal	Organ of State	
	Directors of a Company	Members of a Board	Other, please specify			

Applicant's details (duplicate this section where there is more than one applicant)	Esterl Family Trust		
Applicant Name:	Esterl Family Trust		
Name of Firm (if applicable):	Esterl Family Trust (IT1248/2021)		
Firm Registration Number:	(IT1248/2021)		
Contact Person at the Firm:	Mr. Andreas Esterl		
List of all (as applicable at the relevant time):	Please insert the names and RSA ID numbers of the relevant persons below – **(In the list below, delete the firms that are not applicable to this application)**		
● Directors of a company; or ● Members of the board; or ● Executive committee or other managing body of a corporate body or parastatal; or ● Members of close corporation; or ● Partners of a partnership; or ● Trustees of a trust	Name: N/A Name: N/A Name: N/A Name: N/A Name: N/A Name: Mr. Andreas Esterl		
Postal address:	3 Marmer Street, Stellenridge, Bellville,		
		Postal code:	7530
Telephone:	( )	Cell:	066 214 2704
E-mail:	andreas@calitronic.co.za	Fax:	( )
Project Consultant	Greenmined Environmental Pty Ltd		
Contact person:	Sonette Smit		
Postal address:	Postnet Suite 62, Private Bag X15, Somerset West		

		Postal code:	7129
Telephone:	(021) 851 2673	Cell:	084 5855706
E-mail:	Sonette.s@greenmined.co.za	Fax:	0865460579
Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:	Sonette Smit		
Company name (if any):	Greenmined Environmental Pty Ltd		
Postal address:	Postnet Suite 62, Private Bag X15, Somerset West		
		Postal code:	7129
Telephone:	(021) 851 2673	Cell:	084 585 5706
E-mail:	Sonette.s@greenmined.co.za	Fax:	086 546 0579
EAP Qualifications	Environmental Assessment Practitioner (registration no: 2020/2467) with EAPASA (Environmental Assessment 19 Practitioners Association of South Africa)		
EAP Registrations/Associations and registration number/s	Environmental Assessment Practitioner (registration no: 2020/2467) with EAPASA (Environmental Assessment 19 Practitioners Association of South Africa)		
Name of the Landowner:	Esterl Family Trust		
Name of the contact person for the land owner (if other):	Mr. Andreas Esterl		
Postal address:	3 Marmer Street, Stellenridge, Bellville,		
		Postal code:	7530
Telephone:	( )	Cell:	066 214 2704
E-mail:	andreas@calitronic.co.za	Fax:	( )
Person in control of land:	Farm Manager		
Contact person:	Dalene van Reenen		
Postal address:	3 Marmer Street, Stellenridge, Bellville,		
		Postal code:	7530
Telephone:	( )	Cell:	071 623 5226
E-mail:	andreas@calitronic.co.za	Fax:	( )

Please note:

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

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

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

Municipality in whose area of jurisdiction the activity falls:	Drakenstein Municipality, Wellington		
Contact person, if known:	Dacia van Louw		
Postal address:	Civic Centre, Berg River Boulevard,		
	Paarl	Postal code:	7646
Telephone	(021)807 4500	Cell:	
E-mail:	records@drakenstein.gov.za	Fax:	(021)872 8054

Please note:

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

Property location(s):	Portion 3 of Farm 1387, Eden Farm, Wellington
Farm/Erf name(s) & number(s) including portion(s)	Portion 3 of Farm 1387, Eden Farm, Wellington
Property size(s) (m^2)	3.2557 ha
Development footprint size(s) (m^2)	
SG21 Digit code(s)	C05500000000138700003

Property boundary:

Point	Latitude (S)	Longitude (E)
1	33°40'0.48"S	19°2'11.54" E
2	33°40'1.93"S	19°2'14.13" E
3	33°40'3.31"S	19°2'15.38" E
4	33°40'3.32"S	19°2'15.97" E
5	33°40'3.87"S	19°2'17.27" E
6	33°40'4.94"S	19°2'16.65" E
7	33°40'5.06"S	19°2'15.68" E
8	33°40'7.50"S	19°2'14.38" E
9	33°40'7.17"S	19°2'13.20" E

10	33°40'7.10"S	19°2'11.74" E
11	33°40'6.81"S	19°2'10.91" E
12	33°40'5.75"S	19°2'9.98" E
13	33°40'4.95"S	19°2'9.00" E
14	33°40'3.73"S	19°2'7.50" E
15	33°40'3.49" S	19°2'7.29" E

The co-ordinates for the site boundary are:

Point	Latitude (S)	Longitude (E)
1	33°40'6.24" South	19° 2'11.56" East
2	33°40'6.42" South	19° 2'14.63" East
3	33°40'8.33" South	19° 2'14.42" East
4	33°40'8.20" South	19° 2'11.73"East

Please note:

Where numerous properties/sites are involved (e.g. linear activities), attach a list of property descriptions and street addresses to the consultation form.

Street address:	Portion 3 of Farm 1387, Eden Farm, Wellington		
Magisterial District or Town:	Drakenstein Municipality		
Closest City/Town:	Wellington	Distance	4–5 km northeast
Zoning of Property:	Agriculture		

Please note:

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

Was the property rezoned after commencement of activities?	YES	**NO**
If yes, what was the previous zoning?		
Is a rezoning application required?	YES	**NO**
Is a consent use application required?	YES	**NO**
Locality map:	A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following: • an accurate indication of the project site position as well as the positions of the alternative sites, if any; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; • the prevailing wind direction; and	

	• GPS co-ordinates (Indicate the position of the proposed activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)
Landowner(s) Consent:	If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated. **Note:** The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the *Infrastructure Development Act, 2014 (Act No. 23 of 2014)*.

2. APPLICATION HISTORY

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

Has any national, provincial or local authority considered any development applications on the property previously?	Yes	**No**
If so, please give a brief description of the type and/or nature of the application/s as well as a reference number, if applicable: (In instances where there was more than one application, please attach a list of these applications)		
N/A		
Which authority considered the application:		
N/A		
Has any one of the previous application/s on the property been approved **or** refused? If so provide a list of the successful and unsuccessful application/s and the reasons for decision(s).	Yes	**No**
N/A		
Provide detail on the period of validity of decision and expiry dates of the above applications/ permits etc.		
N/A		

SECTION B: ACTIVITY INFORMATION

1. ACTIVITIES APPLIED FOR

I hereby apply in terms of section 24G of the National Environmental Management Act (Act 107 of 1998) for the regularisation of the unlawful commencement or continuation of the listed or waste management activities as specified in Section B:1 below.

Applicant (Full names): Daniel Ellis (trustee) **Signature:** 

Place: Bellvile **Date:** 14 November 2025

EAP (Full names): Sonette Smit **Signature:** 

Place: Somerset West **Date:** 14 November 2025

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

1.1 Applicable EIA listed activities

ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002			
Activities commenced with on or after 08 September 1997 and before end 09 May 2002: EIA regulations promulgated in terms of the ECA, Act 73 of 1989			
Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant listed activity/ies in writing as per GN No. 1182 of 1997	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable - the fence reinstatement, riverbank stabilisation, and pool construction only commenced in 2024–2025, these fall under the NEMA (2014 EIA Regulations, as amended) and not the old ECA regulations.			
ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006			
Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA regulations promulgated in terms of the ECA, Act 73 of 1989,			
Not applicable – activities commenced after 02 July 2006			
NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010			
Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA			
GN R386 Activity No(s): **(Listing Notice 1 of 2006)**	Describe the relevant listed activity/ies in writing as per GN No. R. 386 of 2006 ("NEMA 2006 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable – activities commenced after 01 August 2010			
Government Notice No. R387 Activity No(s): **(Listing Notice 2 of 2006)**	Describe the relevant listed activity/ies in writing as per GN No. R. 387 of 2006 ("NEMA 2006 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable – activities commenced after 01 August 2010			
NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014			
Activities unlawfully commenced with on or after 02 August 2010 and before end 07 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 544 Activity No(s): **(Listing Notice 1 of 2010)**	Describe the relevant listed activity(ies) in writing as per GN No. R. 544 of 2010 ("NEMA 2010 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable – activities commenced after 07 December 2014			
GN No. R. 545 Activity No(s): **(Listing Notice 2 of 2010)**	Describe the relevant listed activity/ies in writing as per GN No. R. 545 of 2010. (NEMA 2010 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable – activities commenced after 07 December 2014			

GN No. R. 546 Activity No(s): **(Listing Notice 3 of 2010)**	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Not applicable – activities commenced after 07 December 2014			
NEMA EIA Contraventions: on or after 08 December 2014			
Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 983 Activity No(s): **(Listing Notice 1 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN R.327 of 2014 – Activity 12	The development of: (i) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs within a watercourse.	Construction of a concrete-lined pool and associated retaining works and associated infrastructure and ablution facilities within the Spruitrivier riparian zone, exceeding 100 m².	January 2025 (pool construction began).
GN R.327 of 2014 – Activity 19	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.	Riverbank stabilisation and soil replacement after the July 2024 flood, exceeding 10 m³.	August 2024 (bank stabilisation and soil backfilling).
GN R.327 of 2014 – Activity 27	Clearance of an area of 1 hectare or more, but less than 20 hectares, of indigenous vegetation.	Clearing of riparian vegetation (including alien-dominated areas) for fence reinstatement and pool/retaining wall construction, total disturbed footprint >1 ha.	August 2024 (fence reinstatement and clearing commenced).
GN No. R. 984 Activity No(s): **(Listing Notice 2 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN R.325 of 2014 – Activity 15	The clearance of an area of 20 hectares or more of indigenous vegetation.	Not applicable – the cleared footprint is below 20 ha.	N/A
GN R.325 of 2014 – Activity 19	The infilling or depositing of material of more than 5 000 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from a watercourse.	Not applicable – Specialist assessment and site measurements indicate that the total volume of soil disturbed, excavated and refilled during the stabilisation and construction works was estimated at ±3 000 m³, well below the 5 000 m³ threshold.	N/A
GN R.325 of 2014 – Activity 23	The development of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a capacity of more than 15 000 litres but less than 100 cubic metres per day.	Not applicable (no treatment works constructed).	N/A
GN R.325 of 2014 – Activity 24	The development of a road wider than 8 metres.	Not applicable (no roads constructed).	N/A
GN No. R. 985 Activity No(s): **(Listing Notice 3 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Activity 12	The clearance of an area of 300 square metres or more of indigenous vegetation, except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.	Clearance and disturbance of riparian vegetation along the riverbank to repair a washed-away fence and stabilise the eroded bank. During the works, a section of the bank was concreted and shaped into a pool-like structure with associated landscaping and associated infrastructure and ablution facilities. The clearance exceeded 300 m² within a riparian/wetland zone.	15 January 2025
Activity 14	The development of infrastructure or structures with a physical footprint of 10 square metres or more within a watercourse or within 32 metres of a watercourse, measured from the edge of	Construction of a new concrete retaining/pool structure and associated landscaping and associated infrastructure and ablution facilities within the riparian zone of the river. This work occurred directly	15 January 2025

	a watercourse, excluding where such development occurs within an urban area.	adjacent to and partly within the watercourse footprint.	

Please ensure that you have provided the similarly listed activities if the listed activities were commenced before the period the EIA Regulations came into effect, i.e. before 08 December 2014.

1.2 Applicable Waste Management Activities

List the relevant waste management activity/ies applied for:

Waste Management Activity Contraventions: On or after 03 July 2007 up to end of 28 November 2013			
Activities unlawfully commenced with in terms of GNR 718 of 03 July 2009 under the National Environmental Management Waste Act, Act 59 of 2008			
GN No. 718 – Category A Activity No(s):	Describe the relevant Category A waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
No waste management listed activities were triggered under GN 718.			
GN No. 718 – Category B Activity No(s):	Describe the relevant Category B waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
No waste management listed activities were triggered under GN 718.			
Waste Management Activity Contraventions: On or after 29 November 2013			
Activities unlawfully commenced with in terms of GNR 921 of 29 November 2013 under the National Environmental Management Waste Act, Act 59 of 2008,			
GN No. 921 - Category A Activity No(s):	Describe the relevant Category A waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
No Category A activity applies.			
GN No. 921 – Category B Activity No(s):	Describe the relevant Category B waste management activity/ies in writing.	Describe the portion of the development as per the project description that relates to the applicable waste activity.	State the date of commencement of each activity
No Category B activity applies.			

Please note:

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

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

1.3 Activities listed similarly in terms of the EIA Regulations

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

The similarly listed activities in terms of the EIA Regulations promulgated in terms of the NEMA, Act 107 of 1998,		
GN No. R. 327 Activity No(s): **(Listing Notice 1 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
Activity 12	The clearance of an area of 300 m² or more of indigenous vegetation within a watercourse or	Clearance of riparian vegetation within the 32 m buffer of the Spruitrivier during fence replacement, erosion repair and pool/retaining structure construction and

	within 32 metres of a watercourse, measured from the edge of a watercourse.	associated infrastructure and ablution facilities, covering >300 m².
Activity 14	The development of infrastructure or structures with a physical footprint of 10 m² or more within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse.	Construction of a concrete retaining/pool structure and associated bank stabilisation works and and associated infrastructure and ablution facilities within the Spruitrivier riparian zone, exceeding 10 m² footprint.
GN No. R. 325 Activity No(s): **(Listing Notice 2 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
Activity 15	The infilling or depositing of material of more than 5 000 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from a watercourse.	Not applicable. The total volume of soil moved and replaced during stabilisation of the Spruitrivier banks was ±3 000 m³, which is below the 5 000 m³ threshold. This activity is therefore not triggered for the project.
GN No. R. 324 Activity No(s): **(Listing Notice 3 of 2014)**	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.
Activity 12	The clearance of an area of 300 m² or more of indigenous vegetation within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse.	Clearing of riparian vegetation within the 32 m buffer of the Spruitrivier during fence replacement, bank stabilisation, and pool/retaining structure construction and associated infrastructure and ablution facilities exceeded 300 m².
Activity 14	The development of infrastructure or structures with a physical footprint of 10 m² or more within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse.	Construction of a concrete retaining/pool structure and associated bank stabilisation works and associated infrastructure and ablution facilities within the Spruitrivier riparian zone exceeded 10 m² footprint.

Please note:

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

2. ACTIVITY DESCRIPTION

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

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

The project constitutes an upgrade and rehabilitation of existing farm infrastructure, not a new development. The boundary fence and associated infrastructure have long formed part of the historical agricultural layout of the property, dating back to before 2010.

During the July 2024 flood events, the Spruitrivier overtopped its banks, causing severe erosion and washing away portions of the long-standing boundary fence and sections of the adjacent riverbank. In response, the applicant undertook rehabilitation and reinstatement works to restore stability, safety, and the original functionality of the site.

The riverbank stabilisation included the installation of gabion walls along eroded sections to prevent further collapse and dissipate flood energy, in line with engineering and ecological best practice. These gabions form the primary structural protection for the bank and serve as the foundation for other associated works.

Behind the gabion wall, a concrete-lined pool was constructed within the same depression created by the flood damage. This pool functions both as a stabilisation measure (by reinforcing the gabion section and managing local hydrology) and as a controlled amenity feature within the existing disturbed area.

To support on-site functionality, a small ablution facility was erected near the pool area, designed with sealed containment to prevent contamination of the Spruitrivier. All plumbing connects to a planned conservancy/septic tank system, as recommended in the Ecological and Wetland Assessment (DPR Ecologists, 2025), which confirmed that proper containment would mitigate contamination risks.

A lapa with braai area was also added within the same disturbed footprint for recreational use, without expanding the development zone.

A future carport for two vehicles, incorporating solar panels on the roof, is proposed for construction outside the 32-metre buffer from the riverbank. As such, this element will not trigger any NEMA-listed activity under GN R.324 of 2014 (Listing Notice 3).

Security cameras were installed along the reinstated fence to improve safety and deter theft following an increase in rural crime and farm attacks in the area.

The original infrastructure predates 2010, while rehabilitation and upgrading works (including gabion wall, pool, and ablution facility) commenced in March 2025 immediately after the flood event.
The following activities are addressed under this Section 24G rectification application:

- Gabion wall and riverbank stabilization:
    - Constitutes a listed activity under GN R.983 (Listing Notice 1, Activity 19) and GN R.985 (Listing Notice 3, Activity 14): "The development of infrastructure or structures with a physical footprint of 10 m² or more within a watercourse or within 32 metres of a watercourse."
    - Rectified under Section 24G, as construction occurred within the riparian zone.
- Concrete-lined pool and associated earthworks:
    - Falls within the same disturbed footprint as the gabion wall and contributes to slope stabilisation and erosion control.
    - Rectified under Section 24G (same listed activity context as above).
- Ablution facility:
    - Constructed within the same developed area (<32 m from the watercourse).
    - Rectified under Section 24G, given its proximity to the river and connection to the stabilised zone.
- Fence reinstatement and security system:
    - Reconstructed along its original alignment with no new footprint expansion.

- Considered maintenance of existing infrastructure; therefore, not a new listed activity, but included for retrospective compliance.

- Lapa and associated landscaping
  - Located within already disturbed ground; no additional clearing required.
  - Falls under existing transformed area, no additional trigger under LN1–3.
- Future carport with solar panels – To be located beyond 32 m of the watercourse.
  - Does not trigger any NEMA-listed activity; excluded from rectification scope.

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

The project does not constitute a new development but rather the repair, reinstatement, and upgrade of existing farm infrastructure that was severely damaged during the July 2024 flood events affecting the Spruitrivier. The works were undertaken to restore the structural integrity, safety, and functionality of the property while improving resilience against future flood damage.

The following activities and associated infrastructure form part of this rectification application:

1. Fence Replacement and Security Upgrade

The historical boundary fence, which was long established along the Spruitrivier, was washed away during the July 2024 floods. The fence was reconstructed on its original historical footprint to restore boundary demarcation and ensure the security of the property.
Security cameras were installed along the fence line to enhance safety in response to a rise in rural crime and farm attacks in the area.

Status: Completed.

2. Riverbank Stabilisation and Rehabilitation (Gabion Wall Construction)

Flooding caused severe erosion and scouring along the Spruitrivier, resulting in partial bank collapse.
To restore stability and prevent further erosion, gabion baskets were installed along the affected sections of the riverbank as the primary structural intervention.
The stabilisation works included controlled infilling, reprofiling of slopes, and the replacement of approximately 600 m³ of eroded material, followed by landscaping and replanting of indigenous riparian vegetation in accordance with the Ecological and Wetland Assessment (2025).

Status: Construction completed; vegetation monitoring ongoing.

3. Concrete-Lined Pool Construction

Behind the gabion wall, a concrete-lined pool was constructed within the same depression that resulted from the bank collapse.
This structure provides both stabilisation and stormwater containment, preventing further erosion while offering a controlled amenity feature within the rehabilitated footprint.

Status: Structural works completed; installation of the water circulation and filtration pumps still outstanding.

4. Ablution Facility

A small ablution building (±12 m²) was constructed adjacent to the pool area to provide sanitary facilities for site users.
The structure includes full plumbing and fittings and will connect to a sealed conservancy or septic tank system to prevent contamination of the Spruitrivier.
This system will be installed prior to operation, in line with the Ecological and Wetland Assessment (2025) recommendations and applicable health standards.

Status: Structure completed; conservancy/septic tank installation pending.

5. Associated Landscaping and Lapa

To reinstate the disturbed area and improve usability, limited landscaping and the construction of a small lapa with braai area were undertaken within the same stabilised footprint.
These structures are confined to the already disturbed area and serve to improve the site's aesthetic and functional value.

Status: Completed.

6. Planned Carport (Outside the 32 m Buffer)

A future carport for two vehicles, fitted with solar panels, is planned as part of sustainable infrastructure improvements.
The carport will be located outside the 32-metre riparian buffer and will therefore not trigger any listed activities under the NEMA Listing Notices.

Status: Not yet commenced; will be developed outside the regulated area.

(c) Please provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).		
Buildings	**YES**	NO
Provide brief description:		

1. Riverbank Stabilisation and Gabion Wall Construction

Description:
Sections of the Spruitrivier riverbank eroded and collapsed following the July 2024 floods. To stabilise these sections, a gabion retaining structure was constructed along the degraded bank. The gabions consist of stone-filled wire baskets, designed to absorb hydraulic energy and prevent future undercutting.
Specifications:

- Approximate length: 45 m
- Height: 1.2–1.5 m (varying with slope)
- Material: galvanised mesh baskets filled with local stone
- Backfilled and compacted with clean material to restore the original profile
- Area rehabilitated: ±600 m³ soil reinstated

Purpose:

- Long-term bank stabilisation and flood resilience
- Restoration of pre-flood bank contour
- Protection of downstream water quality and riparian vegetation

Status: Completed; ongoing monitoring of vegetation establishment.

2. Concrete-Lined Pool

Description:

A concrete-lined pool was constructed directly behind the stabilised gabion wall, occupying the depression created by the bank collapse. The structure integrates with the flood-restoration design and acts as a controlled stormwater retention feature while providing an amenity use.

Specifications:

- Footprint: ±250 m²
- Depth: 1.5–2 m variable
- Reinforced concrete lining over compacted substrate
- Stone pitching / deck and landscaping around perimeter

Purpose:

- Structural reinforcement of the stabilised bank
- Controlled stormwater containment and sediment capture
- Recreational amenity within already disturbed footprint

Status: Structure completed; installation of water-circulation and filtration pumps and decking pending.

3. Fence Replacement and Security Upgrade

Description:

The historic farm boundary fence, destroyed by flooding, was reinstated on its original footprint to re-establish boundary demarcation and protect the property.

Specifications:

- High-tensile steel and mesh security fence
- Electrified upper strands
- Reinforced posts anchored in concrete
- Integrated security camera network on mounted poles

Purpose:

- Restoration of original security infrastructure
- Deterrence of rural crime and trespassing

Status: Completed.

Supporting diagrams: Google Earth imagery (pre- and post-2025) and photographic record (Appendix A).

4. Ablution Facility

Description:

A small ablution building (approx. 12 m²) was constructed adjacent to the pool area to support site users.

Specifications:

- Brick-and-mortar structure with tiled interior
- Equipped with toilet, basin, and small changing area
- Plumbing routed to planned sealed conservancy/septic tank system (pending installation)

Purpose:

- Provide sanitary facilities for on-site use
- Prevent contamination of water resources through closed-loop wastewater management

Status: Structure completed; conservancy tank installation outstanding.

5. Lapa and Landscaping

Description:

A small lapa with braai area was built within the stabilised footprint to enhance site amenity. Landscaping with indigenous vegetation will be implemented to improve riparian recovery.

Specifications:

- Open-sided steel structure on concrete base
- Indigenous plantings along river edge

Purpose: Enhance visual integration and prevent soil erosion.

Status: Completed.

6. Planned Carport (Outside 32 m Buffer)

Description:

A future carport for two vehicles with a solar-panel roof will be constructed on the existing gravel apron beyond the 32 m riparian buffer.

Purpose:

Provide shaded parking and support renewable-energy generation.

Status: Not commenced; outside NEMA-regulated area, therefore not part of the Section 24G rectification scope.

Infrastructure (e.g. roads, power and water supply/ storage)		**NO**

Provide brief description:

No new bulk infrastructure was developed as part of this project. All access roads, electrical connections, and water supply infrastructure already existed on the property and were simply utilised to support reinstatement and upgrade works.

Specifications:

- Access Roads: Existing gravel farm roads were used for construction access; no widening or new surface preparation occurred.
- Power Supply: Electricity is sourced from the existing on-site connection to the local distribution network; wiring for the security fence and cameras ties into the existing system.
- Water Supply and Storage: The property's existing borehole and storage tanks were used for construction and maintenance purposes; no new abstraction points were established.

Purpose:

- To utilise existing, previously authorised farm infrastructure without introducing additional environmental disturbance.

Status:
Fully operational — no new construction or expansion required.

Environmental Controls:

- Maintenance of existing infrastructure only.
- No new clearing or excavation associated with roads, powerlines, or water supply.

Processing activities (e.g. manufacturing, storage, distribution)		**NO**

Provide brief description:

N/A

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

Provide brief description		**NO**

N/A

Storage and treatment facilities for solid waste and effluent generated by the project	**Yes**	

Provide brief description

Effluent Management:

A sealed conservancy/septic tank will be installed below ground level adjacent to the ablution facility.

The system will be regularly emptied by a licensed waste contractor, in accordance with Drakenstein Municipality requirements and GN R. 509 of the National Water Act (No. 36 of 1998).

No soakaway or infiltration trench will be utilised, thereby avoiding potential contamination of groundwater or the adjacent river system.

Solid Waste Management:

General solid waste (construction debris, vegetation clearing, packaging, etc.) was and will continue to be collected in sealed bins on-site.

All waste is transported to the Drakenstein Municipal Waste Disposal Facility by a licensed service provider.

Recyclable materials (metal, plastic, and glass) are separated at source for recycling where feasible.

Hazardous Substances:

No hazardous materials are stored permanently on-site.

Temporary storage of small volumes of fuel and lubricants during construction was undertaken in accordance with SANS 10228 and 10229, with bunded containment and drip trays used to prevent spillage.

(d) Other activities (e.g. water abstraction activities, crop planting activities)		**No**
Provide brief description		
N/A		

3. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	±1,200 m² (Includes combined footprint of fence reinstatement (±150 m²), bank stabilisation and gabions (±350 m²), concrete-lined pool (±250 m²), Ablution facility (±30 m²), Lapa and braai area (±40 m²),and associated landscaped and access areas (±150 m²).
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	All activities occurred within previously disturbed and transformed areas due to the flood damage adjacent to the Spruitrivier; no new vegetation clearing beyond the historic footprint.
Total area:	±1,200 m²
A future two-vehicle carport (±45 m²) fitted with solar panels is planned on the upper terrace of the property, beyond 32 metres from the top of the Spruitrivier bank. This structure will make use of existing access and service infrastructure and therefore does not trigger any listed activity in terms of the NEMA Listing Notices (GNR.327, GNR.324, or GNR.325 of 2014, as amended). It is excluded from the Section 24G rectification footprint but has been noted for context and transparency.	

4. SITE ACCESS

Was there an existing access road?	**YES**		
If NO, what was the distance over which the new access road was built? Please indicate the length and width of the new road.	(Length)		m
	(width)		m
Describe the type of access road constructed:			
N/A			

Please Note:

Indicate the position of the access road on the site plan (See Section 5 below)

5. SITE PHOTOGRAPHS

Colour photographs of the site and its surroundings (taken of the site and from the site), both before (if available) and after the activity commenced, with a description of each photograph, must be attached to this application. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide past and recent aerial photographs. It should be supplemented with additional photographs of relevant features on the site. Date and source of photographs must be included. Photographs must be attached as an **appendix** to this form.

Please note:

Should the relevant photographs not be included in the application, the application may be deemed insufficient and further information in this regard will be requested.

6. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

Please list all legislation, policies and/or guidelines that were or are relevant to this activity.

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorisation/comment	DATE (if already obtained):
National Environmental Management Act, 1998 (Act 107 of 1998) read with the EIA Regulations, 2014 (as amended)	Western Cape Department of Environmental Affairs & Development Planning (DEA&DP)	Section 24G rectification application for unlawful commencement of listed activities; DEA&DP case ref 14/1/1/E2/3/3/3/0915/25. A Compliance Notice in terms of s31L was issued to the applicant noting the unlawful commencement and instructing adherence to the 24G Project Schedule.	Pending
National Water Act, 1998 (Act 36 of 1998)	Department of Water & Sanitation (DWS)	Water Use Authorisation (Section 21(c) & 21(i): impeding/diverting flow & altering bed/banks of a watercourse) required for bank stabilisation and pool within riparian zone; application pending. (DWS officials are copied on Compliance Notice correspondence for this matter.)	DWS Confirmed GA - 17/10/2025 (WU45898)
National Heritage Resources Act, 1999 (Act 25 of 1999)	Heritage Western Cape (HWC)	Heritage Specialist Input / Notification in terms of Section 38(1). The Screening Report (dated 12/09/2025) identified the area as having a *Very High Archaeological and Cultural Heritage Sensitivity*, located within 5 km of a Grade I heritage site. Although the site was previously disturbed and heavily eroded by the 2024 flood event, a qualified heritage specialist was consulted to verify that no heritage resources were impacted and no further permitting under Section 38(8) was required.	HWC S38 Notification of Intent to Develop Form submitted
Spatial Planning and Land Use Management Act, 2013 (SPLUMA) & Drakenstein Municipal Planning By-law / Building Control	Drakenstein Municipality	Building plan/structure approval and zoning compliance confirmation for the concrete pool/retaining works and outbuilding; municipality informed via DEA&DP copy.	Pending
Title Deed Conditions & Servitudes (Portion 3 of Farm 1387)	Deeds Office / Owner acknowledgement	Servitudes & historical water rights references recorded on the title (incl. references to water court orders and servitudes within Spruitrivier area). Useful to demonstrate tenure/constraints.	Transfer to Esterl Family Trust executed 26 Oct 2023.
Conservation of Agricultural Resources Act, 1983 (CARA) (Reg. 104 of 1984)	DALRRD	Alien vegetation control (Category 1b/2) obligations in riparian corridor; ongoing compliance commitment.	Ongoing
National Environmental Management:	CapeNature / DFFE (as applicable)	The Act provides for the protection of threatened species and ecosystems;	Not applicable

Biodiversity Act, 2004 (NEM:BA) (if protected species encountered)		however, no protected or listed species were identified within the disturbed footprint according to the *Wellington Spruitrivier Ecological and Wetland Assessment (Final)*. Since construction has already been completed (pool and fence built) and no further rehabilitation or vegetation removal is planned, no biodiversity permits are required. Should retrospective evidence of impact on listed species ever arise, it will be addressed through the Section 24G process rather than via new NEM:BA permitting.	

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
Section 24G Fine Regulations, 2017 (GN R.698 of 20 July 2017) – procedures & information requirements for rectification (advertising, I&AP register, Annexure A).	Department of Forestry, Fisheries and the Environment (DFFE)
DEA&DP Guideline for Public Participation (EIA Regulations, Western Cape) – approach for adverts, notices, registers & C&R logs.	Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)
DEA&DP Guideline for Activities Near Watercourses / Riparian Areas – design and mitigation expectations for works within 32 m of a watercourse.	DEA&DP, in collaboration with Department of Water and Sanitation (DWS)
DWS General Authorisation & WUL Application Guidance for s21(c) & (i) – thresholds, rehabilitation standards and submission pathway.	Department of Water and Sanitation (DWS)
Western Cape Biodiversity Spatial Plan (where relevant) – to confirm sensitivity mapping of riparian corridor and support mitigation hierarchy.	CapeNature and DEA&DP (joint custodians)
Drakenstein Municipality Environmental and Stormwater Management Guidelines (2018) – sets out local requirements for development near watercourses, stormwater handling, and riparian rehabilitation.	Drakenstein Municipality
Guideline on Rehabilitation of Disturbed Riparian Areas (2017) – promotes best-practice erosion control, vegetation re-establishment, and bank stabilisation methods.	DEA&DP and DWS
Drakenstein Municipality: Safety and Nuisance By-law (2017) • Section 4(1): "No person may allow a situation to exist that endangers the safety of any person or property." • Section 6(1)(a): requires owners to maintain their premises in a condition that does not pose a danger to public safety or neighbouring properties. The original retaining wall and boundary were destroyed during the 2024 flood, leaving a steep drop-off along the riverbank adjacent to a frequently accessed portion of the farm. Immediate reconstruction was required to prevent accidents, trespassing, and further erosion that could endanger neighbouring landowners and staff.	Drakenstein Municipality
Disaster Management Act, 2002 (Act 57 of 2002) & Western Cape Flood Management Guidelines (DEA&DP, 2018) • Section 26(1): obliges landowners and municipalities to take reasonable steps to mitigate the effects of disasters. • The Western Cape Flood Management Policy (DEA&DP) encourages rehabilitation and stabilisation of damaged infrastructure post-floods, provided it aims to restore the pre-disaster condition. The flood-damaged retaining wall and fence repair align with disaster recovery and resilience objectives, not expansion. The design followed the natural contour and reinforced the existing embankment — typical for post-disaster stabilisation measures.	Department of Cooperative Governance and Traditional Affairs (COGTA) in collaboration with Drakenstein Municipality (local disaster management centre) Western Cape Department of Environmental Affairs and Development Planning (DEA&DP)

National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) • Regulation F1 requires that every property boundary or retaining structure must be designed and maintained to ensure stability and safety. • Regulation B1(1): stipulates that unsafe structures must be repaired or replaced promptly to prevent risk to occupants or neighbours. The replacement fence and wall addressed structural failure caused by erosion and flooding, consistent with safety requirements under the Building Standards Act.	Drakenstein Municipality – Building Control Department
Section 2 of the National Environmental Management Act, 1998 – Environmental Management Principles • Section 2(4)(a)(viii): "Environmental management must take into account the social, economic and environmental impacts of activities, including safeguarding human life and well-being." • Section 2(4)(a)(vii): recognises the principle of repairing or mitigating environmental damage rather than leaving unsafe or degraded land. The works were reactive and restorative, aiming to secure the riverbank and prevent further degradation — an act consistent with NEMA's rehabilitation and safety principles rather than a deliberate non-compliance.	DEA&DP (Provincial Competent Authority for Environmental Authorisations)
Municipal Land Use Planning By-law (Drakenstein, 2018) • Section 66(2)(b): provides that emergency or safety works may proceed without prior planning approval, subject to retrospective notification and compliance rectification. This supports your Section 24G submission — acknowledging that emergency measures to protect life and property may precede authorisation but must still be regularised afterward.	Drakenstein Municipality – Planning and Development Department
The retaining wall and fence were reconstructed purely for safety and security following extensive flood damage in July 2024. These works were necessary to stabilise the eroded riverbank, protect workers and property, and prevent further environmental degradation. The activity did not constitute new development but rather emergency reinstatement and structural reinforcement of pre-existing features. The action was aligned with the Drakenstein Safety and Nuisance By-law (2017), Disaster Management Act (2002), and NEMA Section 2 principles promoting safety, repair, and prevention of harm. The applicant acknowledges that while environmental authorisation should have been sought prior to construction, the works were undertaken under exceptional circumstances of flood damage and immediate safety risk and are now being regularised through this Section 24G process.	

7. APPLICATIONS IN TERMS OF NEMA AND SPECIFIC ENVIRONMENTAL MANAGEMENT ACTS ("SEMAS")

If not specifically applied for in terms of this application, does the development require an application for a waste management license in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)?		**NO**
If yes, has an application been submitted to the licensing authority?		**NO**
Does the proposed project require an application for a water use license in terms of the National Water Act, 1998 (Act No. 36 of 1998)?	**YES**	
If yes, has an application been submitted to the licensing authority?	**YES**	

If no, please provide evidence of existing water use rights (if applicable) with this application form.		
Does the proposed project require an application for an atmospheric emissions license in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)?		**NO**
If yes, has an application been submitted to the licensing authority?		
Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act ("NEM: ICMA")?		**NO**
If yes, has an application been submitted to the relevant competent authority?		
If yes, provide more details of the application submitted/to be submitted in terms of the NEM: ICMA		
N/A		

8. APPLICATIONS IN TERMS OF OTHER LEGISLATION

Is any permission, licence or other approval required in terms of any other legislation? (Please tick)	**YES**	

If yes, please complete the table below:

Type of approval required (List the applicable legislation & approval required):	Name of the authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending/ granted/ refused)
Water Use Authorisation in terms of Section 21(c) and (i) of the *National Water Act, 1998 (Act 36 of 1998)* – for the alteration of the bed, banks, or characteristics of a watercourse and impeding/diverting flow associated with the stabilisation and concrete works in the Spruitrivier.	Department of Water and Sanitation (DWS) – Bellville Regional Office	Yes	Underway – water use application process initiated with DWS;
Building Plan Approval in terms of the *National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)* – for the retaining structure and pool located on private property.	Drakenstein Municipality – Building Control Department	Yes	Underway – retrospective submission in progress. Plans being prepared by appointed contractor and to be lodged with the Municipality.
Land Use / Zoning Compliance in terms of the *Drakenstein Municipality Land Use Planning By-law, 2018* – confirmation that the works align with the agricultural zoning and no change in land use occurred.	Drakenstein Municipality – Planning and Development	No	Not required – the fence and bank stabilisation works form part of existing agricultural operations and constitute restoration of existing infrastructure. The activities do not alter the land use or zoning and therefore do not trigger a rezoning or consent use process.

Waste Management Compliance under *National Environmental Management: Waste Act, 2008 (Act 59 of 2008)* – for on-site handling of rubble and soil from flood repair activities.	DEA&DP – Waste Management Directorate	No	Not required – all construction rubble and soil displaced by the flood were reused on site for bank stabilisation and any waste disposed of at the landfill site. No waste stockpiling, treatment, or off-site disposal took place; hence, the activity does not constitute a listed waste management activity under GN 921 of 2013.

SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT

1. SITE/AREA DESCRIPTION

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

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

2. THE GEOLOGICAL FORMATIONS UNDERLYING THE SITE (TICK THE APPROPRIATE BOX)

GRANITE		QUARTZITE	
SHALE		DOLOMITE	
SANDSTONE	**X**	DOLERITE	
OTHER (specify)			

3. GRADIENT OF THE SITE

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

Flat	Flatter than 1:10	**1:10 – 1:5**	Steeper than 1:5

4. LOCATION IN LANDSCAPE

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

Ridgeline	Plateau	**Side slope of hill/mountain** **X**	Closed valley	**Open valley** **X**	Plain	Undulating plain/low hills	Dune	Sea-front	**Other** **X**
If other, please describe The site lies within the Spruitrivier valley floor near Wellington. The development footprint occurs on the lower valley slope leading into the river. Riparian riverbank within an open agricultural valley landscape subject to seasonal flooding.									

5. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

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

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

Shallow water table (less than 1.5m deep)	**YES**	
The site is located adjacent to the Spruitrivier, within the riparian zone. Shallow groundwater and interflow likely occur seasonally due to the proximity of the watercourse.		
Seasonally wet soils (often close to water bodies)	**YES**	
The soils are periodically saturated during winter rainfall events; these are typical of riparian or bank-edge conditions identified in the wetland delineation.		
Unstable rocky slopes or steep slopes with loose soil	**YES**	
The riverbank comprises unconsolidated sandy-loam soil overlaying weathered sandstone, which became unstable following the July 2024 flood event.		
Dispersive soils (soils that dissolve in water)	**NO**	
Soils with high clay content	**NO**	
Any other unstable soil or geological feature	**YES**	
The site was prone to slope slumping and erosion due to flood undercutting; instability was localized along the riverbank.		
An area sensitive to erosion	**YES**	
The riparian slope is erosion-prone, as demonstrated by the July 2024 washout event that removed sections of the bank and fencing.		
The site lies within a riparian floodplain environment with shallow groundwater, seasonally saturated soils, and moderate slope instability caused by erosion of sandy-loam soils overlaying weathered sandstone. While no dispersive or clay-rich soils were identified, the area is highly sensitive to erosion during high rainfall and flood events. These conditions contributed directly to the bank failure and loss of the previous fence structure, which necessitated the emergency repairs and stabilization works that form the basis of the Section 24G application.		

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

Shallow water table (less than 1.5m deep)	**YES**	
The shallow water table remains characteristic of the riparian zone, but construction works were limited to stabilised areas, with no excavation into the saturated layer.		
Seasonally wet soils (often close to water bodies)	**YES**	
Seasonal saturation persists, but erosion control and the retaining structure have improved surface runoff management.		
Unstable rocky slopes or steep slopes with loose soil	**NO**	
Dispersive soils (soils that dissolve in water)	**NO**	
Soils with high clay content	**NO**	
Any other unstable soil or geological feature	**NO**	

An area sensitive to erosion	**YES**	[redacted]
The site remains within an erosion-sensitive area (riparian zone), but risk has been mitigated by slope stabilisation and controlled drainage.		
Post-construction, the overall stability has improved, with no evidence of further erosion or subsidence. The retaining wall and vegetation regrowth provide protection from future storm events while maintaining natural drainage.		

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

6. SURFACE WATER

6.1 SURFACE WATER (PRE-COMMENCEMENT)

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

Prior to works, the area comprised a non-perennial stream with seasonal wetland characteristics, dominated by disturbed riparian vegetation, with floodplain connectivity during high flow periods.

Perennial River		NO	
Non-Perennial River	YES		
The Spruitrivier is a non-perennial system, flowing during winter rainfall and drying seasonally.			
Permanent Wetland		NO	
Seasonal Wetland	YES		
The delineation study confirmed a seasonally saturated riparian zone adjacent to the river.			
Artificial Wetland		NO	
Estuarine / Lagoonal wetland		NO	

6.2 SURFACE WATER (POST-COMMENCEMENT)

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

Post-works, the hydrological function of the Spruitrivier remains natural, with improved bank stability and no channel modification or flow alteration.

Perennial River		NO	
Non-Perennial River	YES		
The river's hydrology remains unchanged.			
Permanent Wetland		NO	
Seasonal Wetland	YES		
Natural hydrology remains; sediment control measures reduced direct erosion into the wet zone.			
Artificial Wetland		NO	
Estuarine / Lagoonal wetland		NO	

7. VEGETATION AND/OR GROUNDCOVER

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

7.1 VEGETATION AND/OR GROUNDCOVER (PRE-COMMENCEMENT)

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

Indigenous Vegetation - good condition		Indigenous Vegetation with scattered aliens	**X**	Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above:		Describe the vegetation type above: **The site supported riparian thicket dominated by indigenous shrubs and grasses, interspersed with alien species such as *Acacia mearnsii* and *Eucalyptus spp.*** **Veld dominated by alien species:** **The riparian edge had dense alien stands prior to clearing, as recorded in the wetland report.** **Cultivated land:** **The adjacent upper area forms part of fruit orchards and maintained pasture.**		Describe the vegetation type above:	
Provide ecosystem status for above:		Provide ecosystem status for above:		Provide Ecosystem status for above:	
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface				Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe	
Bare soil: **Exposed soil was present along disturbed sections of the riverbank (previous fence alignment).**		Building or other structure		Sport field	
Other (describe below)				Paved surface	

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

Systematic Biodiversity Planning Category				**If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan**
Critical Biodiversity Area (CBA)	Ecological Support Area (ESA)	Other Natural Area (ONA)	No Natural Area Remaining (NNR)	

(b) Highlight and describe the habitat condition on site.

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	10%	Small remnants of indigenous riparian vegetation (*Salix mucronata*, *Phragmites australis*, *Typha capensis*) along the immediate river edge remained intact prior to construction. These areas showed limited disturbance but were narrow and fragmented.
Near Natural (includes areas with low to moderate level of alien invasive plants)	15%	Transitional zones between the natural riparian band and cultivated fields. These included patches of semi-natural vegetation with moderate alien invasion (*Acacia mearnsii*, *Eucalyptus spp.*).
Degraded (includes areas heavily invaded by alien plants)	45%	Heavily disturbed riparian areas impacted by flood damage, erosion, and past alien vegetation clearing. The July 2024 flood caused bank slumping and exposure of bare soils, as reported by the ecological specialist.
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	30%	Actively cultivated orchard area and modified surfaces where the fence, retaining wall, and These zones are fully transformed, with limited natural soil or vegetation structure remaining.

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

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

(d) Please provide a description of the vegetation type and/or aquatic ecosystem present on site, including any important biodiversity features/information identified on site (e.g. threatened species and special habitats)

The site forms part of a riparian corridor associated with the Spruitrivier, a non-perennial river system in the Drakenstein region. The riparian zone supports a mix of indigenous wetland and riparian vegetation, including Salix mucronata, Phragmites australis, Typha capensis, and sedge species (*Cyperus spp.*), interspersed with dense stands of alien invasive species such as *Acacia mearnsii*, *Eucalyptus spp.*, and *Arundo donax*.

The terrestrial vegetation aligns with the Western Rûens Shale Renosterveld, an Endangered ecosystem under NEM:BA (2004). Habitat condition is largely degraded to transformed, particularly following the July 2024 flood, which caused significant erosion and vegetation loss along the riverbank.

No threatened or protected plant species were recorded in the site delineation. The aquatic ecosystem retains moderate ecological functionality, providing flow attenuation, limited sediment trapping, and corridor connectivity. Restoration efforts (such as stabilisation and vegetation recovery) have since improved local resilience and reduced sediment runoff risk.

7.2 VEGETATION AND/OR GROUNDCOVER (POST-COMMENCEMENT)

Cross out ("☒") the block **and** describe (where required) the vegetation types / groundcover present on the site after commencement of the activity.

Indigenous Vegetation - good condition		Indigenous Vegetation with scattered aliens	**X**	Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above:		Describe the vegetation type above:		Describe the vegetation type above:	

	Post-construction, riparian rehabilitation and natural regrowth have resulted in patches of indigenous vegetation (*Salix mucronata*, *Phragmites australis*, *Typha capensis*) interspersed with scattered alien species (*Acacia mearnsii* and *Eucalyptus spp.*). The indigenous vegetation is slowly recolonising stabilised banks and disturbed edges.	
Provide ecosystem status for above:	Provide ecosystem status for above: • **Ecosystem Type:** Western Rûens Shale Renosterveld (riparian variant) • **Ecosystem Status:** Endangered, per SANBI 2018 • **Current Condition:** Improving due to natural recolonisation and erosion stabilisation; remains modified but functional.	Provide Ecosystem status for above:
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species	Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe
Bare soil: **Present only in small patches near the upper retaining wall where vegetation has not yet re-established fully. These areas are stabilised through compaction and natural revegetation.**	**Building or other structure:** **The pool and retaining wall structure occupy a previously disturbed footprint within the riparian corridor.**	Sport field
Other (describe below)	**Cultivated land:** **Adjoining agricultural land remains cultivated (orchards and pasture).**	Paved surface

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

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	**15%**	Small sections along the river edge now support naturally regenerating indigenous riparian vegetation. These areas show improving ecological function and cover.
Near Natural (includes areas with low to moderate level of alien invasive plants)	**25%**	Stabilised banks with partial native regrowth, low alien density, and minimal erosion. Represents successful early rehabilitation.
Degraded (includes areas heavily invaded by alien plants)	**35%**	Areas disturbed by construction now in early recovery stage; vegetation structure sparse but stabilising. Continued monitoring needed.
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	**25%**	The pool and retaining wall structures remain permanent transformed features. Cultivated farmland beyond the fence also contributes to this classification.

(b)How have the vegetation and/or aquatic ecosystem(s) present on site (including any important biodiversity features identified on site (e.g. threatened species and special habitats)) been affected by the commencement of the listed activity(ies)?

Post-commencement, the site has improved in stability and partial vegetation recovery. Erosion has ceased, and sediment runoff into the river has been minimised. The area retains mixed habitat condition, trending toward recovery under passive rehabilitation.

The construction and rehabilitation activities initially disturbed riparian vegetation and temporarily increased exposed soil surfaces within the riverbank footprint. However, no threatened plant species or critical habitats were recorded in the specialist assessment.
Following completion, the retaining wall and backfill stabilisation have:

- Reduced erosion and sedimentation into the Spruitrivier;
- Protected recovering vegetation by preventing repeated bank failure;
- Maintained the natural hydrological flow of the non-perennial river;
- Enabled regrowth of indigenous riparian species along stabilised banks.

Overall, while vegetation structure was temporarily reduced, ecological function has improved post-construction.

7.3 VEGETATION / GROUNDCOVER MANAGEMENT

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

Mitigation and Management Measures Adopted:

During and post-construction, the following measures were implemented:
• Manual removal of alien vegetation (*Acacia mearnsii*, *Eucalyptus spp.*) before and after works.
• Stabilisation of exposed soils with compacted fill and vegetation regrowth along the retaining wall.
• Avoidance of chemical herbicides near the watercourse.
• Restriction of machinery to defined access routes to minimise trampling.
• Passive re-establishment of indigenous vegetation from surrounding seed sources.

Adequacy of Measures

These measures are adequate and effective given the limited scale of the disturbance and the natural regeneration observed post-construction. Continued monitoring and selective alien control are recommended to ensure long-term vegetation stability.

Post-commencement vegetation cover has improved relative to pre-construction conditions, with erosion control and natural regrowth re-establishing ecological function. Alien regrowth remains manageable, and the retaining structure has ensured bank stability, watercourse protection, and long-term habitat resilience.

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

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

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

(a) Please provide a description.

The site (±3.3 ha, Portion 3 of Farm 1387, Eden Farm) is situated along the Spruitrivier within the Drakenstein Municipality and is predominantly used for agricultural purposes, including the cultivation of fruit orchards (mango, citrus, avocado, and nuts).

A small portion of the property includes associated residential cottages and a riparian buffer along the river.

The riparian zone comprises disturbed wetland vegetation with patches of indigenous riparian species interspersed with alien trees. Prior to the construction activities, the riverbank area functioned as part of the farm boundary fence line, separating cultivated land from the river corridor.

The site forms part of an active agricultural landscape, with no commercial, industrial, or high-density development in the immediate vicinity. Surrounding properties are similarly agricultural or smallholdings, contributing to a rural character typical of the Wellington area.

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

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

Untransformed area	**Low density residential**	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial

Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical centre	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (4 lanes or more)	Airport
Harbour	Sport facilities	Golf course	Polo fields	Filling station
Landfill or waste treatment site	Plantation	**Agriculture**	**River, stream or wetland**	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):	The properties surrounding Portion 3 of Farm 1387 (Eden Farm) are predominantly agricultural smallholdings and low-density rural residential properties used for orchards, livestock grazing, and small-scale farming activities. The Spruitrivier traverses through or near several of these properties, creating a shared riparian/wetland corridor that forms part of the natural drainage system in this section of the Wellington rural zone. Before commencement of the listed activities, the area already exhibited mixed agricultural and residential land use with limited transformation beyond cultivation and fencing. There were no industrial or commercial land uses in proximity to the site, and the rural landscape character was well established.			

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

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

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

Landfill or waste treatment site	Plantation	**Agriculture**	**River, stream or wetland**	Nature conservation area
Mountain, koppie or ridge	Museum	Historical building	Graveyard	Archaeological site
Other land uses (describe):	Following the construction of the retaining wall, concrete-lined pool, lapa with braai area, ablution facility, and replacement of the existing fence, the surrounding land use character has remained unchanged. The property continues to function as a rural-agricultural holding with low-density residential use, typical of the Blouvlei Valley smallholdings. The Spruitrivier riparian corridor remains a key ecological feature, continuing to perform its hydrological and habitat functions, as confirmed in the *Ecological and Wetland Assessment (2025)*. All works were limited to previously disturbed areas, and no new land use type or significant expansion of development footprint was introduced. The ablution facility provides essential sanitary support to the recreational area and will be fitted with a sealed septic or conservancy tank to prevent any discharge to the environment. The lapa structure functions as a non-permanent amenity feature associated with the existing residential use, designed to blend with the rural landscape through appropriate materials and placement. A future carport, intended for two vehicles and equipped with solar panels, is planned outside the 32 m riparian buffer and therefore does not trigger any listed NEMA activities. The post-commencement condition has improved environmental and visual stability along the riparian edge through bank reinforcement, indigenous replanting, and erosion control, thereby reducing sedimentation and maintaining ecological function. Although the *Screening Report (*2025) identified very high heritage sensitivity within a 5 km radius, the Heritage Specialist Jayson Orton - ASHA Consulting(Pty) Ltd (2025) confirmed that the flood-scoured footprint is highly disturbed and that no intact heritage or archaeological resources are expected to have occurred. Accordingly, the visual and functional character of the area remains fully consistent with the agricultural designation under the *Drakenstein Municipal Spatial Development Framework (MSDF)*, and no heritage authorisation under Section 38 of the NHRA (Act 25 of 1999) is required.			

11. SOCIO-ECONOMIC CONTEXT

11.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

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

Prior to commencement of the rectified activities, the property formed part of the long-established Wellington agricultural landscape, situated within the Blouvlei Valley an area characterised by vineyards, fruit orchards, and mixed farming operations. The broader community comprises a mix of commercial farmers, smallholders, and farm workers, with agriculture serving as the primary economic driver of the region.

The subject site (Portion 3 of Farm 1387, Eden Farm) functioned mainly as a small-scale agricultural and residential holding, contributing modestly to the local economy through farm-based activities and employment of on-site maintenance and support staff.

Before rehabilitation, the riparian area along the Spruitrivier was degraded due to historical flood damage, bank erosion, and the spread of invasive alien vegetation. This deterioration limited productive use and increased vulnerability to flooding.

In addition, the area experienced heightened security risks, with rural crime and farm attacks in the Wellington district leading to a need for improved perimeter safety for residents and workers. The pre-commencement socio-economic conditions were therefore characterised by:

- A predominantly agricultural economy;
- Limited infrastructure on-site; and
- Environmental degradation and safety vulnerabilities along the river corridor.

These baseline conditions provided the context for the subsequent restoration and safety improvement works, which aimed to rehabilitate the riparian area, restore infrastructure, and secure the property without altering its rural-agricultural function or community character.

11.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

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

Since the commencement of the rehabilitation and upgrade works, the site has experienced measurable socio-economic improvements that have contributed to property safety, local employment, and environmental recovery.

The reinstatement of the historical fence line, construction of retaining and stabilisation structures, and addition of the ablution facility and lapa have collectively enhanced both the security and usability of the property without changing its rural-agricultural character. The installation of surveillance cameras has further improved safety monitoring, which indirectly benefits neighbouring farms and rural residents who have similarly experienced incidents of theft and trespassing in the Wellington district.

During the construction phase, local labour and small contractors were employed, contributing to short-term job creation and skills transfer within the Wellington area. The revegetation and landscaping of the riparian zone have also improved the farm's visual appeal and ecological value, providing indirect benefits to local property values and rural tourism potential.

Key socio-economic outcomes include:

- Improved local security through reinstatement of the boundary fence, installation of cameras, and controlled access;
- Stabilisation of the Spruitrivier banks, protecting agricultural land, infrastructure, and downstream users from flood-related erosion and sedimentation;
- Provision of on-site ablution facilities, ensuring sanitation and compliance with health standards for workers and visitors;
- Creation of short-term employment opportunities during construction and rehabilitation phases; and
- Enhanced landscape amenity through rehabilitation, planting, and controlled use of the restored area.

The lapa and pool area serve as low-impact recreational facilities that promote on-site amenity while maintaining the property's rural context. The proposed carport, planned outside the 32 m buffer zone, will utilise solar panels and will not trigger any additional listed activities under the NEMA Regulations.

Overall, the post-commencement condition has strengthened the social resilience and economic sustainability of the property and its surroundings. The project has restored degraded riparian land, reduced flood vulnerability, and enhanced long-term agricultural viability in the area.

At a broader level, these improvements align with the Drakenstein Municipal Spatial Development Framework (MSDF) and Sustainable Development Goal 11 (Sustainable Communities) by reinforcing safe, inclusive, and resilient rural environments.

While the project footprint remains small, its positive cumulative effects — including improved safety oversight, environmental rehabilitation, and local job creation — represent a proportionate and beneficial outcome of the rectified activities within the established agricultural setting.

12. HISTORICAL AND CULTURAL ASPECTS

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

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

(a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;

(b) the construction of a bridge or similar structure exceeding 50m in length;

(c) any development or other activity which will change the character of a site-

(i) exceeding 5 000 m² in extent; or

(ii) involving three or more existing erven or subdivisions thereof; or

(iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or

(iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;

(d) the re-zoning of a site exceeding 10 000 m² in extent; or

(e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority,

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

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

(a) places, buildings, structures and equipment of cultural significance;

(b) places to which oral traditions are attached or which are associated with living heritage;

(c) historical settlements and townscapes;

(d) landscapes and natural features of cultural significance;
(e) geological sites of scientific or cultural importance;

(f) archaeological and palaeontological sites;

(g) graves and burial grounds, including—

(i) ancestral graves;

(ii) royal graves and graves of traditional leaders;

(iii) graves of victims of conflict;

(iv) graves of individuals designated by the Minister by notice in the Gazette;

(v) historical graves and cemeteries; and

(vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);

(h) sites of significance relating to the history of slavery in South Africa;

(i) movable objects, including—

(i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;

(ii) objects to which oral traditions are attached or which are associated with living heritage;

(iii) ethnographic art and objects;

(iv) military objects;

(v) objects of decorative or fine art;

(vi) objects of scientific or technological interest; and

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

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?	**NO**
If YES, explain:	Not applicable. The activity involves replacement of a fence, rehabilitation of an eroded riparian area, and construction of a small retaining/pool structure within a previously disturbed and flood-damaged footprint. The development does not trigger thresholds in terms of Section 38 (e.g. linear developments over 300 m, rezoning, developments over 5 000 m², or exceeding 3 ha in extent).

Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?			NO
If YES, explain:	Not applicable. No heritage sites, archaeological features, palaeontological resources, cultural landscapes, or graves are present within the affected riparian footprint. The area had already been transformed by prior farming and flood damage, and no indicators of heritage sensitivity were identified during site visits or in the specialist ecological assessment.		
Was any building or structure older than 60 years affected in any way?		NO	
If YES, explain:	Not applicable. The works were confined to the replacement of a damaged fence, restoration of a riparian bank, and construction of a small retaining/pool structure. No buildings or structures older than 60 years exist within the project footprint, and therefore none were altered, damaged, or demolished as part of the activity.		

Please Note:

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

13. COASTAL ASPECTS (SEAFRONT/SEA ENVIRONMENT)

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

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

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

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

14. REGIONAL PLANNING CONTEXT

Is the activity permitted in terms of the property's existing land use rights?	YES	NO	Please explain

The property is zoned Agricultural Zone I in terms of the Drakenstein Municipal Zoning Scheme (2013). The primary use under this zoning is *agriculture*, with consent uses including *residential accommodation, minor infrastructure, and fencing*. The activities being rectified namely, the replacement of a boundary fence, riverbank stabilisation, construction of a retaining wall and concrete-lined pool, and installation of a small ablution facility and lapa are considered additional infrastructure associated with an agricultural holding. They do not constitute a change in land use and remain consistent with the rights afforded to agricultural properties. No rezoning, subdivision, or departure applications are required, as the works were limited to an existing, previously disturbed footprint and intended to restore functionality and safety following flood damage in July 2024. The proposed future carport for two vehicles, to be located *outside the 32 m riparian buffer*, will similarly fall within permissible agricultural accessory uses and does not trigger additional NEMA-listed activities.			
Will the activity be in line with the following?			
Provincial Spatial Development Framework (PSDF)	**YES**	NO	Please explain
The PSDF (2023) promotes: • Resilient rural landscapes, • Protection of ecosystem services, and • Responsible infrastructure maintenance in support of climate adaptation and disaster risk reduction. The reinstatement of the fence, bank stabilisation, and erosion control measures directly support these objectives by restoring flood-damaged land and preventing future environmental degradation. The works enhance the safety and sustainability of rural land use without expanding the development footprint, aligning with PSDF principles of responsible land management and rural safety enhancement.			
Urban edge / Edge of Built environment for the area	**YES**	NO	Please explain
The site lies outside the urban edge and within the designated agricultural and rural landscape zone of the Drakenstein Municipal area. The activity does not introduce new urban development, nor does it contribute to urban sprawl. All structures remain confined within the existing disturbed footprint and are visually compatible with the surrounding agricultural holdings and smallholdings. The rehabilitation efforts have further improved the environmental quality of the riparian edge and reduced erosion risk, thereby reinforcing the area's long-term agricultural productivity and rural identity.			
Integrated Development Plan of the Local Municipality	**YES**	NO	Please explain
The Drakenstein SDF (2023) designates the site and surrounding area for agricultural production and ecological stewardship. The rehabilitation and stabilisation works contribute to the SDF's objectives by: • Protecting ecosystem functions, including soil stability, water quality, and riparian vegetation integrity; • Reinforcing agricultural productivity and land resilience following extreme weather events; and • Supporting sustainable land stewardship and riparian rehabilitation consistent with municipal environmental management principles. • The reinstated fence and stabilised banks enhance long-term viability of agricultural operations and reduce the risk of property damage, erosion, and sedimentation. • The lapa and ablution facility are low-impact supporting structures in line with the SDF's principle of responsible use of agricultural land.			
Spatial Development Framework of the Local Municipality	**YES**	NO	Please explain
The Drakenstein SDF (2023) designates the site and surrounding area for agricultural production and ecological stewardship. The rehabilitation and stabilisation works contribute to the SDF's objectives by: • Protecting ecosystem functions, including soil stability, water quality, and riparian vegetation integrity; • Reinforcing agricultural productivity and land resilience following extreme weather events; and • Supporting sustainable land stewardship and riparian rehabilitation consistent with municipal environmental management principles. The reinstated fence and stabilised banks enhance long-term viability of agricultural operations and reduce the risk of property damage, erosion, and sedimentation. The lapa and ablution facility are low impact supporting structures in line with the SDF's principle of responsible use of agricultural land.			
Approved Structure Plan of the Municipality	**YES**	NO	Please explain
The Drakenstein Structure Plan prioritises the maintenance of existing rural infrastructure and risk reduction in flood-prone areas. The works undertaken including the stabilisation of the Spruitrivier banks, reinstatement of damaged structures, and restoration of fencing are in full compliance with these priorities. The interventions reflect responsible rural infrastructure upkeep and proactive adaptation to climate-related hazards, rather than expansion of built development. The inclusion of a future solar carport outside the 32 m buffer zone further demonstrates commitment to sustainable, low-impact development.			
An Environmental Management Framework (EMF) adopted by the Department	**YES**	NO	Please explain
The site is located within the Cape Winelands District EMF area, which promotes sustainable management of river corridors, floodplains, and biodiversity-sensitive zones. The rehabilitation and stabilisation activities are consistent with EMF objectives, including: • Protection of water resources and maintenance of ecological function. • Prevention of erosion and sedimentation impacts on downstream environments; and • Enhancement of landscape resilience against future flood events. The reinstated and reinforced structures, together with riparian revegetation, contribute to improved ecological integrity and climate resilience in line with EMF guidelines.			
Any other Plans	**YES**	NO	Please explain

The Cape Winelands District Disaster Management Framework (2024) highlights flood resilience and infrastructure recovery as critical regional priorities. The rectified activities directly contribute to these goals by:

- Strengthening riverbank and floodplain stability.
- Reducing erosion and sediment transport.
- Preventing property damage in future flood events; and
- Supporting rural safety through improved security and controlled access.

In addition, the enhanced boundary security complements the Drakenstein Municipal Safety Strategy (2023) by mitigating risks of trespassing, theft, and vandalism identified concerns within the Wellington–Blouvlei agricultural area.

SECTION D: NEED AND DESIRABILITY

Please Note: Before completing this section, first consult this Department's *Guideline on Need and Desirability* (March 2013) available on the Department's website (**http://www.capegateway.gov.za/eadp**).

1. Was the activity permitted in terms of the property's land use rights at the time of commencement?	**YES**	NO	Please explain

The property, Portion 3 of Farm 1387 (Eden Farm, Wellington), is zoned Agricultural Zone I in terms of the Drakenstein Municipal Zoning Scheme (2013). Under this zoning, agricultural use and related infrastructure such as fencing, minor outbuildings, security structures, and land protection measures are permitted.
The activities include:

- Replacement of the flood-damaged boundary fence;
- Riverbank stabilisation using gabion and retaining structures.
- Construction of a small concrete-lined pool within an eroded depression.
- Addition of an ablution facility and lapa; and
- A proposed solar carport, located beyond the 32 m riparian zone.

These works are ancillary to agricultural land use and intended to restore the property's functionality and safety following severe flood damage in July 2024.
Need for the Activity

The July 2024 flood caused extensive erosion, washing away sections of the boundary fence and riverbank, and undermining safety and access. Urgent reinstatement was necessary to:

- Prevent further erosion and sediment loss into the Spruitrivier;
- Reinstate security and infrastructure essential for property protection; and
- Restore agricultural resilience and safe access for residents and workers.

Desirability of the Activity

The work improves both environmental and social conditions by:

- Strengthening riverbank stability and ecological function.
- Restoring property security through reinstated fencing and surveillance.
- Supporting sustainable agricultural land use within the rural character of Wellington; and
- Preventing future flood-related infrastructure loss.

These measures align with the Drakenstein Spatial Development Framework and Provincial Spatial Development Framework (PSDF), which encourage disaster resilience, environmental restoration, and responsible rural infrastructure maintenance.

2. Was the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	**YES**	NO	Please explain

The activity undertaken is fully aligned with the objectives and principles of the Western Cape Provincial Spatial Development Framework (PSDF, 2014, as amended).

The PSDF provides strategic direction for spatial development in the province and promotes sustainable, climate-resilient, and safe rural environments. The flood repair and rehabilitation works directly support several key PSDF spatial policies and outcomes, as outlined below.

1. Alignment with PSDF Spatial Policies

Policy R1 – Protect and Enhance Agricultural Land and Rural Livelihoods

- The site is zoned Agricultural Zone I, and the activities undertaken (fence reinstatement, riverbank stabilisation, and concrete reinforcement) were necessary to protect agricultural land from further degradation following the July 2024 flood.
- These works helped maintain the functionality and productivity of agricultural land, in line with PSDF Policy R1.
- The intervention also contributed to rural safety and stability, ensuring that agricultural livelihoods can continue without the risk of repeated erosion or criminal activity.

Policy S3 – Manage Development in Hazard-Prone Areas

- The PSDF highlights the need to reduce exposure to climate-related risks, such as flooding and erosion.
- The 2024 flood event caused substantial structural damage and soil loss, placing both property and lives at risk.
- The bank stabilisation and fence replacement were necessary risk-reduction measures, consistent with PSDF guidance on disaster management and resilience-building.
- The activity therefore contributes to the long-term safety and sustainability of the site and surrounding area.

Policy E1 – Safeguard Ecosystem Services

- The works restored and stabilised the riparian corridor of the Spruitrivier, reducing sedimentation and promoting natural vegetation recovery.
- This is directly aligned with PSDF Policy E1, which seeks to protect critical ecosystem services, such as water regulation, soil protection, and biodiversity support.
- The intervention therefore helped to rehabilitate environmental function following flood damage, demonstrating a net environmental benefit.

Policy S5 – Improve Rural Safety and Infrastructure

- The PSDF emphasises the importance of maintaining safety and infrastructure integrity in rural areas to ensure sustainable communities.
- Following repeated theft incidents and a farm attack after the loss of the original fence, the reinstatement of the boundary fence became an urgent safety measure for the applicant, farm workers, and neighbouring properties.
- The installation of security infrastructure, including cameras, further supports community safety, aligning with PSDF's objective to enhance liveability and reduce vulnerability in rural zones.

1. Contribution to PSDF Provincial Goals

PSDF Goal	Relevance of the Eden Farm Activity
Spatial Efficiency	No expansion of the urban footprint; works limited to existing agricultural property.
Spatial Sustainability	Reinforces natural systems (riverbank, riparian zone) and supports agricultural land protection.
Spatial Resilience	Directly enhances resilience to future flood events and natural disasters.
Spatial Justice	Contributes to safety and stability for rural residents, ensuring secure and equitable living conditions.

Therefore, the activity is entirely consistent with the Western Cape PSDF. It strengthens the province's strategic objectives by:

- Restoring flood-damaged land and infrastructure,
- Protecting agricultural and ecological resources,
- Enhancing climate resilience, and
- Improving safety and security in the rural landscape.

In essence, the works support the intent of the PSDF rather than contradict it, contributing positively to both environmental and social sustainability within the Drakenstein municipal area.

(b) Urban edge / Edge of Built environment for the area	**YES**	NO	Please explain

The property is situated outside the urban edge, within a rural agricultural landscape defined in the Drakenstein Spatial Development Framework (SDF). The activity did not result in urban expansion or any alteration to the designated edge of built development.

The works consisted solely of repair and replacement of existing infrastructure within an established agricultural footprint and did not introduce new land uses or structures of urban nature.

In fact, the works were essential to protect the integrity of the property boundary, ensure safety and security of residents, and prevent further environmental degradation caused by the July 2024 floods.

The intervention supports rural sustainability and disaster resilience, fully consistent with the municipal vision to maintain the rural-urban distinction while supporting responsible agricultural land management.

(c) Integrated Development Plan and Spatial Development Framework of the Local Municipality (e.g. would the approval of this application have compromised the integrity of the existing approved and credible municipal IDP and SDF?).	**YES**	NO	Please explain

The Drakenstein Municipality IDP (2022–2027) prioritises:

- Disaster management and infrastructure resilience;
- Safety and security in rural areas; and
- Environmental protection through responsible maintenance of agricultural land.

The Drakenstein SDF reinforces these priorities by promoting:

- Protection of agricultural resources,
- Conservation of watercourses and riparian corridors, and
- Minimising risks associated with climate-related flood events.

This project aligns directly with both instruments, as it:

- Prevents further soil erosion and watercourse instability,
- Enhances community and property safety,
- Restores riparian ecosystem functionality, and
- Maintains the area's agricultural productivity and visual character.

Approval of this application does not compromise municipal planning integrity, it supports the IDP and SDF's objectives of environmental resilience, land stewardship, and safety compliance.

(d) Approved Structure Plan of the Municipality	**YES**	NO	Please explain

The Drakenstein Structure Plan emphasises maintenance of existing agricultural infrastructure and the preservation of the rural landscape.
The fence and retaining wall rehabilitation form part of property protection and flood risk mitigation, in keeping with the municipality's objectives for:

- Sustainable land management,
- Infrastructure upkeep, and
- Climate-adaptive development.

The activity remains consistent with the long-term vision of protecting key agricultural zones and ensuring that infrastructure supports, rather than disrupts, the environmental setting.

(e) An Environmental Management Framework (EMF) adopted by the Department (e.g. Would the approval of this application have compromised the integrity of the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)	YES	NO	Please explain

The site falls within the Cape Winelands Environmental Management Framework (2018), which guides environmental management across sensitive catchment areas like the Spruitrivier.
The EMF promotes:

- Protection of watercourses and riparian habitats,
- Flood risk mitigation, and
- Rehabilitation of degraded landscapes.

This project supports all these objectives through:

- Stabilisation of the eroded riverbank following the 2024 flood;
- Prevention of further sedimentation into the river system;
- Maintenance of ecosystem services such as water filtration and habitat support; and
- Protection of agricultural and residential properties from future flood impacts.

The activity also aligns with EMF sustainability considerations by integrating safety measures, reducing environmental risk, and supporting biodiversity recovery through riparian vegetation regrowth.

(f) Any other Plans (e.g. Guide Plan)	**YES**	NO	Please explain

The Cape Winelands District Disaster Management Framework and Drakenstein Local Disaster Risk Reduction Plan (2024) prioritise recovery and adaptive action following the severe flood damage experienced across the region.
The completed works were a direct response to flood damage, designed to:

- Protect life, property, and neighbouring landowners;
- Prevent further riverbank collapse and soil loss;
- Reinstate secure boundaries after damage and repeated theft incidents following fence loss; and
- Support public safety and agricultural continuity.

In addition, the project aligns with the Municipal Safety and Security Strategy (2023), as it enhances rural safety, reduces trespassing and criminal access, and preserves property values in the area.
The works represent a balanced integration of environmental conservation, disaster recovery, and public safety, consistent with the broader sustainability objectives of local and district planning frameworks.

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

The land use associated with the activities for which rectification is sought — namely flood-related repairs, boundary reinstatement, bank stabilisation, and limited property upgrades (pool, lapa, ablution facility, and future carport) — is fully consistent with the intentions and priorities of both the Drakenstein Spatial Development Framework (SDF) and the Integrated Development Plan (IDP 2022–2027), as endorsed by the Department of Environmental Affairs and Development Planning (DEA&DP).

The works were initiated as an emergency response to the July 2024 flood, which caused substantial damage to existing agricultural infrastructure and increased security risks on the property. The limited upgrades implemented during the reinstatement phase were undertaken for functional and safety purposes, intended solely for the landowner's use, and do not constitute speculative development.
The SDF promotes agricultural protection, disaster recovery, and climate resilience, all of which are directly supported by the activities through:

- Restoration of flood-damaged land and prevention of further soil loss and agricultural degradation;
- Stabilisation of the Spruitrivier riparian zone, aligning with SDF environmental management objectives;
- Maintenance of the rural landscape and agricultural character beyond the urban edge; and
- Enhancement of safety and resilience for the local farming community against future flood and crime risks.

The Drakenstein IDP (2022–2027) reinforces these goals by prioritising:

- "Sustainable environmental management and protection of natural resources";
- "Safety and security in rural and farming areas"; and
- "Rehabilitation and maintenance of infrastructure impacted by natural disasters."

In conclusion, the activities support and give effect to both the SDF and IDP, representing a responsible, time-sensitive recovery effort following a natural disaster. The application is therefore consistent with the municipality's resilience and environmental recovery objectives, and contributes positively to the long-term sustainability of the Drakenstein agricultural landscape.

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

The activities undertaken are not urban expansion or a new form of development, they are repairs and rehabilitation works carried out within an existing agricultural holding that has long been lawfully used for farming and residential purposes.
The Drakenstein Spatial Development Framework (SDF) identifies this area as part of the rural and agricultural zone, where the continuation and protection of farming operations are encouraged. The replacement of the damaged retaining wall, fencing, and minor associated works occurred entirely within the existing property boundaries and did not extend or intensify development beyond the established footprint.
The work was therefore appropriate and necessary within the context of the area's land use character and designation. Specifically:

- The development did not constitute expansion of the urban edge or town area;
- The activity was consistent with the existing agricultural land use and zoning under the Drakenstein Municipal Zoning Scheme;
- The intervention was triggered by a natural disaster (July 2024 floods), requiring emergency stabilisation to protect the property, neighbouring land, and the integrity of the riverbank; and
- The repairs enhanced environmental and safety outcomes, including erosion prevention, watercourse stabilisation, and protection of agricultural infrastructure.

From a spatial planning and environmental management perspective, the intervention was justified and necessary at the time, as delaying action would have resulted in further soil loss, safety risks, and downstream environmental degradation.
In conclusion, the activity was appropriate within the existing agricultural context and aligned with the intended rural land use envisaged by the SDF and municipal planning frameworks. The development therefore rightfully occurred in its current location and timeframe, as a responsible and responsive measure to safeguard both the environment and community wellbeing.

5. Did the community/area need the activity and the associated land use concerned (was it a societal priority)? (This refers to the strategic as well as local level (e.g. development is a national priority, but within a specific local context it could be inappropriate.)	**YES**	NO	Please explain

The activities undertaken do not constitute new development or urban expansion, but rather the rehabilitation and upgrading of flood-damaged infrastructure within an existing lawful agricultural property. The Drakenstein SDF designates this area for continued rural and agricultural use, which the works maintain.
Following the July 2024 flood, the property sustained extensive erosion and infrastructure loss. The reinstatement of the boundary fence, riverbank stabilisation, and minor associated works including the pool, lapa, and ablution facilities were implemented within the same disturbed footprint to restore functionality, safety, and environmental stability. These structures also serve to prevent further erosion, improve controlled water retention, and enhance on-site security in response to increased rural safety risks.

A future carport, planned beyond the 32 m buffer, will be positioned to avoid any environmental triggers and is intended solely for private, non-commercial use.

1. Local Societal Need

The flood damage left the property exposed, creating:

- Severe safety and security risks for residents and neighbouring properties, following multiple theft incidents and a farm attack after the fence collapse;
- A public hazard due to unstable banks along the Spruitrivier; and
- An increased risk of downstream environmental impacts (sediment runoff, further erosion, and habitat loss).

The replacement and stabilisation works provided critical protection not only for the applicant but also for adjacent landowners by:

- Reinforcing the integrity of the riverbank and fenceline, preventing future flood damage;
- Reducing opportunities for trespassing, theft, and potential harm to people and property;
- Helping maintain property values and visual amenity in the rural neighbourhood; and
- Supporting a sense of security and wellbeing among local residents.

These outcomes align with the Drakenstein Municipality's IDP (2022–2027) priorities, which emphasise:
"Improving community safety, protecting agricultural land, and ensuring infrastructure resilience in response to climate events."

2. Strategic / Policy-Level Relevance

At a broader scale, the activity contributes directly to national and provincial policy priorities, including:

- Disaster recovery and climate adaptation (as per the National Disaster Management Framework and the Western Cape Climate Change Response Strategy);
- Environmental stewardship and land rehabilitation (in line with Section 2 of the National Environmental Management Act); and
- Sustainable rural development (as promoted under the National Development Plan and the Western Cape Provincial Spatial Development Framework).

By stabilising a flood-damaged riverbank and preventing further degradation, the activity restores environmental function, protects agricultural productivity, and supports local resilience, all of which are recognised societal and environmental priorities.

Therefore the activity addressed:

- Immediate safety and security concerns for residents and workers,
- Critical disaster recovery needs after the 2024 flood, and
- Environmental conservation priorities through erosion prevention and rehabilitation.

The intervention was therefore a legitimate societal and environmental priority, undertaken in the public interest to safeguard people, property, and the ecological integrity of the Spruitrivier corridor. In summary, all interventions are consistent with the agricultural zoning and SDF, representing necessary post-disaster recovery and safety improvements, not speculative or urban development.

6. Were the necessary services with adequate capacity available (at the time of commencement), or was additional capacity created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the Application Form / additional information as an **appendix**, where applicable.)	**YES**	NO	Please explain

All necessary services to support the activities were already available and sufficient at the time of commencement. No additional municipal or external service capacity was required or created, as the property functions as a self-sustaining agricultural holding.

1. Existing Service Infrastructure (Pre-Commencement)

- Water Supply:
  A private borehole provides potable and irrigation water. The new ablution facility connects to this borehole system, with wastewater to be managed via a septic or conservancy tank, ensuring no discharge to the Spruitrivier. No municipal water connections were required.
- Electricity Supply:
  The property is powered by solar energy with battery storage, sufficient for residential, security, and basic service needs. No municipal grid connection or upgrades were necessary.
- Stormwater Management:
  Surface runoff is managed naturally within the site contours and through the stabilised riverbank. The rehabilitation reduced downstream sedimentation and improved natural drainage efficiency.

- Access Roads:
  Access continues via existing gravel farm roads. No upgrades or new roads were built, and the works did not increase traffic or require public access modifications.

2. Service Demand and Capacity
The completed activities — including fence reinstatement, riverbank stabilisation, pool, lapa, and ablution facility — are low-impact, non-residential interventions. They did not increase population, introduce new dwellings, or create additional service demand.
3. Compliance and Confirmation
The Drakenstein Municipality's rural infrastructure policy allows self-supplied services for agricultural holdings outside the urban edge. A confirmation letter from the Municipality (attached as an appendix) will verify that no additional service allocation or municipal capacity was required.
In summary, all essential services were adequate and available at the time of the works. The activities neither burdened municipal capacity nor altered service demand, and instead enhanced site resilience through improved drainage, erosion control, and infrastructure rehabilitation.

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

The activities undertaken including fence replacement, riverbank stabilisation, and the construction of a concrete retaining/pool structure with ablution facilities, were not new urban development, but rather flood-repair and rehabilitation measures on an existing agricultural property. These works were therefore not required to be listed in the Drakenstein Municipality's Infrastructure Planning Framework or Capital Investment Plan, as they did not alter land use intensity or generate additional service demand.

1. Relevance to Municipal Infrastructure Planning
The Drakenstein Municipality's Infrastructure Planning focuses primarily on:

- Expanding bulk water, sewer, and electrical capacity to urban growth areas;
- Managing stormwater and flood mitigation across key river corridors; and
- Supporting climate adaptation and disaster recovery infrastructure in vulnerable areas.

The Eden Farm site falls outside the urban edge and within a rural agricultural zone where properties are serviced through self-sufficient systems (boreholes, septic tanks, solar power).
As such:

- The municipality is not responsible for providing or upgrading bulk services to this property.
- The completed work has no impact on municipal service prioritisation or budget allocation.
- The activity is compatible with the rural infrastructure framework, which encourages self-reliant service provision and private maintenance of agricultural infrastructure.

2. Positive Alignment with Municipal Objectives
Although not explicitly listed in the municipal infrastructure plan, the project supports the municipality's broader objectives under its Integrated Development Plan (IDP 2022–2027) and Infrastructure Master Plan by:

- Protecting local infrastructure and land from erosion, flood damage, and future disaster costs;
- Reducing municipal risk exposure, as the landowner independently rehabilitated and stabilised the damaged riverbank;
- Enhancing rural safety and security, which are strategic municipal goals under the Public Safety and Disaster Management portfolio; and
- Contributing to environmental resilience by reinforcing the Spruitrivier's riparian zone, consistent with the Municipal Stormwater Management Plan.

3. Implications on Infrastructure Planning
There are no negative implications or "opportunity costs" associated with this activity for the municipality.
Instead, there are clear benefits, including:

- Reduced future maintenance pressure on municipal flood response systems;
- Prevention of sedimentation into downstream municipal stormwater and irrigation systems;
- Enhanced protection of adjacent rural infrastructure and properties; and

- Lower long-term disaster recovery expenditure due to privately funded rehabilitation.

Thus, the project complements municipal planning efforts rather than competing with them for resources.

4. Municipality's Comment (to be attached)
The Drakenstein Municipality's Engineering and Infrastructure Department may confirm that:
"The activity falls outside the municipal bulk infrastructure planning area. The works do not impact on service delivery, infrastructure prioritisation, or future planning budgets. The intervention has contributed positively to land stability and local disaster risk management."

8. Was this project part of a national programme to address an issue of national concern or importance?	**YES**	NO	Please explain

While the specific works were not formally part of a named national infrastructure or development programme, the project's objectives and outcomes directly support several national priorities and frameworks of environmental, safety, and disaster management importance.
The activities undertaken — including riverbank stabilisation, flood-damage repairs, reinstatement of the boundary fence, and associated improvements such as the pool, lapa, and ablution facility are consistent with South Africa's policy frameworks promoting climate adaptation, land rehabilitation, and rural security.

1. Alignment with National Disaster Management and Climate Resilience Frameworks
The National Disaster Management Framework (NDMF, 2005) and the National Climate Change Adaptation Strategy (NCCAS, 2020) identify flood resilience, disaster recovery, and proactive adaptation measures as matters of national importance.
The Eden Farm rehabilitation project aligns directly with these objectives because it:

- Addressed the impact of the July 2024 flood, a natural disaster that caused widespread infrastructure and agricultural damage across the Western Cape;
- Prevented further erosion and downstream sedimentation, thereby contributing to ecosystem stability and catchment resilience; and
- Restored safe living and working conditions, ensuring the security and wellbeing of rural communities.

These outcomes support Priority 2 of the NDMF — "*Identification, assessment and monitoring of disaster risks and vulnerabilities*" — and Priority 3 — "*Reducing risk and enhancing community resilience.*"
The project also contributes to Outcome 6 of the NCCAS:
"Enhancing climate-resilient human settlements and protecting infrastructure from extreme events."

2. Alignment with National Environmental and Rural Development Objectives
The project also supports the intent of:

- The National Environmental Management Act (NEMA, Act 107 of 1998) particularly Section 2 principles relating to environmental protection, rehabilitation of degraded ecosystems, and responsible land management.
- The National Development Plan (NDP, Vision 2030) which emphasises resilient infrastructure, sustainable land use, and secure rural livelihoods; and
- The Comprehensive Rural Development Programme (CRDP) which highlights security, infrastructure maintenance, and disaster resilience as central to improving rural living standards.

Through privately funded rehabilitation efforts, the applicant contributed to the national environmental stewardship goals by restoring land stability and preventing further degradation of the Spruitrivier riparian ecosystem.

3. Alignment with National Safety and Security Priorities
Following multiple security incidents and a farm attack after the fence collapse, reinstating the boundary fence and installing cameras directly supported national safety priorities under the South African Police Service (SAPS) Rural Safety Strategy (2021).
The project aligns with this strategy by:

- Strengthening farm perimeters and surveillance in a crime-prone area.
- Promoting cooperation among neighbours for mutual safety; and
- Helping to safeguard vulnerable rural residents and workers.

This contributes to the national goal of reducing violent rural crime and improving community security, which is explicitly recognised as a matter of national concern.

While the project was not directly funded or executed under a specific national programme, it is fully aligned with national policy objectives and responds to three key national concerns:

1. Climate change adaptation and flood recovery,
2. Environmental protection and rehabilitation, and
3. Rural safety and community resilience.

These alignments demonstrate that the Eden Farm intervention serves a public and national interest, supporting South Africa's commitment to:

- Building climate-resilient rural infrastructure,
- Protecting environmental assets, and
- Enhancing the safety and wellbeing of rural communities.

Accordingly, the activity can be regarded as consistent with and supportive of national programme of importance, even if not formally part of a government-led initiative.

9. Did location factors favour this land use (associated with the activity applied for) at this place? (This relates to the contextualisation of the land use on this site within its broader context.)	**YES**	NO	Please explain

The location and context made it entirely appropriate and necessary for the activities undertaken, namely riverbank stabilisation, flood-damage repairs, reinstatement of the boundary fence, and associated improvements such as the pool, lapa, and ablution facility to occur exactly where they did.
These actions were site-specific and location-dependent, driven by both environmental conditions and safety imperatives, rather than by a desire to introduce a new land use.

1. Environmental and Physical Suitability of the Site

- The Spruitrivier flows along the southern boundary of the property, forming part of the natural drainage and riparian system of the Wellington valley.
- Following the July 2024 flood, this section of the riverbank became unstable, resulting in severe erosion, soil loss, and collapse of the existing retaining wall and fence.
- The repair and stabilisation works could only be undertaken at this specific site, as the impacts were localised to that section of the riverbank.

The physical and environmental characteristics therefore necessitated intervention at this precise location to:

- Restore structural stability of the riverbank;
- Prevent further downstream sedimentation and water quality deterioration; and
- Protect the safety of people, animals, and property on and adjacent to the farm.

The activity was therefore not only suitable but essential given the hydrological and topographical realities of the site.

2. Compatibility with Surrounding Land Uses
The surrounding properties are primarily agricultural smallholdings and low-density rural residences, consistent with the Agricultural Zone I zoning of Eden Farm.
The reinstated fencing and flood repairs:

- Blend seamlessly with existing rural infrastructure (e.g. orchards, vineyards, access roads, and river crossings);
- Do not alter the visual or functional rural character of the area; and
- Contribute positively to shared safety and environmental stability, benefiting adjacent landowners through reduced erosion and enhanced boundary security.

This ensures spatial harmony within the broader agricultural and ecological corridor context of the Spruitrivier valley.

3. Safety, Security, and Disaster Resilience Context
The site's location also presented significant security and vulnerability challenges, exacerbated by the loss of the boundary fence during the flood.
After the fence collapse, the landowner experienced:

- Multiple incidents of theft and vandalism;
- A violent farm attack (SAPS CAS 296/7/2024); and
- Increased trespassing risk from the neighbouring properties and access roads.

Reinstating the fence and securing the property boundary at the original location was thus non-negotiable to protect:

- The safety of residents, workers, and neighbours;
- Private property and agricultural assets; and
- The sense of security within the local community.

This aligns with both local disaster management and national rural safety strategies, which prioritise crime prevention, infrastructure protection, and community resilience in high-risk rural zones.

4. Environmental Conservation and Land Stewardship
The applicant's intervention was not only reactive but also preventive in nature — designed to protect the natural environment from further degradation.
By reinforcing the eroded bank and stabilising the soil, the activity:

- Reduced the likelihood of future flood damage;
- Prevented sedimentation and siltation in the Spruitrivier;
- Enabled vegetation recovery along the stabilised bank; and
- Contributed to long-term conservation of the riparian ecosystem.

This demonstrates a strong environmental rationale for undertaking the activity precisely at this site, ensuring both ecological protection and sustainable land management.

Therefore, the location factors clearly favoured this land use and activity at this site. The repairs and stabilisation works were:

- Environmentally justified, responding directly to flood-induced erosion;
- Spatially compatible, consistent with surrounding agricultural and rural land uses;
- Socially and economically appropriate, ensuring safety, security, and preservation of property value; and
- Aligned with municipal and provincial planning objectives for disaster risk reduction, environmental protection, and sustainable rural living.

The activity was not only appropriate but necessary in this specific location, and it contributes meaningfully to the long-term resilience, safety, and ecological integrity of the area.

10. How did/does the activity or the land use associated with the activity applied for, impact on sensitive natural and cultural areas (built and rural/natural environment)?	**YES**	NO	Please explain

The activities undertaken riverbank stabilisation, flood-damage repairs, reinstatement of the boundary fence, and associated improvements such as the pool, lapa, and ablution facility, were confined to a small, previously disturbed footprint along the Spruitrivier riparian corridor.

While the works occurred within a regulated watercourse and thus required authorisation under the NEMA EIA Regulations, the impact on sensitive natural and cultural environments has been limited, reversible, and in some respects positive, particularly when considering the post-flood recovery context.

1. Impact on the Natural Environment (Pre- and Post-Commencement)
a) Sensitive Riparian Zone (Spruitrivier)

- The affected area forms part of the Spruitrivier riparian corridor, identified as an Ecological Support Area (ESA 2) in the Cape Winelands Biodiversity Spatial Plan (BSP).
- Prior to the intervention, the July 2024 flood caused extensive erosion, soil instability, and vegetation loss along this section of the riverbank.
- Without intervention, further bank collapse and sedimentation downstream would have threatened both water quality and aquatic habitat integrity.

The intervention has therefore served an ecological protection function by:

- Stabilising the bank and preventing ongoing erosion;
- Protecting the river's natural flow regime and reducing sediment load;
- Allowing for regeneration of riparian vegetation post-construction; and
- Minimising future disturbance by preventing recurrent collapse or uncontrolled repair works.

The specialist ecological assessment (Wellington Spruitrivier Ecological and Wetland Assessment, 2025) confirms that:
"The impact of the rectified activity is localised and reversible with proper management, and the intervention has reduced further erosion risk and sediment contribution to the Spruitrivier."
In essence, the ecological condition post-rehabilitation is more stable than pre-commencement, demonstrating a net environmental benefit.

b) Vegetation and Biodiversity

- The disturbed area primarily contained secondary riparian vegetation, dominated by pioneer and alien species (e.g., *Acacia mearnsii* and *Eucalyptus* spp.), as noted in the specialist report.

- The loss of indigenous vegetation during the works was negligible, as the site had already been degraded by flood disturbance.
- Re-vegetation is expected naturally, supported by riparian soil stabilisation and runoff control measures now in place.
- No protected or threatened species were identified during field verification, meaning no biodiversity sensitivity was compromised.

2. Impact on the Built and Cultural Environment
a) Built / Rural Character

- The completed works (fence, retaining structure, and stabilised riverbank) are consistent with rural agricultural aesthetics and do not alter the visual character of the area.
- The use of natural stone and concrete materials blends with existing farm infrastructure and surrounding landscape.
- The intervention also preserved property integrity and prevented infrastructure loss, aligning with the Drakenstein SDF objective to "maintain the character of the rural landscape while enhancing resilience."

b) Cultural / Historical Features

- The site is not located near any heritage resources or built environment features identified by the South African Heritage Resources Information System (SAHRIS) or in the Drakenstein Heritage Register.
- No archaeological, paleontological, or cultural artefacts were discovered or disturbed during the activity.
- Consequently, the activity has had no negative cultural or heritage impact.

3. Social and Environmental Co-Benefits
Beyond the limited footprint and mitigation of environmental risk, the activity produced significant positive outcomes for the surrounding community:

- Improved safety and security through reinstated fencing and surveillance;
- Prevention of further flood and erosion damage to neighbouring properties;
- Enhanced disaster resilience and reduction of municipal recovery costs; and
- Protection of property values and rural amenity.

These outcomes demonstrate a net benefit to both the natural and built environment, consistent with sustainable land use and responsible environmental stewardship.

The activity had limited and site-specific impacts on the natural environment, primarily confined to an already disturbed riparian edge.
Post-construction, the site exhibits:

- Improved ecological stability,
- Reduced erosion and sedimentation, and
- Enhanced visual and social integrity.

No adverse cultural, heritage, or landscape impacts were recorded. The land use and activity were contextually appropriate, environmentally rehabilitative, and aligned with local and provincial conservation and safety priorities.

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

The activities undertaken namely riverbank stabilisation, flood-damage repairs, reinstatement of the boundary fence, and associated improvements such as the pool, lapa, and ablution facility, have had a net positive effect on the health, wellbeing, and sense of security of people residing and working in the surrounding area.
Rather than introducing any nuisance or disturbance, the work was restorative, safety-driven, and environmentally responsible. The completed development now contributes to a more secure, stable, and visually coherent rural landscape.

1. Safety and Security — The Primary Wellbeing Benefit
Before the intervention, the property and its neighbours were exposed to serious security risks:

- The July 2024 flood destroyed the original boundary fence and retaining structure, leaving the property open to trespassing.
- In the months that followed, the landowners experienced multiple theft incidents and a violent farm attack (SAPS CAS 296/7/2024).
- This created fear, distress, and a sense of vulnerability among residents and workers on Eden Farm and neighbouring properties.

By replacing the fence and improving the boundary infrastructure:

- The landowners restored a sense of safety and dignity, which is a key component of wellbeing in rural communities.
- The installation of security cameras and improved visibility also contributes to collective safety for all nearby residents, aligning with the SAPS Rural Safety Strategy (2021).
- These measures have had a direct mental health benefit, reducing anxiety, fear of intrusion, and emotional trauma resulting from prior incidents.

The activity has *significantly improved human wellbeing by reinstating security, privacy, and peace of mind*.

2. Noise, Air Quality, and Odours

- The construction phase was of short duration and limited to low-impact civil works (small concrete pours, gabion placement, and fence erection).
- No industrial machinery, blasting, or prolonged noise-generating activities occurred.
- There were no emissions, odours, or pollutants released during or after the works.

The operational phase (completed works) has no noise or air-quality impact whatsoever.
This activity therefore does not pose any risk to public health in terms of noise, dust, odours, or pollution.

3. Visual Character and Sense of Place

- The completed development is sympathetic to the rural landscape, designed with natural stone finishes, neutral tones, and minimal visual intrusion.
- The pool/retaining structure blends with the topography and stabilised riverbank, avoiding the appearance of an urban or intrusive feature.
- The new fencing and landscaping have restored order and continuity to the property boundary, enhancing the visual quality of the area.

Prior to the works, the damaged and eroded section of the property created a visually degraded and unsafe environment, undermining the rural character and property value of the area.
Post-construction, the area appears well-maintained, stable, and harmonious with its surroundings, supporting the Drakenstein SDF's vision of attractive, functional, and sustainable rural landscapes.

4. Community Wellbeing and Social Value

The project has improved collective community wellbeing by:

- Reducing safety threats and restoring a secure living environment;
- Preventing further flood-related damage that could affect downstream properties;
- Supporting local disaster recovery efforts, aligning with the Western Cape Climate Change Response Strategy; and
- Helping to maintain property values and neighbourhood cohesion by presenting a cared-for, safe, and resilient area.

Residents benefit not only from physical safety but also from psychological reassurance that the environment is stable and secure.

The development has had no negative impacts on people's health, comfort, or quality of life, instead, it has provided substantial social, environmental, and mental health benefits by improving safety, security, and aesthetics.

The activity has improved the local living environment, restored dignity and peace of mind to affected residents, and strengthened the area's sense of place and community wellbeing — making it entirely beneficial from a public health and quality-of-life perspective.

12. Did/does the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	YES	**NO**	Please explain

The activities were restorative and protective in nature, not developmental or transformative.
As such, they did not preclude any alternative, higher-value, or strategic land use opportunities, nor did they impose costs on society, the environment, or the municipality.

1. No Loss of Productive or Strategic Land Use Potential

- The property is zoned Agricultural Zone I, and the activities undertaken remain consistent with the lawful and intended land use of the site.
- No agricultural land was permanently converted or lost — the works were confined to a small, previously disturbed section of the riparian zone.

- The project protected the remaining arable and infrastructure areas by preventing further erosion and land degradation following the 2024 flood.

In this sense, the activity preserved, rather than compromised, the long-term productive value of the land.

2. No Impact on Future Development or Infrastructure Planning

- The works were carried out within the existing property boundaries and did not require any changes to municipal service infrastructure or future land allocation.
- Because the site lies outside the urban edge, the development has no bearing on urban expansion priorities, infrastructure corridors, or growth management zones identified in the Drakenstein SDF or Western Cape PSDF.
- No future municipal projects, public infrastructure, or private development opportunities were displaced or restricted as a result of the works.

This means that no opportunity costs were incurred in terms of service planning, infrastructure investment, or land use efficiency.

3. No Environmental or Societal Opportunity Costs

Instead of creating environmental trade-offs, the activity reduced future environmental and social costs by:

- Preventing further soil loss and riparian degradation,
- Reducing downstream sedimentation impacts,
- Enhancing flood resilience and disaster preparedness,
- Protecting local biodiversity by stabilising eroded areas, and
- Restoring community safety and wellbeing through secure boundaries and improved visibility.

Without these interventions, the municipality and community would likely have faced higher long-term environmental repair and disaster management costs, as well as repeated safety risks from property damage and crime.
Thus, the project has resulted in net environmental and social gains, not losses.

4. Alignment with Public Interest and Policy

The project supports multiple policy priorities under the National Development Plan (NDP), Western Cape Climate Change Response Strategy, and Drakenstein IDP, including:

- Protecting natural capital and ecosystem services,
- Reducing vulnerability to climate-related disasters, and
- Promoting safety and resilience in rural areas.

By advancing these objectives through private initiative and funding, the project avoided public expenditure and created shared environmental value, rather than imposing opportunity costs on the state or society.

The activity and associated land use have not resulted in any unacceptable opportunity costs, either economically, environmentally, or socially. On the contrary, the works have produced clear long-term benefits, including:

- Preserved agricultural and environmental assets,
- Reduced flood and disaster recovery costs,
- Enhanced community safety and wellbeing,
- Maintained rural character and property values, and
- Aligned with local and provincial planning priorities.

The Eden Farm rectification activity represents a net positive contribution to sustainable land management and public good, with no displacement of future opportunities or excessive resource trade-offs.

13. What were the cumulative impacts (positive and negative) of the land use associated with the activity applied for?	YES	NO	Please explain
The cumulative impacts of the land use associated with the activity are predominantly positive, with only minor, localised, and short-term negative effects that have since been mitigated through proper stabilisation, rehabilitation, and environmental management. Overall, the activity supports long-term environmental, social, and safety benefits consistent with sustainable rural land management and climate-resilient infrastructure principles.			

1. Positive Cumulative Impacts
a) Environmental Protection and Ecosystem Resilience
• Riverbank stabilisation, controlled infilling, and rehabilitation prevented further erosion, sedimentation, and land degradation along the Spruitrivier.
• Re-vegetation and erosion control enhanced riparian ecosystem function and improved flood resilience.
• Stabilised banks now protect adjacent agricultural land and reduce the likelihood of future emergency interventions.
b) Reduction in Disaster Risk and Municipal Burden
• The works reduce future flood impacts and align with the Drakenstein Municipality's Disaster Management Plan.
• By preventing recurring erosion and infrastructure loss, privately funded repairs lessen the need for future municipal disaster expenditure.
c) Enhanced Safety, Security, and Community Wellbeing
• Reinstatement of the boundary fence and installation of surveillance cameras improved personal and property safety.
• The pool, lapa, and ablution facility support controlled, safe recreational use of the restored area, reducing uncontrolled access to the riverbank.
• The upgrades collectively support rural security and community confidence, particularly after prior theft and farm-attack incidents.
d) Preservation of Property Value and Rural Character
• Restored structures stabilised boundaries, improved visual order, and protected agricultural usability.
• The pool and lapa were integrated sensitively within the disturbed footprint to maintain the site's agricultural and natural character.
• The landowner will paint the pool and all above-ground structures in earth-tone colours to blend with the surrounding landscape and reduce visual intrusion.
e) Promotion of Environmental Stewardship
• The landowner's engagement in a Section 24G rectification process and ecological rehabilitation demonstrates environmental accountability and legal compliance, setting a positive precedent for responsible land management in the area.
2. Negative Cumulative Impacts (Temporary and Localised)
a) Short-Term Construction Impacts
• Temporary disturbance, noise, and limited vegetation clearing occurred during the repair phase (±1 200 m² already degraded by flooding).
• Disturbed areas have been fully stabilised and re-vegetated.
b) Minor Hydrological Adjustments
• Localised alterations to the riverbank profile occurred but were designed to mimic natural contours.
• The specialist confirmed that normal flow and ecological recovery were not impeded.
c) Slight Visual Modification
• The concrete pool and retaining structures introduced some visual change; however, natural tones, landscaping, and re-vegetation have mitigated this effect.
• The proposed painting of structures in neutral, natural colours will further reduce visibility and integrate the site into the surrounding riparian environment.

3. Overall Cumulative Impact Summary

Impact Category	Nature of Impact	Extent	Duration	Significance (Post-Mitigation)
Riverbank Stabilisation	Positive – reduces erosion, improves habitat	Local	Permanent	High (beneficial)
Vegetation & Habitat	Temporary disturbance – recovering	Local	Short-term	Low
Water Quality	Positive – reduces sedimentation	Downstream	Long-term	Medium (beneficial)
Safety & Security	Strongly positive – crime reduction	Local community	Long-term	High (beneficial)
Visual Character	Neutral-positive – blends with natural tones	Local	Permanent	Low
Municipal Infrastructure Demand	Reduced through private funding	Regional	Long-term	High (beneficial)

The overall cumulative impact of the activity including fence reinstatement, riverbank stabilisation, pool, lapa, ablution facility, and future off-site carport is overwhelmingly positive.
It enhances environmental stability, restores flood-damaged land, supports community safety, and maintains the visual and agricultural character of the Wellington rural area, in full alignment with Section 2 principles of NEMA.

14. Is/was the development the best practicable environmental option for this land/site?	**YES**	NO	Please explain

The activities undertaken were the most environmentally appropriate, technically feasible, and socially responsible solution to address the extensive flood-related damage sustained during the July 2024 flood event.
The interventions were site-specific, proportionate, and restorative in nature, aimed at stabilising the Spruitrivier riparian zone, restoring damaged farm infrastructure, and reducing future environmental and safety risks.

1. Context: Need for Intervention

The 2024 flood caused major erosion, loss of riparian vegetation, and destruction of the existing fence and retaining wall. This left the property vulnerable to:

- Continued erosion and bank collapse;
- Increased flood and safety hazards to residents and workers; and
- Loss of agricultural productivity and environmental degradation.

The intervention was therefore necessary to prevent further ecological harm and secure the property, in line with the preventive principle of NEMA Section 2(4)(a)(vii).

2. Assessment of Alternative Options

a) "No-Go" Option
Leaving the site unrepaired would have allowed further erosion, sedimentation, and structural instability, ultimately threatening neighbouring properties and the Spruitrivier ecosystem. This option was not viable environmentally, socially, or economically.

b) Minimal Intervention
Temporary fencing or limited infill would not have addressed root erosion or bank instability and would have failed during subsequent floods. This option was neither technically feasible nor sustainable.

c) Implemented Option (Selected Approach)
The chosen approach reinstating the historical fence line, stabilising the eroded riverbank, and constructing the concrete-lined pool within the disturbed footprint permanently addressed flood-related degradation.
Complementary works included a lapa, ablution facility, and planned carport (to be located beyond 32 m from the watercourse), designed to enhance site functionality without intensifying land use.

This integrated design:

- Stabilised the riverbank and reduced erosion;
- Prevented downstream sedimentation;
- Restored safety and controlled access along the river corridor;
- Allowed natural riparian vegetation to recover; and
- Ensured that all structures remain consistent with the rural character and zoning of the area.

3. Environmental and Social Performance of the Selected Option

Key Factor	Outcome
Environmental Integrity	Erosion prevention, improved riparian stability, and ecological restoration.
Social Wellbeing	Enhanced safety, security, and controlled recreational use of the area.
Technical Feasibility	Long-lasting, low-maintenance design suited to flood-prone terrain.
Economic Practicality	Privately funded rehabilitation, reducing municipal burden.
Aesthetic Integration	Pool and structures to be painted earth-tone colours to blend into the natural landscape.
Long-term Sustainability	High – prevents recurrent flood damage and supports riparian vegetation recovery.

4. Alignment with NEMA and the BPEO Principle

In accordance with the National Environmental Management Act (Act 107 of 1998), the implemented approach represents the Best Practicable Environmental Option (BPEO) because it:

- Prevented further environmental degradation;
- Protected property and human safety;
- Restored ecological and aesthetic balance;
- Supported compliance and rehabilitation within a disturbed footprint; and

- Avoided introducing new environmental risks or urban expansion.

The activity including flood repair, fence reinstatement, riverbank stabilisation, pool, lapa, ablution facility, and future off-site carport was the only practical, sustainable, and environmentally sound option available.
It achieves the optimal balance between environmental protection, social benefit, and economic practicality, fulfilling NEMA's precautionary and preventative principles and ensuring the long-term ecological and social resilience of the site.

15. What are/were the benefits to society in general and to the local communities?	Please explain

The activities undertaken have produced meaningful benefits for both society and the local rural community, extending beyond private property restoration. The project directly supports public safety, environmental rehabilitation, and rural economic resilience in line with the objectives of NEMA and the Drakenstein IDP (2022–2027).

Environmental and Ecological Benefits:
The stabilisation of the flood-damaged Spruitrivier bank halted erosion, prevented downstream sedimentation, and enhanced riparian ecosystem health. Indigenous vegetation recovery and erosion control improved local biodiversity and soil stability, reducing future disaster risk for the broader catchment.

Safety, Security, and Wellbeing:
Reinstating the boundary fence, installing cameras, and managing access through the lapa and pool area restored personal and property security following the July 2024 flood and subsequent criminal incidents. The works also improved mental wellbeing and community confidence by re-establishing a sense of safety and order.

Economic and Infrastructure Benefits:
The intervention protected productive agricultural land, reduced future disaster repair costs, and safeguarded local employment and agricultural continuity. As a privately funded rehabilitation, it reduced public expenditure while improving long-term municipal resilience.

Social and Aesthetic Benefits:
The restored and landscaped area improved the visual quality and rural character of the Wellington farming landscape. The pool, lapa, and ablution facility, designed for controlled domestic use, will be painted in natural earth-tone colours to blend with the environment and minimise visual impact.

The rectification project represents a constructive recovery initiative undertaken in response to a declared natural disaster. While the activities were initially implemented without prior authorisation, the applicant has since acted transparently to regularise the works under Section 24G, ensuring legal compliance and alignment with environmental governance principles. The completed rehabilitation has restored environmental stability, improved rural safety, and supported sustainable agricultural use delivering long-term benefits for both the local community and the surrounding environment.

16. Any other need and desirability considerations related to the activity?	Please explain

The activity arose from the July 2024 flood, which caused severe erosion, infrastructure loss, and safety hazards along the Spruitrivier. Immediate stabilisation was essential to protect life, property, and the environment. The works including riverbank stabilisation, fence reinstatement, pool, lapa, ablution facility, and future carport were therefore necessary, proportionate, and restorative, not speculative development.

Disaster Recovery & Climate Resilience:
Implemented in response to a declared flood disaster, the project prevented ongoing erosion and property loss, aligning with the National Disaster Management Framework, Western Cape Climate Change Response Strategy, and NEMA's preventive principle.

Safety & Human Wellbeing:
The reinstated fence, cameras, and managed access area addressed severe security risks following a farm attack (SAPS CAS 296/7/2024). This improved rural safety, mental wellbeing, and aligns with the SAPS Rural Safety Strategy and Drakenstein IDP priority of resilient communities.

Environmental Rehabilitation:
Rehabilitation within a disturbed footprint stabilised the riparian zone, improved water quality, and allowed vegetation regrowth, supporting the National Biodiversity Framework (2019–2024).

Economic & Social Sustainability:
The works preserved farmland, prevented further degradation, and maintained property values, supporting rural livelihoods and the Drakenstein SDF (2023) goal of protecting agricultural resources.

Compliance & Governance:
Once aware of the requirement, the applicant initiated the Section 24G rectification in good faith and commissioned specialist studies, demonstrating environmental accountability and transparency.

The intervention meets the "need" for flood recovery and safety restoration and is "desirable" for enhancing resilience, protecting livelihoods, and reinforcing responsible environmental stewardship in the Wellington agricultural landscape.

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

The activities were undertaken to restore environmental stability, prevent further degradation, and ensure the safety and security of the property and surrounding community following the July 2024 flood. The works included riverbank stabilisation, boundary fence reinstatement, pool/retaining structure construction, toilet and lapa installation, and provision for a future carport. Together these were designed to rehabilitate flood damage, secure the property, and enhance long-term resilience.

1. Promotion of the Integration of Environmental Considerations into Decision-Making

Although the works began as urgent flood-response measures, the applicant has since undertaken full environmental assessment and specialist review to document and evaluate the implications of all activities. The ecological and wetland assessment confirmed that the works occurred within a previously disturbed footprint and improved bank stability and riparian function. Environmental factors are now formally incorporated into ongoing property management to ensure all future improvements align with best practice and legal requirements.

2. Identification, Prediction, and Evaluation of Actual and Potential Impacts

All environmental, social, and heritage factors were identified and evaluated. Rehabilitation and erosion-control measures address potential residual impacts such as soil disturbance and altered drainage. Monitoring provisions are in place to ensure continued compliance.

3. Ensuring that Development Serves the Physical, Psychological, and Social Needs of People

The reinstated fence, ablution facilities, lapa, and proposed carport enhance safety, functionality, and dignity for farm residents and visitors. The security improvements protect people and assets, supporting the constitutional right to a safe and healthy environment.

4. Equitable Consideration of Social, Economic, and Environmental Factors

The project balanced environmental protection (stabilised riverbank and riparian recovery), social wellbeing (improved safety and living conditions), and economic resilience (protection of agricultural land and property value). All interventions were proportionate, non-expansive, and environmentally restorative.

5. Promotion of Participation and Transparency

Stakeholders, neighbours, and authorities were informed through the formal public participation process in accordance with the EIA Regulations. All inputs are recorded in the Comments and Response Register to ensure transparency and inclusivity.

6. Co-ordination and Co-operation Between Organs of State

The process involves cooperation between DEA&DP, DWS (for Section 21(c) and (i) water uses), and the Drakenstein Municipality (for land-use and building compliance). This ensures consistent, integrated environmental governance.

7. Anticipation and Prevention of Negative Impacts

Engineered stabilisation, controlled runoff, and revegetation prevent erosion and water-quality impacts. The footprint remains within an already disturbed zone, and long-term maintenance will secure the restored environment.

8. Accountability and Learning

Through the Section 24G rectification process, the applicant demonstrates accountability and a commitment to future compliance. Lessons learned have strengthened internal procedures and awareness for all future maintenance or development activities.

The rectification and upgrade works align fully with the objectives of Integrated Environmental Management under Section 23 of NEMA by integrating environmental principles, balancing ecological and human needs, ensuring cooperative governance, preventing degradation, and embedding accountability. The project restores the integrity of the natural system while protecting safety, security, and sustainable land use within the rural context.

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

The Esterl Family Trust undertook rehabilitation works on Portion 3 of Farm 1387 (Eden Farm, Wellington) in good faith following the July 2024 flood disaster. Activities included reinstatement of the boundary fence, riverbank stabilisation along the Spruitrivier, construction of a concrete retaining/pool structure within the disturbed riparian area, installation of toilets and a lapa, and provision for a future carport. These measures were implemented to restore environmental integrity, prevent erosion, and improve safety for occupants and neighbours.

1. Sustainable Development (Section 2(3))

The activities restored environmental and structural stability to flood-damaged land, preventing further degradation while protecting agricultural productivity and livelihoods.
They provide long-term ecological, social, and economic sustainability by reducing flood risk, improving water quality, and enhancing rural resilience.

2. Environmental Management Hierarchy (Section 2(4)(a)(i)–(viii))

Avoidance was not possible due to emergency conditions; however, impacts were minimised by confining work to previously disturbed areas.
Stabilisation and rehabilitation were prioritised through re-vegetation and erosion control.
No residual harm remains, and all reasonable measures to prevent degradation were applied per Section 28 (duty of care).

3. Duty of Care and Precautionary Principle (Section 2(4)(a)(vii)–(viii))

A precautionary approach guided design and materials to ensure future resilience against similar flood events.
No hazardous materials were used, and engineered stabilisation reduced long-term environmental risk.

4. Environmental Justice (Section 2(4)(c))

Neighbouring landowners benefited through reduced erosion and improved safety along the river corridor.
The reinstated fence and security infrastructure decreased trespassing and criminal incidents, promoting equity and wellbeing for the surrounding rural community.

5. Public Participation (Section 2(4)(f))

The public participation process complied with Chapter 6 of the EIA Regulations, ensuring that local stakeholders, adjacent landowners, and authorities were informed and could provide comment.
All inputs are recorded in the Comments and Responses Register.

6. Accountability and Informed Decision-Making (Section 2(4)(g)–(h))

The applicant commissioned an independent ecological and wetland assessment to inform the rectification application.
DEA&DP and DWS now have accurate baseline data to make evidence-based decisions.
The applicant's initiation of the Section 24G process demonstrates accountability and transparency.

7. Integration and Co-operation Between Organs of State (Section 2(4)(l))

The process aligns with mandates of:
- DEA&DP – environmental authorisation under NEMA;
- DWS – Section 21(c) and (i) water uses; and
- Drakenstein Municipality – land-use and building compliance.

This ensures coordinated governance and legal consistency.

8. Environmental Integrity and Rehabilitation (Section 2(4)(a)(vi))

The works restored a previously eroded and unstable area.
Riparian vegetation is recovering, and the site now functions as a stable ecological buffer protecting downstream water quality.

9. Efficiency and Cost-Effectiveness (Section 2(4)(o))

The intervention used local materials and private funding, reducing potential municipal expenditure and preventing repeated flood-related losses.

10. Preventive and Remedial Action (Section 2(4)(a)(viii)–(ix))

The applicant's rectification complies with the duty of care and "polluter pays" principles. The area has been stabilised and rehabilitated to a functioning condition, preventing recurrence of harm.

11. Holistic and Adaptive Management (Section 2(4)(b) and (q))

The emergency response evolved into a structured rehabilitation project with specialist input and ongoing monitoring, ensuring long-term ecological recovery and adaptive management.

12. Beneficial Use of Natural Resources (Section 2(4)(a)(v))

The land and watercourse now serve sustainable ecological and agricultural functions, providing benefits beyond the property boundary and contributing to public good.

The rehabilitation and improvement works uphold the principles of environmental management under Section 2 of NEMA by integrating environmental protection, safety, and sustainable use. The applicant's corrective action demonstrates accountability, fairness, and long-term stewardship, ensuring that human development proceeds in harmony with ecological integrity and community wellbeing.

SECTION E: ALTERNATIVES

Please Note: Before completing this section, first consult this Department's *Guideline on Alternatives* (March 2013) available on the Department's website (**http://www.capegateway.gov.za/eadp**).

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

(a) the property on which, or location where, it is to undertake the activity/the activity was undertaken;

(b) the type of activity to be undertaken;

(c) the design or layout of the activity;

(d) the technology to be used in the activity;

(e) the operational aspects of the activity; and

(f) the option of not implementing the activity.

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

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

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

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

Please note:

- Detailed written proof of the investigation of alternatives must be provided. If no reasonable or feasible alternative exists, a motivation must be provided.
- Alternatives considered for a Section 24G application are used to determine if the development was the best practicable alternative (environmentally, socially and economically) for the site or property.

- In respect of a section 24 application, the option of not implementing the activity ("no-go"), includes the option of ceasing the activity, not implementing continuation of the activity, refusal of the commenced activity and complete rehabilitation of the affected site.

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

No reasonable or feasible property or location alternatives existed for the activities undertaken. All works were site-specific, necessitated by the severe flood damage along the Spruitrivier during the July 2024 event, which resulted in bank collapse, infrastructure failure, and significant safety risks on Portion 3 of Farm 1387, Eden Farm, Wellington.

The rehabilitation and associated improvements including boundary fence reinstatement, riverbank stabilisation using gabion and concrete structures, construction of a pool/retaining feature within the same disturbed footprint, installation of an ablution facility and lapa, and provision for a future carport were implemented to restore the integrity, functionality, and safety of the affected area.

Alternative locations were not feasible because:

- The erosion and structural failures were confined to a specific section of the riverbank; mitigation was required at the exact point of collapse to stabilise the slope and prevent further sediment loss into the Spruitrivier.
- Relocating the activities would have necessitated clearing undisturbed riparian vegetation and expanding the development footprint into ecologically functional areas, contrary to the NEMA principles of avoiding and minimising disturbance.
- The fence reinstatement and security infrastructure had to follow the original cadastral boundary, as relocating these would leave the property and neighbouring land vulnerable to trespassing and criminal activity.
- The ablution and lapa structures were placed within the previously disturbed and stabilised area near the retaining wall, optimising use of already impacted ground while avoiding new disturbance elsewhere.
- The future carport, if constructed, will be positioned within the same development envelope, ensuring no new encroachment or environmental footprint.

The chosen site was therefore dictated by environmental, structural, and safety necessity, not by convenience. By confining the works to the existing degraded footprint, the applicant avoided additional ecological disruption, enhanced flood resilience, and ensured the intervention served both public safety and environmental recovery.

Accordingly, the selected location represents the Best Practicable Environmental Option (BPEO) in line with the NEMA principles of sustainable development, environmental justice, and duty of care.

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

Several activity alternatives were assessed to determine whether alternative construction, rehabilitation, or layout approaches could achieve the same objectives with lower environmental risk or greater sustainability.
The activities considered include riverbank stabilisation, reinstatement of the boundary fence, construction of the retaining/pool structure, installation of the toilets and lapa, and provision for a future carport.
Each alternative was evaluated in relation to technical feasibility, environmental performance, and alignment with the Best Practicable Environmental Option (BPEO).

Alternative	Summary	Outcome / Motivation
Rebuild fence only (without stabilisation)	Replace the damaged fence along the collapsed boundary without repairing the underlying erosion.	Rejected. This approach would have failed to address the root cause of the problem (bank instability). The fence would likely have collapsed again during future flood events, perpetuating soil loss, water quality degradation, and ongoing safety and security risks.
Use soft bioengineering methods (gabions, riprap, vegetation only)	Apply naturalistic materials to stabilise the riverbank and encourage vegetation regrowth.	Partially viable but rejected. While soft bioengineering supports ecosystem restoration, the energy of flood flows at this site exceeded the tolerance of such materials. This option posed a high risk of failure, required frequent maintenance, and would likely have increased the disturbed footprint to achieve comparable stability.
Relocate fence, lapa, and proposed carport further inland	Move all new infrastructure away from the riparian edge.	Rejected. Relocation would not have prevented erosion or stabilised the existing bank. It would have reduced the usable agricultural area, compromised property security, and necessitated new ground disturbance within previously undisturbed areas—contrary to the NEMA principle of minimising impacts.
Construct pool and retaining structure using lighter materials or alternative designs	Replace the concrete structure with smaller retaining blocks or timber reinforcements.	Rejected. Engineering specialists confirmed that lighter designs would not withstand future flood energy or soil pressure. The concrete structure provided the most durable, low-maintenance, and environmentally secure solution when combined with riparian revegetation.
Full removal of works and site rehabilitation ("no continuation" or "no-go")	Remove all constructed elements and return the site to its pre-activity state.	Rejected. This would have exposed the riverbank to renewed erosion, caused further sedimentation of the Spruitrivier, and removed essential safety and security infrastructure, placing residents, workers, and neighbouring landowners at risk.

The adopted activity a combination of engineered bank stabilisation, reinforced concrete retaining/pool structure, revegetation, reinstatement of the boundary fence, and limited recreational infrastructure (toilets, lapa, and future carport) was found to be the only technically feasible, socially responsible, and environmentally defensible option.

This integrated approach:

- Prevents further erosion and protects water quality;
- Restores ecological and visual integrity along the river corridor;
- Ensures personal safety and property security; and
- Minimises additional disturbance by confining all works within the previously degraded footprint.

Accordingly, the selected activity represents the Best Practicable Environmental Option (BPEO) in terms of technical resilience, environmental protection, and social benefit, consistent with Section 2 of NEMA and the Department's Guideline on Alternatives (March 2013).

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

Design and layout alternatives were reviewed in consultation with engineering to identify a configuration that would provide long-term stability, minimise additional disturbance, and integrate effectively with the site's natural and social context. The alternatives assessed included design options for the retaining/pool structure, riverbank stabilisation works, fence alignment, and the positioning of the toilets, lapa, and proposed carport.

Alternatives considered:

- Original layout reconstruction (pre-flood design):
  Discarded. The pre-flood retaining wall and fence configuration lacked structural resilience, leading to its collapse during the July 2024 flood. Reinstating this design would have repeated the same vulnerability, offering no improvement in flood resistance or safety.
- Gabion or terraced wall design:
  Technically viable but environmentally and socially unsuitable. While gabion and terraced walls provide a naturalistic appearance, this design would have required deeper excavation, greater material quantities, and a wider disturbance footprint within the riparian zone. It also presented higher long-term maintenance and theft risks (due to removable materials) and lower durability under high-energy flood conditions.
- Vegetation-only slope design:
  Rejected for technical reasons. The depth of soil loss and steep gradient of the eroded section necessitated structural reinforcement to prevent further collapse. A vegetation-only approach could not provide the necessary shear resistance or protection during future high-flow events.
- Revised integrated layout (adopted design – implemented):
  The final design combined a reinforced concrete retaining/pool structure shaped along the natural contour of the riverbank, integrated with indigenous vegetation for visual blending and ecological rehabilitation.
  The boundary fence was reinstated in its lawful cadastral position, above the stabilised bank to ensure safety and prevent future undermining.
  The toilets and lapa were placed within the existing disturbed footprint, well outside the active flood line, using existing access routes to avoid further clearing.
  The future carport will be located adjacent to existing built infrastructure, ensuring no extension into new natural areas.

This integrated layout:

- Minimised new disturbance by confining all structures to already affected areas;
- Followed natural topography, promoting stability and effective stormwater drainage;
- Enhanced ecological recovery through riparian re-vegetation and erosion control; and
- Improved safety and flood resilience through durable materials and strategic siting.

The adopted configuration therefore represents the Best Practicable Environmental Option (BPEO) balancing technical strength, ecological integrity, and community safety while ensuring compliance with the principles of sustainable development under Section 2 of NEMA.

(d) Technology alternatives (e.g. to reduce resource demand and resource use efficiency) to avoid negative impacts, mitigate unavoidable negative impacts and maximise positive impacts or detailed motivation if no reasonable or feasible alternatives exist:

Different construction materials and technologies were evaluated to ensure long-term resilience, environmental compatibility, and efficient use of resources. The assessment focused on the riverbank stabilisation works (retaining/pool structure), fencing, ablution facilities, lapa, and proposed carport, with the goal of reducing environmental impacts, optimising material efficiency, and enhancing durability.

Alternatives considered:

- Gabion baskets or loose rock riprap:
  Rejected. While these materials offer a semi-natural appearance, they posed several risks at this location. Gabions and loose rock are prone to theft, corrosion, and displacement under high-flow conditions. Their limited structural lifespan and high maintenance burden made them unsuitable for a flood-prone site with steep slopes and recurring hydrological pressures.
- Shotcrete lining or impermeable hard surfacing:
  Avoided. Continuous shotcrete or sealed concrete surfacing was not selected due to its negative environmental implications, including reduced permeability, increased stormwater runoff, and loss of microhabitat potential for riparian species. It also would have created a stark visual impact inconsistent with the rural and natural setting.
- Precast retaining wall modules or plastic formwork systems:
  Considered but not preferred. These modular systems would have required imported materials and heavy machinery, increasing the project's carbon footprint and costs. They also offered less design flexibility to follow the natural curvature of the bank, increasing the likelihood of undercutting during flood events.
- Adopted technology (implemented design):
  The final design utilised reinforced in-situ concrete for the retaining/pool structure, integrated with drainage channels and bio-technical stabilisation (use of indigenous vegetation on upper slopes).
  This approach ensured:
  - Long-term structural stability under high-energy flood conditions;
  - Minimal maintenance and low lifecycle costs;
  - Local material sourcing (aggregates, sand, and cement) to reduce transport emissions and resource footprint;
  - Efficient integration with the reinstated fence line for safety and property security;
  - Energy-efficient fittings and water-saving fixtures in the toilets; and
  - Use of natural finishes for the lapa and future carport to visually blend with the surrounding environment.

The adopted technology combined engineering resilience with environmental sensitivity, achieving durable, low-impact rehabilitation within an already disturbed footprint.

This integrated construction approach represents the Best Practicable Environmental Option (BPEO) balancing structural performance, sustainability, and aesthetic harmony. It ensures optimal resource efficiency, long-term safety, and ecological compatibility in full alignment with the principles of Section 2 of NEMA and national goals for climate-resilient infrastructure.

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

Operational alternatives were inherently limited due to the once-off, post-disaster nature of the activity, which focused on rehabilitation, stabilisation, and reinstatement of infrastructure following the July 2024 flood event. The project does not constitute a new or ongoing operational development but rather the restoration and responsible management of existing rural infrastructure within a working agricultural environment. Nevertheless, several operational approaches were assessed to ensure that long-term site use, maintenance, and ancillary facilities remain environmentally sound and sustainable.

Alternatives Considered:

1. Intensive or Commercial Operational Use

- Description: Conversion of the rehabilitated area into a commercial or recreational space (e.g., event venue or public amenity).
- Evaluation: Rejected. Such use would conflict with the agricultural zoning, introduce higher traffic volumes, noise, and waste generation, and increase environmental disturbance within the riparian buffer.
- Outcome: The site will remain a private agricultural holding, used solely for residential and maintenance purposes.

2. Minimal or No Ongoing Maintenance

- Description: Allowing the stabilised bank and associated structures to remain unmanaged after construction.
- Evaluation: Rejected. Without monitoring, alien vegetation regrowth, erosion, and infrastructure deterioration could reoccur, undermining the rehabilitation success and leading to secondary degradation.
- Outcome: Regular inspection and maintenance are essential to sustain environmental stability.

3. Adopted Operational Approach (Implemented)
The adopted plan emphasises low-impact, preventative management to ensure that the rehabilitated riparian zone, security infrastructure, and small-scale amenities continue to function safely and sustainably. The operational measures include:

- Long-term environmental monitoring:
  Routine inspections of the stabilised riverbank to verify structural integrity, vegetation establishment, and drainage performance after major rainfall events.
- Erosion and vegetation management:
  Clearing of alien species, maintenance of indigenous riparian vegetation, and restoration of disturbed ground to maintain bank stability and habitat quality.
- Security and fencing maintenance:
  Periodic servicing of the fence, CCTV, and motion sensors to preserve site safety, deter vandalism, and protect the rehabilitated area.
- Ablution facility operation:
  Scheduled inspection and emptying of the septic/conservancy tank system, ensuring compliance with municipal environmental health standards and preventing any groundwater or surface water contamination.
- Lapa and pool area management:
  Restricted to private domestic use by the landowner. Activities are limited to low-intensity, passive recreation. Water use will be monitored to prevent overflow or pollution; backwash water will be contained or reused as greywater.
- Proposed future carport:
  To be constructed outside the 32 m riparian buffer, using permeable surfaces and lightweight materials, ensuring minimal operational impact and maintenance requirements.

Outcome and Motivation:

This operational model ensures that the site remains a low-intensity, environmentally responsible rural property, characterised by:
• Ongoing erosion control and habitat rehabilitation within the restored riverbank area;
• Secure and well-maintained infrastructure, preventing future degradation and safety risks;
• Minimal demand on public services, as all systems (water, sanitation, power) are self-supplied; and
• Full compliance with NEMA Section 28 duty of care, ensuring that the environment is protected from foreseeable harm.

The adopted operational alternative is the most environmentally benign and sustainable option, balancing environmental protection, safety, and practicality.
It ensures that:
• The site remains stable and self-sustaining;
• Future maintenance supports long-term ecological recovery; and
• The property continues to align with the Best Practicable Environmental Option (BPEO) principles and sustainable rural land management objectives of the Drakenstein Municipality.

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

The "no-continuation" or activity cessation alternative was considered as part of the NEMA-required evaluation of reasonable and feasible options. However, this alternative was found to be environmentally, socially, and economically unacceptable due to the following reasons:

- Environmental degradation risk:
  Removing the retaining/pool structure and ceasing maintenance would destabilise the restored riverbank, reactivating erosion and sedimentation processes along the Spruitrivier. This would compromise downstream water quality, reduce riparian habitat stability, and counteract the successful rehabilitation already achieved.
- Loss of safety and security infrastructure:
  Dismantling the reinstated boundary fence, security cameras, and associated infrastructure would expose the property and neighbouring farms to increased trespassing, theft, and personal safety risks. These features were introduced in direct response to documented criminal incidents following the 2024 flood and are now integral to the area's safety management.
- Degradation of social and property integrity:
  The removal of the stabilised structure, lapa, or ablution facilities would leave the site visually and functionally degraded, reversing environmental progress and reducing property usability. The works currently serve both protective and amenity functions within a private, low-impact rural setting.
- Contravention of the NEMA duty of care (Section 28):
  Ceasing the activity would result in renewed degradation, violating the duty of landowners to take reasonable measures to prevent environmental harm. It would represent a regression from the current stable, rehabilitated condition toward renewed ecological and social vulnerability.
- Limited potential for beneficial rehabilitation:
  Attempting to remove or fully "rehabilitate" the site to its pre-activity condition is neither feasible nor beneficial. The 2024 flood permanently altered the riverbank topography thus, returning it to a "natural" state would be impossible without reintroducing instability and erosion.

In contrast, the continuation and maintenance of the existing stabilised system including the retaining/pool structure, reinstated fence, lapa, ablution facility, and future carport (to be located outside the 32m buffer) ensures:

- Long-term ecological stability;
- Protection of water quality and soil integrity;
- Enhanced safety and security; and
- Ongoing compliance with the preventive and remedial intent of NEMA Section 2(4)(a)(vii–ix).

Therefore, activity cessation is not a viable or sustainable option. The responsible approach is to retain and maintain the rehabilitated structures under appropriate environmental management and monitoring. This ensures that the site remains stable, secure, and aligned with the principles of sustainable development and environmental duty of care.

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

Additional alternatives and management measures have been identified to further enhance environmental protection, operational safety, and long-term sustainability of the rehabilitated site. These represent ongoing commitments by the applicant to align the activity with the principles of sustainable development and the duty of care provisions under Sections 2 and 28 of NEMA.

1. Enhanced Safety and Security Measures

To address persistent safety risks following multiple theft incidents and a recorded farm attack after the flood, the applicant incorporated passive and energy-efficient security systems into the reinstated fence design.

- CCTV cameras and motion detectors have been installed along the fence line for early detection of trespassing or unauthorised entry.
- These systems improve personal and property safety for the applicant and neighbouring landowners, promoting community-wide security and rural resilience.
- Low-energy motion sensors were selected to reduce continuous power demand and limit the need for night patrols, lowering the site's operational footprint.
  These measures strengthen long-term sustainability by enhancing safety while conserving energy and reducing environmental disturbance.

2. Responsible Pool Operation and Water Management

The concrete-lined pool, which primarily serves as a stabilising and landscape feature, may be used for low-impact recreational purposes in the future. The applicant has considered environmentally responsible management alternatives to prevent pollution and water waste:

- Saltwater filtration system preferred over chlorine-based systems, reducing chemical use and ecological harm.
- Maintaining a 10–15 cm freeboard to prevent overflow during rainfall events.
- Runoff management: Stormwater from higher ground will be redirected away from the pool area to avoid overflow into the Spruitrivier.
- Chemical storage: All cleaning agents or maintenance materials will be stored safely above flood levels in weatherproof enclosures.
- Effluent handling: Backwash or greywater will not discharge into the river; instead, it will be reused for irrigation or directed to the existing septic/conservancy system.

These measures ensure the pool's function remains environmentally neutral, preventing contamination and aligning with NEMA's preventive and precautionary principles.

3. Consideration of Future Gabion Wall Improvements

Although no additional construction is currently planned, the applicant recognises that hydrological assessment may be required for any future modification or strengthening of the existing gabion or retaining features.

- Any future alteration will be guided by qualified hydrological or environmental professionals to maintain natural flow dynamics and prevent downstream sediment accumulation.
- The applicant commits to obtaining relevant approvals and updating the environmental management plan (EMP) if structural upgrades are pursued.

This ensures all future maintenance or enhancement remains scientifically justified and legally compliant.

4. Sanitation and Wastewater Management

The ablution facility near the pool area is managed under strict environmental and public health standards:

- The system will be connected to a sealed septic or conservancy tank, preventing direct effluent discharge into the Spruitrivier.
- Regular inspection and maintenance will ensure the tank's integrity during heavy rainfall or flood events.
- Should any future sanitation expansion be required, it will comply with Drakenstein Municipality's building and wastewater management regulations and the National Building Regulations (SANS 10400-P).

These measures ensure that wastewater handling remains safe, contained, and fully compliant with NEMA's duty of care and Section 19 of the National Water Act (Act 36 of 1998).

5. Visual and Aesthetic Integration

To minimise visual impact, all permanent structures including the pool, lapa, toilets, and future carport will be painted or finished in natural, earthy tones that blend with the surrounding environment.
This approach softens the visual footprint of the development and maintains the rural character of the area, consistent with the Drakenstein Spatial Development Framework's (2023) emphasis on rural landscape integrity.

The adoption of these additional measures ensures that:

- All associated structures operate in an environmentally sound, low-impact manner;
- Site stability and ecosystem recovery are maintained and enhanced;
- Long-term compliance and community safety are prioritised; and
- The project remains fully aligned with the preventive, remedial, and sustainability principles of NEMA.

Together, these alternatives and management actions confirm the applicant's ongoing commitment to responsible land stewardship and adaptive environmental management on Eden Farm.

(h) Please provide a summary of the alternatives investigated and the outcomes of such investigation:

Please note: If no feasible and reasonable alternatives exist, the description and proof of the investigation of alternatives, together with motivation of why no feasible or reasonable alternatives exist, must be provided.

1. Property and Location Alternatives
The intervention was geographically fixed to the portion of the Spruitrivier that sustained flood damage in July 2024. Relocating the works elsewhere would have required disturbing undamaged riparian vegetation, resulting in unnecessary ecological harm and leaving the original erosion point unstable. The activity therefore had to occur within the existing disturbed footprint to restore site stability and prevent further land loss.

2. Activity Alternatives
Various alternative actions were considered:

- Fence replacement only – would not prevent renewed erosion or protect property security.
- Soft bioengineering (gabions, vegetation only) – insufficient structural resilience for flood conditions; high maintenance demand.
- Relocating the fence inward – would reduce usable agricultural area and fail to address the root erosion problem.
  The adopted solution bank stabilisation with a reinforced retaining/pool structure, reinstated fence, and integrated vegetation rehabilitation was the only technically and environmentally viable alternative that met safety, security, and stability needs.

3. Design and Layout Alternatives
Alternative layouts such as gabion terracing or stepped retaining walls were reviewed but rejected due to higher disturbance footprints, greater theft risk, and reduced flood resistance.
The implemented contoured concrete retaining/pool structure followed the natural topography, limited new disturbance, and enhanced flood resilience. The design also accommodated the lapa, ablution facility, and future carport outside the 32m buffer, maintaining functional and visual integration with the landscape.

4. Technology Alternatives
Material and construction technologies were compared for strength, sustainability, and resource efficiency:

- Gabion baskets are prone to theft and corrosion; shorter lifespan.
- Shotcrete or impermeable surfacing would increase stormwater runoff and habitat loss.
  The chosen reinforced concrete system with built-in drainage and bio-technical integration (indigenous vegetation planting) was most effective, durable, and resource-efficient, providing long-term stability with minimal maintenance.

5. Operational Alternatives
Operational activity on-site remains passive and low-impact.
Routine maintenance includes vegetation monitoring, erosion checks, and inspection of the fence, security systems, and sanitation infrastructure.
No high-intensity or commercial operations are permitted.
This ensures continued ecological recovery and long-term compliance with the duty of care under Section 28 of NEMA.

6. Cessation ("No-go") Alternative
Ceasing or removing the works was determined to be environmentally and socially unacceptable. It would:

- Destabilise the rehabilitated riverbank;
- Cause renewed erosion and sedimentation;
- Remove essential safety and security infrastructure; and
- Contravene the preventive and remedial intent of NEMA.
  Continuation and responsible maintenance of the rehabilitated structures are thus the only viable and sustainable option.

7. Other Alternatives and Enhancements
Additional management improvements have been adopted to enhance environmental and social performance:

- CCTV cameras and motion sensors to strengthen rural security;
- Saltwater pool option to minimise chemical discharge risk;
- Freeboard maintenance and stormwater redirection to prevent overflow;
- Safe chemical storage above flood levels;
- Greywater reuse or septic disposal for pool backwash water;
- Commitment to professional hydrological review for any future gabion or structural modifications;
- Connection of ablution facilities to a sealed septic or conservancy tank, preventing effluent contamination; and
- Natural, earth-tone finishes for the pool, lapa, and future carport to blend with the surrounding landscape and reduce visual impact.

These measures demonstrate a proactive, forward-looking approach that enhances compliance, reduces environmental risk, and improves overall site resilience.

Following a thorough evaluation, the investigation confirms that:

- No feasible or reasonable property, activity, design, technology, or operational alternatives exist that would yield a better environmental or social outcome;
- The implemented rehabilitation and safety intervention represents the Best Practicable Environmental Option (BPEO); and
- The approach achieves the optimal balance of environmental protection, social benefit, and economic practicality under post-flood conditions.

The chosen alternative ensures:

- Compliance with NEMA's Section 2 principles and Section 28 duty of care;
- Ongoing protection of the Spruitrivier ecosystem;
- Restoration of safety, functionality, and environmental integrity; and
- Sustainable long-term management consistent with municipal and national environmental objectives.

Summary Table: Alternatives Investigation:

CATEGORY	ALTERNATIVES CONSIDERED	FEASIBILITY	ENVIRONMENTAL / SOCIAL OUTCOME	DECISION / MOTIVATION
(A) PROPERTY / LOCATION	Relocation of works to a different area on the property or elsewhere	Not feasible	Would extend disturbance into undisturbed riparian habitat and fail to address the original flood-damaged and eroded section; security risk would remain unresolved	Activity site-specific to flood-damaged portion of the Spruitrivier; location fixed by necessity and represents the Best Practicable Environmental Option (BPEO)
(B) ACTIVITY	Fence replacement only; soft bioengineering (gabions/vegetation only); relocation of fence inland; full cessation of activity	Not feasible	Would not stabilise the eroded bank or ensure safety; likely to fail under future flood events, increasing sedimentation and security risks	Adopted integrated stabilisation and reinstatement approach reinforced retaining/pool structure, fencing, and re-vegetation provided long-term safety and ecological benefit
(C) DESIGN / LAYOUT	Gabion or terraced wall design; vegetation-only slope; relocation of fence and facilities away from river	Technically possible but environmentally inferior	Higher disturbance footprint, visual impact, theft vulnerability, and insufficient flood resilience	Adopted reinforced concrete retaining/pool design following natural contours, integrated with indigenous landscaping, lapa, toilets, and future carport (outside 32 m); identified as BPEO
(D) TECHNOLOGY	Gabions, riprap, or impermeable linings	Rejected	High maintenance, resource-intensive, prone to failure and theft; poor durability under flood pressure	Adopted hybrid reinforced concrete and bio-technical solution using local materials; stable, low maintenance, environmentally efficient
(E) OPERATIONAL	Alternative management or monitoring approaches	Feasible	Low-impact, self-sustaining operation with vegetation and stability monitoring; supports erosion control	Adopted periodic inspection, indigenous vegetation management, and maintenance of safety systems (fence, CCTV, ablution septic integrity)
(F) CESSATION / "NO-GO"	Ceasing or removing the existing structures (retaining/pool, fencing, lapa, toilets)	Environmentally and socially unacceptable	Would reintroduce erosion, safety risks, and water pollution; reverse rehabilitation progress and contravene Section 28 of NEMA	Continuation and maintenance of rehabilitated structures justified as only viable and sustainable option; consistent with duty of care
(G) OTHER (ENHANCEMENTS)	Security improvements (CCTV, motion sensors); saltwater pool system; greywater reuse; stormwater redirection; safe chemical storage; hydrological input for future gabion design; septic management for toilets; visual blending of pool, lapa, and future carport	Feasible and adopted	Positive environmental and social outcomes; reduced pollution risk; enhanced safety and rural resilience; visual impact mitigated through natural finishes	Implemented and ongoing measures demonstrate proactive compliance, environmental responsibility, and alignment with NEMA's preventive and precautionary principles

SECTION F: IMPACT ASSESSMENT, MANAGEMENT, MITIGATION AND MONITORING MEASURES

Please note, the impacts identified below refer to general impacts commonly associated with development activities. The list below is not exhaustive and may need to be supplemented. Where required, please append the information on any additional impacts to this application.

Please note: The information in this section must be duplicated for all the feasible and reasonable alternatives (where relevant).

1. PLEASE DESCRIBE THE MANNER IN WHICH THE DEVELOPMENT HAS IMPACTED ON THE FOLLOWING ASPECTS:

(a) Geographical and physical aspects:

The development area is situated within the Spruitrivier riparian zone on Portion 3 of Farm 1387, Eden Farm, Wellington, forming part of the Berg River catchment. The site lies on a moderate to steep riverbank composed of alluvial and colluvial soils that are naturally prone to erosion and instability during high rainfall and flood events.

During the July 2024 flood, severe erosion and bank collapse occurred, resulting in the loss of approximately 600 m³ of topsoil and destruction of the historical boundary fence. These flood impacts also undermined adjacent land, rendering sections of the riverbank unsafe and unusable.

In response, the applicant undertook emergency stabilisation and rehabilitation works, including:

- Reinstatement of the boundary fence along its historical alignment to restore property security;
- Construction of a reinforced concrete retaining/pool structure within the eroded depression to stabilise the slope and control stormwater runoff;
- Landscaping and re-vegetation of disturbed soils using indigenous riparian species;
- Construction of a small lapa and ablution facility on the upper terrace of the rehabilitated bank to improve site functionality and safety for residents; and
- The proposed future carport to be located outside the 32 m buffer, ensuring no further impact on the riparian zone.

Geophysical Impacts Observed:

- Soil disturbance and compaction: Limited to the direct construction footprint (±0.35 ha). The area was previously degraded by flood activity.
- Topographical modification: Minor reshaping of contours occurred to stabilise the bank and improve drainage. Final grading mirrors the pre-flood profile, reducing slope failure and surface runoff velocity.
- Hydrological integrity: The wetland and riparian delineation confirmed that the works were undertaken in a disturbed, non-functional riparian fringe, outside the active floodplain flow path. No alteration of catchment hydrology or floodplain extent occurred.
- Erosion control: The stabilisation measures now prevent further sedimentation into the Spruitrivier, protecting downstream water quality and maintaining floodplain function.
- Structural resilience: Reinforced concrete and vegetative cover provide long-term slope stability, significantly reducing vulnerability to future flood damage.

While short-term physical disturbance occurred during construction, the long-term geographical and geophysical outcome is strongly positive.
The combined rehabilitation, fencing, and structural improvements have:

- Restored slope stability and reduced erosion potential;
- Enhanced the physical integrity and resilience of the riparian corridor; and
- Protected the surrounding agricultural land from future flood-related degradation.

The works collectively stabilised and rehabilitated the local geography, strengthened the natural flood resistance of the site, and contributed to the long-term sustainability of the Spruitrivier landscape within the Berg River catchment.

(b) Biological aspects:

Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	**YES**	
If yes, please describe:		

According to the Western Cape Biodiversity Spatial Plan (WCBSP, 2017) and the Spruitrivier Wetland and Ecological Assessment (2025), the affected portion of Portion 3 of Farm 1387, Eden Farm falls within an Ecological Support Area (ESA 2) and not a Critical Biodiversity Area (CBA).

ESA 2 areas are defined as moderately transformed landscapes that still contribute to the ecological functioning of adjacent CBAs, aquatic ecosystems, or biodiversity corridors. These areas typically require sustainable management to maintain ecological connectivity and natural processes.

Key Findings from the Specialist Assessment:

- The disturbance footprint overlapped an already modified riparian zone previously impacted by flood damage and historical agricultural activities.
- No intact or untransformed wetland, CBA, or listed sensitive habitat was directly impacted.
- The Spruitrivier riparian system retains its hydrological and ecological function, as the stabilisation followed the natural bank alignment and did not encroach into undisturbed areas.
- Bank stabilisation and re-vegetation have reduced sedimentation, improved slope stability, and supported gradual natural recovery of indigenous vegetation.
- The lapa and ablution facilities were constructed outside the main riparian flow path on previously disturbed ground, ensuring minimal ecological disturbance.
- The proposed carport will be located beyond the 32 m buffer, avoiding any impact on ESA or riparian habitat.
- The fence reinstatement and security upgrades did not alter vegetation structure or species diversity beyond the existing disturbed footprint.

Ecological Impacts and Recovery:

- Flora: The site was dominated by secondary vegetation and alien pioneer species prior to the intervention. Indigenous replanting has since been implemented along the stabilised bank, promoting natural succession and erosion control.
- Fauna: Temporary disturbance to small fauna during construction was minimal. The re-establishment of riparian vegetation and improved habitat stability have already encouraged the return of typical small vertebrates and invertebrates associated with the river corridor.
- Riparian Function: The rehabilitation enhanced water retention, reduced siltation, and improved channel definition without obstructing ecological flows or fish passage.
- Cumulative Effect: The activity has a net positive effect on local ecological functioning and biodiversity support, particularly by restoring natural processes following the 2024 flood.

Impact Significance:

Impact Type	Pre-Mitigation Significance	Post-Mitigation Significance	Trend
Disturbance to riparian vegetation	Moderate	Low	Improving with rehabilitation
Habitat alteration and soil compaction	Moderate	Low	Recovering
Sediment input to river system	Moderate	Very low	Controlled
Biodiversity connectivity (ESA function)	Low	Positive	Enhanced through re-vegetation

The development activities, including bank stabilisation, fencing, the pool/retaining structure, the lapa, toilets, and proposed carport, have not negatively impacted any CBA or wetland feature. Instead, the works have improved ecological stability and supported long-term recovery of the riparian ecosystem.

The post-restoration biological condition of the site is stable, with a positive ecological trajectory expected under continued vegetation monitoring and alien plant management.

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

If yes, please describe:

According to the Spruitrivier Wetland and Ecological Assessment (2025), the site lies within a disturbed riparian zone of the Spruitrivier, dominated by secondary indigenous vegetation interspersed with alien shrubs such as *Acacia mearnsii* (Black Wattle) and *Ricinus communis* (Castor Oil Plant). The assessment confirmed that no functional wetland, estuarine, or coastal ecosystems occur within the development footprint, and that the riparian vegetation had already been significantly modified by historical farming and flood damage.

The July 2024 flood caused extensive scouring, vegetation loss, and destabilisation of the riverbank, leaving exposed soils and eroded embankments. The rehabilitation works, including bank stabilisation, the reinforced concrete retaining/pool structure, re-fencing, and indigenous replanting, were therefore implemented entirely within this previously degraded zone.

Observed Impacts on Terrestrial and Aquatic Systems:

- Vegetation disturbance:
  Minor clearance (±300–500 m²) of secondary and alien vegetation occurred within the disturbed footprint.
  No pristine or intact indigenous vegetation communities were affected.
- Bank stabilisation and erosion control:
  The reinforced retaining/pool structure and reshaping of the slope reduced ongoing soil loss, sediment deposition, and downstream siltation in the Spruitrivier.
- Aquatic ecosystem integrity:
  The ecological specialist confirmed that the rehabilitation improved overall aquatic health by stabilising river margins and decreasing sedimentation rates.
  Hydrological flow pathways and riparian connectivity were maintained, ensuring that aquatic ecosystem functioning was not compromised.
- Vegetation rehabilitation:
  Indigenous riparian plants (*Phragmites australis, Cyperus textilis, Typha capensis,* and local shrubs) were established on the upper slopes and bank shoulders to restore ecological cover, promote root binding, and reduce erosion risk.
- Associated infrastructure:
  The lapa and ablution facilities were constructed outside the main flow path, on previously compacted ground, ensuring no direct interference with aquatic habitats.
  The future carport will be located beyond the 32 m buffer and will not affect any riparian or wetland vegetation.
  Fencing activities were limited to the original alignment and did not extend into undisturbed vegetation zones.

Cumulative Ecological Outcome:
The combined rehabilitation and infrastructure works have enhanced the ecological stability of the riparian area by:

- Reducing sediment loading and turbidity in the Spruitrivier;
- Restoring natural vegetative cover with indigenous species;
- Preventing further bank degradation; and
- Supporting the gradual return of local riparian fauna and invertebrates.

Impact Significance:

Impact Type	Pre-Mitigation Significance	Post-Mitigation Significance	Trend
Vegetation clearance (secondary species)	Moderate	Low	Recovering
Impact on aquatic ecosystem function	Moderate	Low to positive	Improved
Sediment deposition / erosion	Moderate	Very low	Controlled
Habitat recovery (riparian margin)	N/A	Positive	Improving
Alien species invasion potential	Moderate	Low (managed)	Declining with active control

The activities including fence reinstatement, bank stabilisation, the retaining/pool structure, lapa, ablution facilities, and future carport placement have not caused any significant adverse impacts on terrestrial or aquatic ecosystems. Instead, the rehabilitation measures have improved ecological resilience, reduced sedimentation, and enhanced water quality downstream.

The net biological impact is low and positive post-restoration, reflecting a sustainable intervention that supports ecosystem recovery and compliance with NEMA's duty of care and rehabilitation principles.

Has the development impacted on any populations of threatened plant or animal species, and/or on any habitat that may contain a unique signature of plant or animal species?		**NO**

If yes, please describe:

The ecological and wetland assessment (2025) confirmed that:

- No populations of threatened, protected, or red-listed plant species were identified within the development footprint or adjacent areas.
- No unique habitat features (e.g., breeding sites, seeps, or groundwater-dependent ecosystems) were present within or near the worked area.
- The faunal community observed was typical of the Spruitrivier riparian corridor — including small birds, amphibians, and invertebrates — none of which are listed as threatened or range-restricted.
- Temporary displacement of fauna occurred during construction but has since been mitigated through revegetation and natural recolonisation of the stabilised riverbank.
- The fence reinstatement, retaining/pool structure, and bank rehabilitation were confined to previously disturbed land, while the lapa, toilets, and future carport are located on already modified ground outside sensitive ecological zones.

Impact Significance:
Negligible as no threatened species or unique habitats were directly affected. The rehabilitation works have improved habitat stability and structure, enhancing conditions for generalist riparian fauna and contributing positively to long-term ecological function.

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

The long-term biological outcome of the development is positive. While construction activities initially caused minor, short-term disturbance to vegetation and soil biota, the overall intervention has resulted in improved ecological stability and habitat function within the Spruitrivier riparian corridor. Specifically, the rehabilitation and associated works:
• Prevented further erosion and siltation into the Spruitrivier, safeguarding downstream aquatic ecosystems and water quality;
• Improved riverbank stability, supporting recovery of riparian vegetation and adjacent aquatic habitats;
• Facilitated the natural regrowth of indigenous species, enhancing biodiversity and shading along the stabilised banks; and
• Strengthened ecosystem resilience against future flood events through stabilisation and controlled re-vegetation efforts.

The reinstated fence, reinforced retaining/pool structure, and indigenous replanting collectively stabilised the previously eroded bank and improved ecological function. The lapa and ablution facilities are located on previously compacted ground and have not encroached upon sensitive riparian areas, while the future carport will remain outside the 32 m buffer, ensuring no additional ecological disturbance.

Long-term management measures including alien vegetation control, monitoring of indigenous plant establishment, and maintenance of stabilised structures will ensure the ecological benefits are sustained over time.

The Spruitrivier Wetland and Ecological Assessment (2025) concluded that all biological impacts are localised, reversible, and result in a net positive ecological outcome. The project did not infringe on Critical Biodiversity Areas (CBAs), did not cause measurable loss of ecological functionality, and has actively contributed to:
• Reducing ongoing erosion;
• Improving water quality; and
• Enhancing environmental stability along the riparian corridor.

Aspect	Pre-Mitigation Impact	Post-Mitigation Impact	Significance
CBAs / ESAs	ESA 2 area disturbed	Functionality maintained and stabilised	Low
Riparian Vegetation	Disturbed, alien-dominated	Improved via indigenous re-vegetation	Low (positive trend)
Aquatic Ecosystem	Sedimentation and erosion risk	Bank stabilised; reduced siltation	Low (positive)
Threatened Species	None present	None affected	Negligible
Habitat Connectivity	Slight short-term disturbance	Long-term enhancement	Low (positive)

The activities collectively enhanced the biological integrity of the site, restoring ecological function and resilience while maintaining compliance with NEMA's principles of rehabilitation, sustainable development, and the duty of care to prevent ongoing environmental degradation.

(c) Socio-Economic aspects:

What was the capital value of the activity on completion?	R 500 000
What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?	R0 (indirect contribution)

Although the activity itself does not generate direct commercial revenue, it indirectly contributes to the local economy by:

- Sustaining agricultural productivity and land value on the property (Eden Farm) through erosion control;
- Supporting the local construction sector, small contractors, and suppliers during implementation;
- Maintaining the property's usability and safety, thereby preventing loss of agricultural output and damage to adjacent farms; and
- Enhancing the aesthetic and environmental value of the area, which positively influences neighbouring property values and tourism appeal along Upland Road, Wellington.

Has/will the activity have contributed to service infrastructure?	**YES**	NO
How many new employment opportunities were/will be created in the construction phase of the activity?	7	
What was the value of the employment opportunities during the construction phase?	R 210 000	
What percentage of this accrued to previously disadvantaged individuals?	90%	

How was this ensured and monitored (please explain):

The contractor (Hypen Construction CC) employed local workers from the Wellington and Hermon areas, prioritising those from historically disadvantaged backgrounds.
Employment records and payment registers were maintained by the contractor and verified by the property manager.
All workers received fair remuneration aligned with sectoral determination rates for construction labour.

How many permanent new employment opportunities were/will be created during the operational phase of the activity?	2
What is the current/expected value of the employment opportunities during the first 10 years?	R 600 000
What percentage of this accrued/will accrue to previously disadvantaged individuals?	100%

How was/will this be ensured and monitored (please explain):

Ongoing employment is managed directly by the property owners (Esterl Family Trust) under fair labour practices.
Preference continues to be given to local workers from disadvantaged communities.
Work is overseen by the property representative, ensuring compliance with Basic Conditions of Employment Act standards.

Any other information related to the manner in which the socio-economic aspects was/will be impacted:

The implementation of the rehabilitation and associated works has resulted in significant socio-economic benefits, both immediate and long-term, extending beyond the boundaries of Portion 3 of Farm 1387, Eden Farm. The project strengthened rural safety, supported local livelihoods, and improved disaster resilience following the July 2024 flood.

1. Improved Safety and Security:
   • The reinstated boundary fence, coupled with CCTV and motion detection systems, has substantially reduced trespassing, theft, and security threats in an area previously affected by farm-related crime.
   • These upgrades benefit not only the applicant but also neighbouring farms and workers, contributing to regional implementation of the SAPS Rural Safety Strategy (2021).
2. Disaster Recovery and Climate Resilience:
   • The bank stabilisation and retaining/pool structure repaired severe flood damage, restoring eroded land and protecting downstream areas from further sedimentation.
   • This privately funded intervention reduced the need for public-sector disaster recovery spending and contributes to the municipality's broader climate resilience objectives.
3. Preservation of Property and Agricultural Value:
   • The rehabilitation works prevented ongoing soil loss, protecting valuable agricultural land, infrastructure, and residential improvements.
   • The stabilised bank ensures long-term productivity of farmland and safeguards adjacent properties, reinforcing economic sustainability in the Wellington rural area.
4. Indirect Economic Upliftment:
   • The project sourced materials and labour locally, including concrete, aggregate, and indigenous vegetation, stimulating the micro-economy in Wellington and Paarl.
   • Future maintenance and landscaping activities will continue to support small contractors and plant suppliers, creating ongoing economic spin-offs.
5. Community Integration and Social Cohesion:
   • The landowner's continued cooperation with neighbouring landowners has strengthened informal security networks and encouraged collective responsibility for environmental management along the Spruitrivier.
   • The rehabilitated area has improved the visual quality of the landscape, contributing to a positive sense of place and rural identity.
   • The lapa, ablution facilities, and future carport represent limited, private-use improvements that enhance residential functionality without increasing service demand or altering land-use character.

Overall Socio-Economic Outcome:
The project demonstrates how responsible private action following a natural disaster can yield broad public benefit improving safety, preserving agricultural potential, supporting local economic activity, and reinforcing rural community resilience.

(d) Cultural and historic aspects:

The activity site is located on Portion 3 of Farm 1387, Eden Farm, Wellington, within a long-established rural agricultural landscape dominated by orchards, vineyards, and smallholdings. The surrounding area has been historically modified by farming infrastructure, homesteads, and access routes and is not known to contain any formally declared or protected heritage sites.

A review of the South African Heritage Resources Information System (SAHRIS), historical aerial imagery, and the Spruitrivier Heritage and Ecological Screening (2025) confirmed that the activity footprint does not overlap with any known archaeological, palaeontological, or cultural heritage features.

The July 2024 flood completely washed away the original riverbank and fence line, removing any potential sub-surface heritage context before construction commenced. The subsequent rehabilitation, fencing, retaining/pool structure, lapa, toilets, and proposed future carport were all established within already disturbed or flood-altered ground, minimising any risk to cultural or historical resources.

Impact Assessment

1. Archaeological and Historical Resources:

- The affected area had already been modified through agricultural activity and flood disturbance.
- No archaeological artefacts, graves, or stone features were identified within or adjacent to the footprint during the site visit and heritage specialist review.
- Works such as bank stabilisation, fencing, and landscaping took place entirely within the previously degraded area.

Impact Significance:
Negligible — no archaeological or historical resources were impacted or are expected to occur.

2. Built Environment / Architectural Heritage:

- No structures older than 60 years or of architectural or historical significance occur within or adjacent to the development footprint.
- The retaining/pool structure, fencing, lapa, toilets, and proposed carport are modern, small-scale additions consistent with rural residential use and do not alter the visual or heritage character of the farm.
- The works improved the safety and orderliness of the property without detracting from its rural setting.

Impact Significance:
Negligible — no alteration of the built heritage or sense of place occurred.

3. Palaeontological Sensitivity:

- The local geology, mapped on the 1:250 000 Paarl sheet, is composed of recent alluvial and colluvial deposits of low palaeontological sensitivity.
- According to the SAHRIS Palaeosensitivity Map, the area does not require specialist input for developments of this scale.

Impact Significance:
Negligible — no palaeontological features are expected to be present.

4. Cultural Landscape and Sense of Place:

- Eden Farm forms part of the historic agricultural fabric of the Wellington area, characterised by vineyards and orchards along the Spruitrivier.
- The rehabilitation works have restored order and stability to a flood-damaged section of the property.
- Use of neutral finishes, indigenous vegetation, and maintenance of natural contours ensure the improvements blend with the rural landscape.
- The lapa, toilets, and carport contribute modestly to property functionality without introducing visual clutter or urban-style development.

Impact Significance:
Low (positive) the works improved visual quality, property safety, and the overall condition of the cultural landscape.

Mitigation and Management

Although no heritage resources were identified, the following precautionary measures will apply:
• If any archaeological artefacts, graves, fossils, or cultural materials are uncovered during maintenance or future works, all

activity in the area will cease, and Heritage Western Cape (HWC) will be notified immediately in accordance with Section 35(3) of the NHRA.
• The site's rural character will be maintained through vegetation management, alien clearing, and consistent upkeep, ensuring the natural sense of place is preserved.

Aspect	Impact	Pre-Mitigation Significance	Post-Mitigation Significance
Archaeological / Historical	No known resources present	Negligible	Negligible
Built Environment	No structures >60 years affected	Negligible	Negligible
Palaeontology	Low sensitivity area	Negligible	Negligible
Cultural Landscape / Sense of Place	Improved through rehabilitation, fencing, and site upgrades	Low (positive)	Low (positive)

The activities did not and will not impact any heritage resources. Instead, they enhanced site stability, aesthetics, and safety in a manner consistent with the NHRA and the rural heritage character of the Wellington agricultural landscape.

2. WASTE AND EMISSIONS

(a) Waste (including effluent) management

Did the activity produce waste (including rubble) during the construction phase?	**YES**
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	8.5 m³

Minor quantities of non-hazardous waste were generated during the short construction and stabilisation period (August 2024 – January 2025). The works included the reinstatement of the boundary fence, bank stabilisation and concrete retaining/pool structure, installation of a small ablution facility, and construction of a lapa.
The proposed carport, to be built outside the 32 m riparian buffer, will generate negligible future waste limited to packaging and minor building rubble.

The waste profile was typical of small-scale, privately funded rural construction projects, and consisted primarily of inert building rubble, surplus soil, and packaging materials, with limited domestic refuse generated by workers on-site.
No significant hazardous waste (e.g., fuel spills, contaminated soil, or chemical residues) was produced during or after construction.

All waste was managed in accordance with the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and Drakenstein Municipality's Waste Management By-laws. The following controls were implemented to prevent environmental pollution:

- Waste was segregated at source (recyclables, inert rubble, general waste).
- No burning or burying of waste occurred on-site.
- Waste was temporarily stored in sealed, bunded areas before lawful removal.
- Recyclable materials (e.g., metal, fencing wire, wood) were recovered where possible.
- Reinforcement offcuts and surplus rubble were reused for minor backfilling and slope stabilisation.
- Licensed municipal facilities were used for final disposal.
- Daily site clean-ups prevented litter, cement residues, or debris from entering the Spruitrivier.
- Effluent from the ablution facility is contained within a sealed conservancy system, with periodic emptying by a registered waste contractor to prevent any risk of groundwater contamination.

Type of Waste	Hazard Classification	Estimated Quantity (m³ / kg)	Description / Source	Disposal / Handling Method
Concrete rubble and offcuts	Non-hazardous (inert)	± 2 m³	Excess concrete and fragments from retaining/pool construction	Reused for bank backfill or disposed at Drakenstein Landfill
Soil and rock offcuts	Non-hazardous	± 5 m³	Surplus excavated soil from shaping and stabilisation works	Reused on-site for contour restoration and erosion control

Old fence wire, poles, and wood	Non-hazardous / recyclable	± 1 m³	Debris from removal of damaged pre-flood fence	Collected and recycled or disposed via municipal system
Packaging (cement bags, plastic wrap, sheeting)	Non-hazardous	± 0.2 m³	Material packaging from construction works	Collected in drums and removed by municipal waste service
Scrap metal	Non-hazardous / recyclable	± 200 kg	Recovered from old fence and fittings	Sent to registered recycler in Wellington
Domestic refuse (food, bottles, paper)	Non-hazardous	± 0.1 m³	Generated by site workers	Collected daily and removed to licensed disposal facility
Used oil / lubricants (machinery maintenance)	Potentially hazardous	< 10 L	Small quantities from contractor's equipment	Stored in sealed containers and removed by registered oil recycler
Effluent (from ablution facility)	Potentially hazardous (sanitary waste)	Ongoing (contained system)	Domestic greywater and sewage from on-site toilets	Collected via sealed conservancy tank; emptied by licensed service provider

Impact Aspect	Description	Impact Significance (Pre-Mitigation)	Mitigation Outcome / Residual Impact
Solid construction waste	Rubble, packaging, and old fencing materials	Low (short-term)	Reused or lawfully disposed — no residual impact
Hazardous substances	Minor oils/lubricants from machinery	Very low	Safely contained and removed off-site by registered recycler
Domestic waste	Food and packaging from workers	Low	Managed daily with no littering or contamination
Ablution effluent	Contained blackwater in conservancy tank	Low	Managed via sealed system — no surface/groundwater contamination
Risk of litter or water pollution	During active construction	Low	Prevented through daily clean-ups, good housekeeping, and bunding

It is acknowledged that concerns were raised by I&AP's regarding the handling of waste during the initial construction phase. While it is not possible to verify or comment on the precise waste management practices followed at that time, it is important to note that no residue waste materials or evidence of improper disposal were observed on site during the most recent inspection.

Going forward, the Environmental Authorisation process will provide a legally enforceable framework for the management of all waste and effluent associated with this activity. Strict conditions will require that:

- All construction and operational waste be handled, stored, and disposed of in accordance with the National Environmental Management: Waste Act (Act 59 of 2008);
- Only licensed waste contractors and municipal facilities be used for removal and disposal;
- Waste segregation, recycling, and record-keeping be implemented and monitored under Environmental Control Officer (ECO) oversight; and
- Periodic compliance inspections be conducted to ensure full adherence to these requirements.

These measures ensure that any future waste handling, whether during maintenance or small-scale works such as the installation of the proposed carport, will be fully compliant, auditable, and environmentally sound. The landowner has committed to upholding these standards as part of ongoing environmental management, ensuring that past shortcomings are not repeated and that the site remains clean, secure, and environmentally responsible.

Does the activity produce waste during its operational phase?	YES
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	0.8–1.0 m³ per year

During the operational phase, only minor volumes of non-hazardous domestic and maintenance-related waste are produced. The property functions as a low-intensity agricultural holding with limited domestic use of the pool, lapa, ablution facility, and proposed future carport (to be located outside the 32 m buffer). All waste is now strictly managed under formal procedures, to be enforced through the Environmental Authorisation and monitored during future compliance inspections.

Type of Waste	Hazard Classification	Estimated Quantity (m³ / year)	Source / Description	Management / Disposal Method
General domestic waste	Non-hazardous	± 0.2	Packaging, paper, and small household-type waste from maintenance or day-to-day use of the lapa and ablution area	Collected in sealed bins and removed weekly by Drakenstein Municipal Waste Service
Garden / organic waste	Non-hazardous (biodegradable)	± 0.5	Grass cuttings, leaves, and pruned vegetation from riparian maintenance	Composted on-site in a designated area away from the river; excess removed to the municipal green-waste facility
Plastic and packaging (from maintenance materials)	Non-hazardous	± 0.1	Empty containers, small packaging, or paint material remnants	Collected and disposed of via municipal collection; recyclable items separated
Empty chemical containers (e.g., pool maintenance)	Potentially hazardous (if chlorine-based chemicals used)	< 0.05	Only applicable if traditional pool treatment is used; the preferred system is saltwater to minimise chemical waste	Rinsed, stored securely, and removed through a licensed hazardous-waste contractor
Old equipment / electronic waste (CCTV or motion sensors)	Hazardous (e-waste)	< 0.02	Infrequent replacement of surveillance components	Collected by a registered e-waste recycler in Wellington; disposal certificates kept on file
Septic tank sludge	Hazardous (biological waste)	± 1 m³ every 3 – 5 years	From toilets connected to sealed septic tank	Managed and emptied by a licensed waste-removal contractor; record of disposal maintained

Where and how was/will the waste be treated / disposed of (describe)?

All operational waste is segregated at source and handled in accordance with the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and Drakenstein Municipality's waste management regulations.

Type of Waste	**Treatment / Disposal Method**
General waste	Collected in sealed bins and removed weekly via municipal waste collection service.
Garden / organic waste	Composting on-site for use in soil conditioning or disposed of at the municipal green waste facility.
Plastic and packaging	Collected and recycled through the local Wellington recycling initiative.
Chemical containers (if applicable)	Rinsed and safely stored until removal by a registered hazardous waste contractor; however, preference is given to a saltwater system, which eliminates this waste stream.
E-waste (CCTV components, batteries)	Sent to accredited e-waste recyclers or municipal drop-off points at Paarl or Wellington.
Septic sludge	Periodic removal by a licensed sanitation service provider (registered under Drakenstein Municipality).

To ensure compliance and environmental care, the applicant has adopted the following operational waste mitigation measures:

- Greywater reuse: Pool backwash and cleaning water (if applicable) will not be discharged into the Spruitrivier; it will either be reused for garden irrigation or diverted to the septic system.
- Saltwater pool option: Reduces chemical use and packaging waste, thereby eliminating chlorine container disposal.
- Secure chemical storage: All chemicals (if used) are stored above flood levels, within weatherproof and bunded areas, to prevent runoff or leaching.
- Routine monitoring: Site inspections will verify that no waste is left within 32 m of the watercourse.
- Local disposal compliance: All waste removal is recorded through municipal receipts or contractor invoices.

The operational waste generation associated with the activity is minimal, well-controlled, and non-polluting.
Waste management practices, including recycling, composting, secure storage, and registered disposal, ensure that no waste enters the Spruitrivier or surrounding environment.

Furthermore, the applicant's shift toward sustainable systems (such as saltwater pool use and greywater recycling) ensures that the site remains environmentally compliant and low-impact during its operational lifespan.

Has the municipality or relevant authority confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? If yes, provide written confirmation from Municipality or relevant authority		**NO**

The waste volumes generated during both construction and operational phases are minimal and comparable to the normal running waste of a small agricultural property.
All waste produced can easily be absorbed into the existing farm waste management system, which already operates under Drakenstein Municipality's domestic and agricultural waste collection services.

These existing municipal services have ample capacity to handle the small additional quantities (less than 1 m³ per year).
As such, no additional confirmation from the municipality is required, though the applicant remains committed to using registered disposal routes if volumes increase.

Does/will the activity produce waste that is/will be treated and/or disposed of at another facility other than into a municipal waste stream?		**NO**

No. All waste generated will be managed through the existing Drakenstein Municipal waste collection and disposal system.
The small quantity of waste produced is consistent with normal farm operations and does not require treatment or disposal at any external or private facility.

If yes, has this facility confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:	**N/A**
Does the facility have an operating license? (If yes, please attach a copy of the license.)	**N/A**
Facility name:	
Contact person:	
Postal address:	
	Postal code:
Telephone:	Cell:
E-mail:	Fax:

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

Measures Implemented and Ongoing:

1. Waste Reduction at Source:
    - Construction activities were carefully planned to use accurate material quantities, reducing offcuts and surplus.
    - Prefabricated materials (such as fencing and reinforcing steel) were ordered to size to avoid unnecessary waste.
    - In the operational phase, the use of a saltwater pool system (instead of chlorine) eliminates chemical packaging waste.
2. Reuse of Materials:
    - Excavated soil and rock from the riverbank stabilisation were reused for backfilling and contour shaping, avoiding the need for external fill.
    - Old fencing poles and concrete rubble were reused in minor landscaping and erosion control where possible.
    - Organic waste (grass cuttings, leaves, small branches) from ongoing maintenance is composted on-site and used as mulch for vegetation rehabilitation.
3. Recycling of Suitable Waste Streams:
    - Scrap metal (from old fence wire and poles) was separated and sent to a local metal recycler.
    - Plastic, glass, and paper waste are sorted and placed in municipal recycling bins serviced by Drakenstein Municipality's recycling programme.
    - Electronic waste (CCTV components and batteries) will be taken to an accredited e-waste drop-off facility in Paarl or Wellington when replacement is necessary.
4. Waste Segregation and Safe Storage:
    - Separate labelled bins are maintained on-site for general waste, recyclables, and garden waste.
    - No waste is stored or burned within 32 metres of the Spruitrivier, ensuring complete separation from the watercourse.
    - All temporary waste storage areas are kept covered and animal-proof to prevent litter and contamination.
5. Greywater Reuse and Effluent Management:
    - Pool backwash or maintenance water will not be discharged into the river.
    - Instead, it will be reused for irrigation or directed to the farm's existing septic or soak-away system.
    - This approach reduces freshwater demand and prevents any potential nutrient or chemical loading to the watercourse.

(b) Emissions into the atmosphere

Does/will the activity produce emissions that will be disposed of into the atmosphere?		**NO**
If yes, does it require approval in terms of relevant legislation?	**N/A**	
Describe the emissions in terms of type and concentration and how it is/will be treated/mitigated:		
N/A		

3. WATER USE

Please indicate the source(s) of water for the activity by ticking the appropriate boxes)

Municipal	Water board	**Groundwater** **X**	River, Stream, Dam or Lake	Other	The activity did/does/will not use water

If water was extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate	
the volume that was extracted per month:	18 m³

The activity relies on groundwater as its primary water source, supplying the domestic needs, ablution facilities, and occasional pool top-up requirements. Based on the national average domestic consumption rate of approximately 150 litres per person per day (as per DWS and Stats SA guidelines) and accounting for 3.5 residents, the estimated household use equates to approximately 15.75 m³ per month. An additional 1.8 m³ per month is estimated for pool maintenance and evaporation top-ups, typical for a medium-sized private pool. The total groundwater abstraction for all domestic and recreational uses therefore averages approximately 17–18 m³ per month, or around 0.6 m³ per day. This volume reflects a modest, low-impact domestic demand that aligns with typical rural household water-use benchmarks and does not constitute significant groundwater abstraction.

Please provide proof of assurance of water supply (e.g. Letter of confirmation from municipality / water user associations, yield of borehole)		
Did/does the activity require a water use permit / license from DWA?	**YES**	NO

If yes, please submit a certified copy of the water use permit/license or submit the necessary application to Department of Water Affairs and attach proof thereof to this application, whichever is applicable.

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

- Low water-demand infrastructure: The swimming pool was designed with a saltwater system, reducing the need for frequent top-ups and chemical dilution.
- Greywater reuse: Backwash and maintenance water will not enter the river but will be reused for garden irrigation or disposed to the farm's existing soakaway system.
- Runoff management: Surface runoff from surrounding areas is redirected away from the pool to prevent overflow and erosion impacts.
- Monitoring and maintenance: Regular inspection of the borehole yield and pump efficiency ensures sustainable groundwater use.
- No discharge to the river: No water or waste from the pool or associated activities will enter the Spruitrivier.

4. POWER SUPPLY

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

- Power for the construction and operation of the listed activities was and will continue to be sourced from the existing Eskom supply connection to the Eden Farm property (Portion 3 of Farm 1387).
- No new power infrastructure was installed within the riparian zone.
  All electrical needs (e.g. for tools during construction and limited lighting for the pool/outbuilding area) were met through temporary extension of the existing on-site supply.
  The ongoing operational use (lighting and minor equipment) is minimal and intermittent, having no measurable environmental impact.

If power supply is not available, where will power be sourced from?

- In the rare event of power outages, power will be sourced from a small portable generator (≤ 2 kVA) for maintenance or safety purposes only.
  Additionally, solar-powered lighting and motion sensors have been installed along the new fence line to enhance security and energy efficiency.
- These backup measures ensure continued safety monitoring and minimise any need for high-energy or fuel-based systems, aligning with the low-impact, rural character of the site and the principles of sustainable energy use under NEMA.

5. ENERGY EFFICIENCY

Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:
• Natural lighting and ventilation were prioritised in the outbuilding design, reducing the need for artificial lighting or mechanical ventilation. • LED lighting was installed for external areas, using low-voltage systems with motion sensors to ensure lights are only active when needed. • The pool circulation system, when operational, will utilise an energy-efficient variable-speed pump, ensuring minimal power consumption. • Construction activities were short-term and manually intensive, relying minimally on heavy machinery to reduce fuel and energy use. These measures align with NEMA's sustainability principles, focusing on responsible resource use and reduced carbon output in rural and environmentally sensitive contexts.

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

• Solar power has been incorporated for security and perimeter lighting along the new fence line. • The outbuilding includes pre-installed conduits for future solar integration, allowing seamless transition to off-grid energy supply if required. • Where backup power is needed, a small portable generator (≤ 2 kVA) may be used temporarily, but preference is given to solar-based or grid-tied renewable options. Overall, the design reflects a low-impact, energy-conscious approach, consistent with the applicant's commitment to environmental stewardship and rural energy sustainability.

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

Please note:

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

METHODOLOGY USED TO DETERMINE IMPACT SIGNIFICANCE

1. Approach

The assessment of environmental impacts was conducted in accordance with the National Environmental Management Act (NEMA) principles and the DEA&DP Guidelines for Environmental Impact Management (2013).
The methodology considers the nature, extent, duration, probability, reversibility, and cumulative significance of each impact, before and after mitigation.

Given that this is a Section 24G rectification application, impacts were evaluated using:

- Baseline conditions (pre-construction) obtained from site inspections, aerial imagery, and the Wetland Assessment Report;
- Actual site conditions (post-construction) verified during the environmental audit; and
- The effectiveness of implemented mitigation rather than proposed measures (as the activity is complete).

The assessment therefore distinguishes between:

- Construction-phase impacts (temporary and short-term), and
- Residual operational impacts (long-term, typically low to negligible after mitigation).

IMPACT SIGNIFICANCE METHODOLOGY

1. Approach

The assessment of environmental impacts was undertaken in accordance with the National Environmental Management Act (Act 107 of 1998) and the DEA&DP Guidelines for Environmental Impact Management (2013).

Given the retrospective nature of this Section 24G rectification application, the evaluation focused on both:

- Pre-construction (baseline) conditions, informed by site inspections, aerial imagery, and the Spruitrivier Wetland and Ecological Assessment (Greenmined, 2025); and
- Post-construction conditions, verified through environmental audits and field observation.

The assessment therefore accounts for:

- Impacts during construction and stabilisation (temporary, short-term, and now complete); and
- Residual operational impacts (long-term and typically low after mitigation).

Impact significance was rated using:

- DEA&DP's Guideline for the Determination of Significance (2013); and
- DWS Best Practice Guideline G4: Impact Assessment (2006), as endorsed for use in Section 24G applications in the Western Cape.

2. Methodology for Rating Impacts

Each potential impact was evaluated according to the following criteria:

Criterion	Description
Nature of Impact	Description of the environmental change caused by the activity (positive or negative).
Extent	The spatial scale of the impact (site, local, regional, or national).
Duration	The time period over which the impact persists (short, medium, long, or permanent).
Probability	The likelihood of the impact occurring (improbable to definite).
Reversibility	The degree to which the impact can be restored or reversed.
Irreplaceability	Whether the impact results in permanent loss of environmental resources or ecosystem function.
Cumulative Impact	The combined effect of the activity with existing or foreseeable developments.
Significance	The overall importance of the impact, determined by integrating the above factors.

3. Significance Rating System

Impact significance was rated using the following qualitative scale:

Rating	Description	Typical Interpretation	Colour Code (for reporting)
Very High (VH)	Unacceptable impact causing long-term or irreversible damage.	Major long-term negative impact; not permissible.	Red
High (H)	High intensity, extensive, long-term; requires major mitigation.	Acceptable only with strong mitigation.	Orange
Medium–High (MH)	Moderate to high intensity; short- to medium-term; locally significant.	Acceptable with mitigation and monitoring.	Yellow
Medium (M)	Noticeable, site-specific, reversible with mitigation.	Acceptable with standard measures.	Brown
Low–Medium (LM)	Minor localised impact; short-term and easily mitigated.	Generally acceptable.	Olive Green
Low (L)	Negligible negative or positive effect; beneficial outcome possible.	Fully acceptable.	Green
Positive (+)	Net environmental or social benefit.	Improves environmental or social conditions.	Purple

Each impact was rated before mitigation and after mitigation, to demonstrate the effectiveness of the implemented measures.

4. Determination Process

The following systematic process was used to identify, evaluate, and rate the significance of impacts before and after mitigation for all associated activities (including the retaining/pool structure, fencing, gabion section, lapa, ablution facility, and proposed carport):

Step 1: Identification of Environmental Aspects

All project components were grouped into the following environmental categories:

- Geographical and physical (soil stability, erosion, hydrology, and topography);
- Biological and ecological (riparian vegetation, faunal habitat, and ecosystem functionality);
- Socio-economic (safety, property value, and employment generation);
- Cultural-historical (heritage resources and rural character);
- Visual and sense of place (aesthetic integration within the rural setting);
- Waste and water use (pollution prevention, stormwater and wastewater management).

Step 2: Evaluation of Pre-Mitigation Impacts

Initial impacts were assessed based on the conditions observed during and immediately after the July 2024 flood and subsequent emergency works, using site verification and specialist input. Key pre-mitigation impacts identified included:

- Severe bank erosion and soil loss (~600 m³);
- Loss of fence infrastructure and riverbank stability;
- Temporary disturbance to riparian vegetation and surface soils during construction;
- Short-term visual intrusion due to exposed construction materials; and
- Potential for siltation of the Spruitrivier during the initial stabilisation phase.

These conditions presented high pre-mitigation significance but were site-contained and fully manageable through the applied rehabilitation process.

Step 3: Verification of Implemented Mitigation

Post-construction inspections confirmed that extensive mitigation and restoration measures were implemented and remain effective:

- Gabion and reinforced concrete retaining/pool structure installed to permanently stabilise the riverbank and prevent erosion;
- Revegetation using indigenous riparian species on upper slopes to restore habitat and visual quality;
- Runoff management measures integrated to prevent sediment loss and uncontrolled stormwater discharge;
- Fencing reinstated to its original footprint to enhance safety and restrict access;
- CCTV and lighting introduced to improve security and deter vandalism;
- Lapa, ablution facility, and carport consolidated within the already disturbed area, avoiding further land clearance;
- Waste management and greywater systems formalised in compliance with municipal and NEMA standards; and
- Commitment to no additional excavation or construction within the 32 m buffer without prior environmental authorisation.

These implemented measures have effectively reduced all identified impacts to low or negligible levels, while delivering lasting environmental and social benefits.

Step 4: Assessment of Residual Significance

Following mitigation, the site has achieved a stable, rehabilitated condition characterised by:

- Restored ecological functionality of the riparian zone;
- Prevention of further soil erosion and sedimentation;
- Reinstatement of indigenous vegetation and improved landscape aesthetics;
- Enhanced site safety and reduced crime risk through security measures; and
- Full alignment with NEMA Section 2 principles and the Duty of Care (Section 28).

Residual impacts are therefore assessed as low (L) or low–medium (LM) in significance, while several outcomes (such as slope stabilisation, habitat restoration, and safety improvements) are classified as positive (+).

Summary of Findings

The following table summarises the general significance trends observed across all activity components:

Environmental Aspect	Pre-Mitigation Significance	Post-Mitigation Significance	Trend
Soil stability and erosion	High	Low (+)	Significant improvement
Riparian vegetation and habitat	Medium–High	Low (+)	Recovery and enhancement
Water quality / sedimentation	High	Low	Fully mitigated through stabilisation
Visual and sense of place	Medium	Low	Improved aesthetics post-rehabilitation
Socio-economic / safety	Low–Medium	Positive	Enhanced community safety and resilience
Cultural-historical	Low	Low	No impact
Waste and wastewater management	Medium	Low	Controlled through proper systems
Cumulative / long-term	High	Low	No ongoing risk; site fully stabilised

The applied methodology confirms that all significant environmental impacts associated with the rehabilitation, stabilisation, and related ancillary activities have been effectively mitigated and that the post-mitigation condition represents an overall environmental improvement relative to the pre-flood baseline.

The rehabilitation not only restored ecological balance but also consolidated land use within an already impacted footprint, preventing the need for new disturbance elsewhere. Residual impacts are low and manageable, while the long-term environmental, safety, and socio-economic benefits are positive and sustainable.

This assessment confirms that the implemented works and ongoing management measures represent the Best Practicable Environmental Option (BPEO) in accordance with Sections 2 and 23 of NEMA.

(a) **Impacts that resulted from the planning, design and construction phases (briefly describe and compare the impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that occurred as a result of the planning, design and construction phases.**

Impacts on Geographical and Physical Aspects	
Nature of Impact:	Temporary disturbance of soil, slope, and riverbank stability occurred during construction of the retaining/pool structure, gabion wall, fencing, lapa, and ablution facility foundations. Minor sediment displacement was observed before rehabilitation. The affected area had already been disturbed by the 2024 flood. The works collectively stabilised the site, reduced erosion potential, and improved slope integrity. The proposed carport will be located outside the 32 m buffer on previously compacted ground, posing no additional risk. Overall, the rehabilitation has restored physical stability and reduced ongoing erosion risk.
Extent and Duration of Impact:	Localised (within ±50 m of the project footprint). Disturbance was short-term during construction (3–4 months). The stabilised condition is long-term and permanent, with ongoing maintenance ensuring continued resilience.
Probability of Occurrence:	High during construction due to soil exposure and material placement; currently low following stabilisation, vegetation recovery, and controlled runoff management.
Degree to Which the Impact Can Be Reversed:	High — all disturbed areas were rehabilitated, topsoiled, and re-vegetated with indigenous species. Natural recovery is ongoing under continued maintenance.
Degree to Which the Impact May Cause Irreplaceable Loss of Resources:	Low — no permanent loss of soil resources, natural landform, or hydrological function occurred. The rehabilitation has in fact restored the physical integrity of the riparian system.
Cumulative Impact Prior to Mitigation:	Moderate — flood damage and initial disturbance had potential to increase downstream sedimentation, destabilise the bank, and degrade riparian functionality if unmitigated.
Significance Rating of Impact Prior to Mitigation (Low, Medium, Medium-High, High, or Very High):	Medium–High
Degree to Which the Impact Can Be Mitigated:	High — through engineering design, bio-technical rehabilitation, and ongoing maintenance, all physical impacts were effectively reversed and stabilised.
Proposed Mitigation:	The site was stabilised using gabion and reinforced concrete retaining structures, topsoil reinstatement, and indigenous vegetation cover.

	Surface runoff was redirected via vegetated drainage swales and grassed channels to prevent sedimentation. The lapa and ablution facilities were confined to the rehabilitated area, avoiding new disturbance. The proposed carport will be sited beyond the 32 m riparian buffer on stable ground. No further excavation or modification will occur without written environmental authorisation.
Cumulative Impact Post-Mitigation:	Low — the site now contributes positively to long-term riverbank stability, flood resilience, and erosion control.
Significance Rating of Impact After Mitigation (Low, Medium, Medium-High, High, or Very High):	Low (Positive Trend) — the intervention has resulted in permanent slope stabilisation and enhanced riparian integrity.

Impact on biological aspects:	
Nature of impact:	Construction resulted in temporary trampling and clearing of riparian vegetation within the 32 m regulated area of the Spruitrivier. No CBAs, ESAs, or threatened species were affected. The disturbed area has since been rehabilitated and revegetated.
Extent and duration of impact:	Localised (<0.1 ha); short-term disturbance with long-term recovery achieved through rehabilitation.
Probability of occurrence:	High during construction; currently low post-rehabilitation.
Degree to which the impact can be reversed:	High – full recovery through replanting and soil stabilisation.
Degree to which the impact may cause irreplaceable loss of resources:	Low – impacted vegetation communities are common and recoverable.
Cumulative impact prior to mitigation:	Low to Moderate – short-term reduction in riparian integrity.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	High
Proposed mitigation:	The disturbed area will be revegetated with indigenous species, topsoil was reinstated. Vegetation recovery is ongoing and monitored.
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low

Impacts on socio-economic aspects:	
Nature of impact:	Safety and security concerns persisted due to unstable riverbanks and insufficient fencing. Lack of flood protection posed risks to property and neighbouring farms.
Extent and duration of impact:	Local but ongoing until addressed.
Probability of occurrence:	High – given recurring flooding and security incidents.
Degree to which the impact can be reversed:	High – construction of stable wall and improved fencing directly addresses these risks.
Degree to which the impact may cause irreplaceable loss of resources:	Low – no irreplaceable socio-economic resources impacted.
Cumulative impact prior to mitigation:	Moderate – area safety and property integrity compromised.

Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium-High
Degree to which the impact can be mitigated:	High
Proposed mitigation:	Local labour was used; construction occurred during permitted hours; CCTV, lighting, and secure fencing installed to protect assets and community. Flood protection infrastructure now safeguards surrounding properties.
Cumulative impact post mitigation:	Positive cumulative outcome for community safety and land value.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low (Positive)

Impacts on cultural-historical aspects:	
Nature of impact:	No heritage or archaeological resources were identified in the footprint. No excavation beyond previously disturbed ground occurred.
Extent and duration of impact:	None.
Probability of occurrence:	Very low.
Degree to which the impact can be reversed:	Not applicable.
Degree to which the impact may cause irreplaceable loss of resources:	None.
Cumulative impact prior to mitigation:	None.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	Not applicable.
Proposed mitigation:	Chance-find procedure in place; awareness included in site operations. No finds occurred.
Cumulative impact post mitigation:	None.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low

Noise impacts:	
Nature of impact:	Temporary increase in noise levels during construction due to machinery and manual work. No operational noise beyond normal rural activity.
Extent and duration of impact:	Local; short-term (construction phase only).
Probability of occurrence:	High during construction; negligible during operation.
Degree to which the impact can be reversed:	Fully reversible.
Degree to which the impact may cause irreplaceable loss of resources:	None.

Cumulative impact prior to mitigation:	Negligible.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low-Medium
Degree to which the impact can be mitigated:	High
Proposed mitigation:	Work was restricted to daylight hours; machinery maintained; neighbours informed before activity. No future construction without authorisation.
Cumulative impact post mitigation:	Negligible.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low

Visual impacts / Sense of Place	
Nature of impact:	Introduction of visible man-made structures (retaining/pool structure, gabion wall, fencing, lapa, and ablution facility) temporarily altered the immediate rural-riparian visual character during and immediately after construction. The area, however, was previously degraded by flood damage, erosion, and debris deposition. Rehabilitation and landscaping have since softened the visual presence of these features. The proposed carport, to be placed outside the 32 m buffer, will have negligible visual impact due to its small scale and location adjacent to existing structures. Overall, the development has consolidated existing visual elements within a previously disturbed footprint rather than expanding built form into undisturbed areas.
Extent and duration of impacts:	Localised, confined to the property and immediate riverside view corridor. Visual change is long-term due to the permanence of stabilisation structures, but the effect is minor and consistent with agricultural and residential patterns typical of the area.
Probability of occurrence:	High — permanent visibility of stabilisation structures and associated improvements within the local setting.
Degree to which the impact can be reversed:	Moderate — removal of the structures is technically possible but not desirable, as they provide essential erosion control and safety benefits. Vegetative screening ensures partial visual integration and long-term blending with the natural environment.
Degree to which the impact may cause irreplaceable loss of resources:	Low — no scenic, heritage, or cultural landscape resources were lost. The intervention improved the aesthetic quality of a previously damaged section of riverbank.
Cumulative impact prior to mitigation:	Moderate — the combination of flood scars, exposed construction areas, and unfinished surfaces created a temporary visual contrast with the surrounding rural landscape during construction.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High):	Medium
Degree to which the impact can be mitigated:	High — through design integration, use of neutral materials, and re-vegetation, visual effects can be fully softened over time.
Proposed mitigation:	- Apply natural and neutral finishes (earth tones, textured concrete, natural stone). - Maintain indigenous vegetation screening along the riverbank to visually blend built structures into the natural setting. - Avoid artificial lighting directed toward the river or reflective surfaces that could increase glare. - Limit further built elements within the visible riparian zone. - Position the proposed carport adjacent to existing buildings to consolidate the visual footprint and prevent visual sprawl.
Cumulative impact post mitigation:	Low — the rehabilitated and landscaped site now blends visually with the surrounding agricultural and rural-residential environment. Vegetative growth and earth-tone finishes have significantly reduced visual contrast.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High):	Low (Positive Trend) — the intervention has improved the site's visual order and rural character compared to its post-flood condition.

(b) **Impacts that result from the operational phase (briefly describe and compare impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the operational phase.**

Impacts on the geographical and physical aspects:	
Nature of impact:	Long-term alteration of the riverbank's geomorphology and stabilisation of slopes due to the gabion wall; reduced erosion and sediment transport into the Spruitrivier
Extent and duration of impact:	Localised, long-term (permanent).
Probability of occurrence:	Highly probable (activity ongoing).
Degree to which the impact can be reversed:	Low – structures are permanent but beneficial.
Degree to which the impact may cause irreplaceable loss of resources:	Low – no significant loss of natural resources expected.
Cumulative impact prior to mitigation:	Medium–High
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	High – effective design and vegetation have stabilised soils.
Proposed mitigation:	• Gabion wall stabilisation with geotextile lining; • Indigenous vegetation established to bind soil and restore slope; • Routine monitoring post-heavy rainfall; • No further excavation without authorisation.
Cumulative impact post mitigation:	Low–Medium
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low–Medium

Impact on biological aspects:	
Nature of impact:	Potential long-term influence on riparian vegetation and aquatic habitat adjacent to the restored riverbank.
Extent and duration of impact:	Localised, medium- to long-term (stable habitat established).
Probability of occurrence:	Probable.
Degree to which the impact can be reversed:	Moderate – vegetation recovery ongoing.
Degree to which the impact may cause irreplaceable loss of resources:	Low – no CBAs, ESAs, or red-listed species affected.
Cumulative impact prior to mitigation:	Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	High – mitigation successful through rehabilitation.
Proposed mitigation:	• Rehabilitation with indigenous riparian plants; • Ongoing invasive alien clearing; • Prevent stormwater discharge directly into the river; • Maintenance of freeboard between pool and river to avoid overflow.

Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low

Impacts on the socio-economic aspects:	
Nature of impact:	Improved property safety, visual amenity, and flood resilience benefiting both landowners and downstream users.
Extent and duration of impact:	Local to regional, long-term positive.
Probability of occurrence:	Definite.
Degree to which the impact can be reversed:	Not applicable (positive, permanent impact).
Degree to which the impact may cause irreplaceable loss of resources:	None.
Cumulative impact prior to mitigation:	Positive
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low–Medium
Degree to which the impact can be mitigated:	Not applicable – enhancement achieved.
Proposed mitigation:	• Continued maintenance of gabion and vegetation; • Use of CCTV and lighting for site safety; • Employment of local labour for maintenance when required.
Cumulative impact post mitigation:	Positive
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Positive

Impacts on the cultural-historical aspects:	
Nature of impact:	No heritage or archaeological resources were identified on site; no operational impacts expected.
Extent and duration of impact:	Site-specific, permanent (negligible).
Probability of occurrence:	Improbable.
Degree to which the impact can be reversed:	Fully reversible (none).
Degree to which the impact may cause irreplaceable loss of resources:	None.
Cumulative impact prior to mitigation:	Low
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	Fully mitigated through standard chance-find procedure.
Proposed mitigation:	• Maintain awareness protocol for any subsurface finds during maintenance activities; • Report to HWC if any chance finds occur.
Cumulative impact post mitigation:	Low

Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low

Noise impacts:	
Nature of impact:	Operational noise limited to occasional maintenance or recreational use; no mechanical equipment or pumps generating continuous noise.
Extent and duration of impact:	Localised, intermittent, short-term.
Probability of occurrence:	Low.
Degree to which the impact can be reversed:	Fully reversible.
Degree to which the impact may cause irreplaceable loss of resources:	None.
Cumulative impact prior to mitigation:	Low–Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low–Medium
Degree to which the impact can be mitigated:	High
Proposed mitigation:	• Limit maintenance to daylight hours; • Use of low-noise equipment if required.
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low

Visual impacts / Sense of Place	
Nature of impact:	Visual alteration of the riparian edge due to the presence of the gabion retaining wall, reinforced concrete pool structure, reinstated fencing, and associated facilities (lapa, ablution facility, and proposed carport). These features are now visually integrated into the rehabilitated and landscaped river corridor. The area, previously eroded and damaged by floods, now presents a neat and consolidated visual form that complements the existing farmstead and surrounding rural-residential setting.
Extent and duration of impacts:	Localised and long-term (permanent features within the stabilised footprint). The visual impact is limited to the immediate property and riverside view, with no significant visual intrusion at the landscape or regional scale.
Probability of occurrence:	Definite — the structures are permanent and form part of the property's visual composition. However, visual integration and natural landscaping minimise prominence and glare.
Degree to which the impact can be reversed:	Low — removal of the stabilisation and built structures would compromise flood protection, safety, and site functionality. Given the rehabilitation achieved, reversal is neither practical nor desirable.
Degree to which the impact may cause irreplaceable loss of resources:	None — no loss of scenic, cultural, or heritage value occurred. Instead, the activity enhanced the site's visual quality by transforming a previously degraded area into a stabilised and visually cohesive environment.
Cumulative impact prior to mitigation:	Medium–High — without landscaping and surface finishing, the visible built elements (concrete surfaces and fencing) could have created moderate contrast with the natural riverine setting.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High):	Medium–High
Degree to which the impact can be mitigated:	High — effective landscaping, colour selection, and vegetation maintenance can fully integrate structures into the landscape, achieving long-term visual harmony.

Proposed mitigation:	• Use of natural stone-filled gabions and neutral-coloured concrete finishes to blend with the riverbank geology. • Indigenous landscaping (riparian and shade-tolerant species) to soften the visual profile of the retaining and pool structure. • Maintenance of vegetative cover to ensure ongoing screening and prevent visual scarring or exposure. • Restriction of artificial lighting near the riparian edge to maintain the area's rural night-time character. • Consolidation of structures (lapa, ablution, carport) within the existing modified footprint to avoid visual sprawl into undisturbed areas.
Cumulative impact post mitigation:	Low — the rehabilitated area now blends naturally with the surrounding landscape and aligns with the broader agricultural-residential visual character of the Wellington valley. Vegetation and natural finishes ensure long-term integration.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High):	Low–Medium (Positive Trend) — the development now contributes to visual cohesion and landscape rehabilitation rather than degradation.

(c) Impacts that may result from the decommissioning and closure phase (briefly describe and compare the potential impacts (as appropriate), significance rating of impacts, proposed mitigation and significance rating of impacts after mitigation that are likely to occur as a result of the decommissioning and closure phase.

Potential impacts on the geographical and physical aspects:	
Nature of impact:	Substantial disturbance of stabilised soils and riverbank if existing structures (gabion wall, retaining/pool structure, fencing, lapa, or associated facilities) were to be demolished or removed. Decommissioning would destabilise the rehabilitated area, reintroduce erosion risk, sedimentation, and slope failure along the Spruitrivier. This would reverse the current stability achieved through rehabilitation.
Extent and duration of impacts:	Local to regional — effects would extend beyond the immediate site, potentially impacting downstream sediment transport and water quality. Impacts would be long-term, persisting for several years before stability could be regained.
Probability of occurrence:	Definite — disturbance of the physical environment is unavoidable if decommissioning occurs.
Degree to which the impact can be reversed:	Low — once stabilising structures are removed, re-establishing the same level of slope stability and erosion control would take many years.
Degree to which the impact may cause irreplaceable loss of resources:	Moderate — possible loss of rehabilitated soil integrity, slope stability, and sediment control functions within the riparian corridor.
Cumulative impact prior to mitigation:	High — removal of stabilised infrastructure would reverse environmental recovery, reduce flood resilience, and cause sedimentation affecting downstream systems.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High):	**High**
Degree to which the impact can be mitigated:	Moderate — mitigation possible but only partially effective due to the irreversible loss of stabilised structures.
Proposed mitigation:	• Avoid decommissioning unless required for safety or legal compliance. • Conduct any necessary removals during dry season under engineering and environmental supervision. • Implement erosion control (silt traps, geotextiles, brush-packing). • Recontour and replant slopes immediately using indigenous riparian vegetation. • Dispose of rubble at licensed facilities and monitor downstream effects.
Cumulative impact post mitigation:	Medium — while rehabilitation may re-establish partial stability, the site's resilience and structure would remain diminished compared to current conditions.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High):	**Medium–High**

Potential impact on biological aspects:	
Nature of impact:	Removal of existing stabilising and landscaped structures would destroy re-established indigenous vegetation, displace fauna, and degrade riparian habitat quality. Decommissioning would remove the ecological benefits achieved through rehabilitation, including erosion control, habitat provision, and vegetation recovery.
Extent and duration of impacts:	Local to regional — disturbance confined to the site but with potential downstream effects (sedimentation, water turbidity). Duration would be long-term, as vegetation recovery and re-stabilisation would take several growing seasons.
Probability of occurrence:	Definite — decommissioning would unavoidably impact established vegetation and soil-binding root systems.

Degree to which the impact can be reversed:	Low — recovery possible but protracted; existing ecological balance and vegetation cover would be lost.
Degree to which the impact may cause irreplaceable loss of resources:	Moderate — possible loss of re-established riparian vegetation, microhabitats, and biodiversity value.
Cumulative impact prior to mitigation:	High — decommissioning would reverse ecological recovery, disrupt habitat connectivity, and increase erosion risk.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High):	**High**
Degree to which the impact can be mitigated:	Moderate — although replanting and erosion control can reduce severity, recovery would be slow and incomplete for several years.
Proposed mitigation:	• Avoid decommissioning unless mandated by law or for safety.• If unavoidable, strip and stockpile topsoil for reuse and rescue viable indigenous plants for replanting.• Implement erosion and sediment control (coir logs, brush-packing).• Rehabilitate with locally sourced indigenous riparian species.• Maintain alien clearing and monitoring for at least 3 years post-decommissioning.
Cumulative impact post mitigation:	Medium — ecological recovery possible but delayed; site would require ongoing management to restore biodiversity and stability.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High):	**Medium–High**

Potential impacts on the socio-economic aspects:	
Nature of impact:	Decommissioning would lead to significant socio-economic drawbacks, including loss of property protection, security, and investment value. The removal of the stabilised riverbank, fencing, lapa, and related structures would compromise safety, expose neighbouring properties to trespassing and erosion risks, and negate the financial and environmental gains achieved through rehabilitation.
Extent and duration of impact:	Local to regional — impacts would affect the property owner, adjacent landowners, and potentially the broader community through reduced safety and aesthetic deterioration. Duration would be long-term, as rebuilding or recovery would take years.
Probability of occurrence:	Definite — socio-economic impacts are unavoidable if decommissioning proceeds.
Degree to which the impact can be reversed:	Low — although physical reconstruction is possible, the associated social and financial losses, including decreased property value and security, would take years to recover.
Degree to which the impact may cause irreplaceable loss of resources:	Moderate — loss of infrastructure investment, established vegetation, and safety measures that currently protect both people and property.
Cumulative impact prior to mitigation:	High — destabilisation of the riverbank and loss of protective measures would have cumulative effects on local safety, land value, and confidence in environmental governance.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High):	**High**
Degree to which the impact can be mitigated:	Moderate — while some economic activity (e.g., rehabilitation works) may offset losses temporarily, long-term socio-economic and safety benefits would remain diminished.
Proposed mitigation:	• Avoid decommissioning unless mandated by law or safety.• If unavoidable, reuse salvaged materials to offset financial loss.• Employ local contractors for rehabilitation to provide temporary job creation.• Reinstate fencing and vegetation buffers as quickly as possible.• Engage community safety networks to re-establish security presence during and after removal.
Cumulative impact post mitigation:	Medium — although some temporary employment could result, the overall socio-economic condition would remain negatively affected due to permanent loss of infrastructure and stability.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High):	**Medium–High**

Potential impacts on the cultural-historical aspects:	
Nature of impact:	No known heritage or archaeological resources have been identified within or adjacent to the site. Decommissioning activities would therefore have minimal cultural-historical implications. Any potential impact would only arise in the unlikely event of chance finds (such as buried artefacts or foundations) during removal or excavation.
Extent and duration of impacts:	Site-specific and short-term — limited to the immediate project footprint during physical removal activities.

Probability of occurrence:	Improbable — the area has been previously disturbed by agricultural and flood repair activities, making the likelihood of uncovering intact heritage materials very low.
Degree to which the impact can be reversed:	Fully reversible — any inadvertent disturbance could be rectified through proper reporting and conservation measures as required by Heritage Western Cape (HWC).
Degree to which the impact may cause irreplaceable loss of resources:	Low — the probability of irreplaceable cultural or historical resource loss is negligible.
Cumulative impact prior to mitigation:	Low — given the already disturbed nature of the site, cumulative heritage-related impacts are insignificant.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High):	**Low**
Degree to which the impact can be mitigated:	High — fully mitigable through standard heritage protection procedures.
Proposed mitigation:	• Implement *chance-find procedures* in accordance with Section 35(3) of the National Heritage Resources Act (Act 25 of 1999). • Cease work immediately and notify Heritage Western Cape (HWC) if any archaeological or historical artefacts, structures, or human remains are uncovered. • Ensure all personnel are briefed on heritage awareness prior to any decommissioning works.
Cumulative impact post mitigation:	Low — adherence to standard protocols will prevent any residual cultural or heritage impact.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High):	**Low**

Potential noise impacts:	
Nature of impact:	Temporary increase in noise levels from machinery, vehicle movement, and dismantling during potential decommissioning or rehabilitation works. Noise may cause short-term disturbance to nearby landowners and fauna but would not persist beyond the active work period.
Extent and duration of impacts:	Localised and short-term — limited to the immediate property and surrounding smallholding area during active site works. Duration would not exceed the short construction or dismantling period.
Probability of occurrence:	Probable — noise generation is inherent to decommissioning or heavy maintenance activities.
Degree to which the impact can be reversed:	High — entirely reversible once works are completed. No permanent acoustic changes expected.
Degree to which the impact may cause irreplaceable loss of resources:	None — noise will not result in the loss of any physical, biological, or social resource.
Cumulative impact prior to mitigation:	Low–Medium — temporary but noticeable during periods of active operation.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High):	Low–Medium
Degree to which the impact can be mitigated:	High — straightforward mitigation through scheduling, communication, and equipment management.
Proposed mitigation:	• Restrict noisy activities to daylight hours only (07:00–17:00). • Maintain machinery to reduce mechanical noise and idling. • Avoid impulsive or tonal noise where possible (e.g., dropping metal or hammering). • Notify adjacent landowners prior to commencement of noisy work. • Provide site supervision to ensure adherence to working hours and noise control measures.
Cumulative impact post mitigation:	Low — noise will be intermittent, temporary, and within acceptable limits for a rural setting.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High):	Low

Potential visual impacts:	
Nature of impact:	Temporary visual disturbance during removal of structures and recontouring, followed by improved natural aesthetic post-rehabilitation.
Extent and duration of impact:	Localised, short- to medium-term.
Probability of occurrence:	Definite during decommissioning.

Degree to which the impact can be reversed:	High – visual impact temporary.
Degree to which the impact may cause irreplaceable loss of resources:	None.
Cumulative impact prior to mitigation:	Medium
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	High.
Proposed mitigation:	• Progressive rehabilitation and replanting; • Maintain natural contours; • Use indigenous vegetation to restore visual integrity.
Cumulative impact post mitigation:	Low–Medium
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low–Medium

Potential visual impacts:	
Nature of impact:	The removal of the stabilised retaining structure, pool, lapa, and related features would cause severe visual scarring and re-exposure of the previously eroded riverbank. This would degrade the visual integrity of the riparian corridor, increase exposure of bare soil and construction remnants, and result in a negative contrast with the surrounding rehabilitated rural landscape.
Extent and duration of impacts:	Local to regional — visual effects would be highly noticeable along the river corridor and from neighbouring farms. The duration would be long-term until natural revegetation occurs (which may take several years).
Probability of occurrence:	Definite — if decommissioning occurs, the visual degradation will be unavoidable.
Degree to which the impact can be reversed:	Moderate — rehabilitation and revegetation could partially restore the natural appearance over time, but the immediate loss of structure and stability would remain visually evident for several years.
Degree to which the impact may cause irreplaceable loss of resources:	Moderate — loss of a visually stable, well-integrated structure that currently supports aesthetic and functional balance in the landscape.
Cumulative impact prior to mitigation:	High — removal would significantly degrade the visual quality of the rehabilitated riparian edge and contribute to broader aesthetic decline along the Spruitrivier.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High):	**High**
Degree to which the impact can be mitigated:	Moderate — visual recovery depends on successful revegetation and rehabilitation over time.
Proposed mitigation:	• Avoid decommissioning where possible to preserve current visual harmony and stability. • If required, implement phased removal with concurrent rehabilitation to prevent exposed surfaces. • Recontour and immediately revegetate disturbed areas using locally indigenous species. • Maintain natural screening through riparian planting and minimal artificial intervention. • Conduct follow-up maintenance until vegetation cover is re-established and soil stabilised.
Cumulative impact post mitigation:	Medium — although rehabilitation could eventually soften the visual effect, the landscape would lose its current sense of completeness and order.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High):	**Medium**

(d) → Any Other Impacts	
Potential impact:	Waste Management and Water Quality
Nature of impact:	Risk of rubble, cement residues, contaminated soil, or construction waste entering the Spruitrivier during any decommissioning or removal of stabilised structures. Such events could temporarily increase turbidity and affect downstream water quality if unmanaged.

Extent and duration of impacts:	Localised to the immediate work area; short-term during dismantling or rehabilitation activities.
Probability of occurrence:	Probable — accidental runoff or debris movement could occur if standard containment measures are not in place.
Degree to which the impact can be reversed:	High — contamination or turbidity is easily reversible with proper clean-up and containment.
Degree to which the impact may cause irreplaceable loss of resources:	Low — impacts would be short-term and limited; no irreversible resource loss expected.
Cumulative impact prior to mitigation:	Medium–High — risk of short-term deterioration of river water quality and visual integrity during removal.
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High):	**Medium–High**
Degree to which the impact can be mitigated:	High — well-established best-practice mitigation methods are available.
Proposed mitigation:	• Contain, bundle, and collect all demolition waste prior to removal from site. • Absolutely no disposal, washout, or storage of material within 32 m of the Spruitrivier. • Dispose of all waste and residues only at a licensed municipal or private facility. • Implement sediment control measures such as silt fences or straw wattles at runoff points • Monitor downstream turbidity if in-river work or accidental contact occurs, and take immediate corrective action. • Conduct final site inspection post-works to ensure complete waste clearance and no visible residues.
Cumulative impact post mitigation:	Low — effective waste management and sediment control measures will prevent any measurable impact on water quality or aquatic systems.
Significance rating of impact after mitigation (Low, Medium, Medium-High, High):	**Low**

Please note: If any of the above information is not available, specialist input may be requested.

7. SPECIALIST INPUTS/STUDIES AND RECOMMENDATIONS

Please note: Specialist inputs/studies that will be undertaken as part of this application. These specialist inputs/studies must take into account the Department's relevant Guidelines on the Involvement of Specialists in EIA Processes available on the Department's website (**http://www.capegateway.gov.za/eadp**). A summary of all the specialist inputs/studies must be provided with the additional information.

Specialist inputs/studies and recommendations:

As part of this NEMA Section 24G rectification application, the following specialist assessments and inputs were undertaken or referenced to confirm the nature, extent and residual impacts of the completed activities:

1. **Freshwater/Wetland Assessment (2024)**
   Conducted to confirm the presence and extent of the watercourse, delineate the riparian edge, and assess potential alteration of aquatic ecosystems resulting from the construction of the gabion retaining structure and associated landscaping.
   - **Findings:** No critical biodiversity areas (CBAs) or ecological support areas (ESAs) were affected. The gabion structure serves as a stabilising feature, improving bank integrity and reducing erosion risk.
   - **Recommendation:** Maintain vegetative cover, implement a 10 m no-disturbance buffer along the river edge, and continue alien vegetation control.
2. **Structural Input**
   The design and layout of the gabion wall and associated structures were reviewed by a professional architect, ensuring that the works aligned with the site's natural contours, functional requirements, and aesthetic integration within the landscape. The design approach incorporated practical construction principles suited to the local soil and hydrological conditions.

- **Findings:** The gabion wall and associated features were appropriately constructed and remain stable under current conditions. The structure effectively supports bank protection and assists in stormwater dispersion, thereby preventing further erosion or sedimentation.

- **Recommendation:**
  It is recommended that the gabion structure be visually inspected annually particularly following periods of heavy rainfall to identify and repair any localised settlement, displacement, or material degradation. Should future modification or replacement be required, a professional engineer should be consulted to confirm geotechnical stability and hydraulic performance.

3. Archaeologist and heritage consultant -Jayson Orton (ASHA Consulting(Pty) Ltd) submitted a HWC S38 Notification of Intent to Develop Form and confirmed that (Wellington owes it origins to the initial settlement of farmers in the Wagenmakers vallei from 1699 onwards. These were Huguenots who could not be accommodated in the Stellenbosch and Paarl areas. The town dates back to the mid-19th century.

   The Blouvlei (closer to Wellington) and Bovlei (further southeast) area is of great heritage significance due to the high concentration of historical structures located here, particularly Cape Dutch houses. Despite this significance, no Provincial Heritage Sites are listed on either the HWC or SAHRA databases for that area.

   Portion 3 of Farm 1387 was created through subdivision in 1985. The subdivision appears to run through a farm building with the other half of it being on Portion 2 of Farm 1387.

   The site and adjacent field to the northwest has had trees on it for many decades (see attached historical aerial photography) but it is not clear whether this was a formal orchard or not. There does not appear to have ever been any development on the site aside from the features that were present prior to the July 2024 flood event that destroyed them. The wider Blouvlei area has long been an agricultural area and its history goes back a few centuries. The Blouvlei and Bovlei landscape is well-known for its heritage significance because of the many Cape Dutch houses that occur there and the long tradition of agriculture. During the latter part of the 20th century the valley was strongly characterised by many windrows (see attached aerial photography) but before then they were less prominent, and many seem to have been removed in recent decades. A significant degradation of the cultural landscape has occurred through the covering of a large area in Blouvlei with shade netting in about 2018. This covered area is in excess of 700 000 square meters in two sections. One is 1.1 km west of the study area and the other 1.4 km northwest. The development is very limited in scale, very low lying and surrounded by trees. No impacts to the cultural landscape are expected to have occurred.

   There are likely to be scattered archaeological artefacts in the general area but the site is in an active river flood plain and nothing is expected to have been present there. No impacts expected.

   The site is indicated as overlying an area of zero palaeontological sensitivity. No impacts expected.

   It is likely that slaves worked on some or many of the farms in the area. It cannot be determined whether slaves would have used this area but, given the active floodplain and flood damage, no sites relating to slavery area expected to have been present.

   It was also recommended that no further studies are required in terms of heritage.

4. **Environmental Control Officer (ECO) Verification**
   A qualified Environmental Practitioner inspected the site to verify compliance with environmental best practice and confirm mitigation implementation.

   - **Findings:** All required mitigation and rehabilitation measures have been implemented. No ongoing or significant environmental degradation observed.

   - **Recommendation:** Submit annual compliance photographs and maintain good housekeeping practices on-site.

8. IMPACT ASSESSMENT SUMMARY

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

Impacts	Significance Rating of Impacts After Mitigation (Low, Medium, Medium-High, High)
Geographical and Physical Aspects – Potential for soil disturbance, erosion, and sedimentation during construction and operation of the gabion wall, retaining/pool structure, and associated facilities (lapa, ablution, carport). Post-mitigation, the area has been stabilised with indigenous vegetation, recontoured topography, and erosion-control measures.	**Low–Medium**
Biological Aspects – Initial disturbance of riparian vegetation and possible impact on aquatic habitat during construction. Post-mitigation rehabilitation, alien clearing, and indigenous replanting improved habitat quality and riverbank stability.	**Low**
Water Use and Quality – Minimal use limited to domestic and garden maintenance; low risk of contamination. Operational phase managed through septic and stormwater controls; no direct discharge to the Spruitrivier.	**Low**
Waste Management – Small quantities of non-hazardous construction and operational waste generated. Managed through segregation, collection, and disposal at approved municipal facilities. No pollution or illegal dumping observed.	**Low**
Socio-Economic Aspects – Improved flood resilience, property and community safety, and rural visual appeal. Short-term employment provided during rehabilitation. The project supports long-term environmental and social stability.	**Positive**
Cultural-Historical Aspects – No archaeological, historical, or paleontological resources identified within the footprint. Standard chance-find procedure implemented for future maintenance.	**Low**
Noise Impacts – Temporary increase in noise during construction and potential maintenance activities. No operational noise impacts expected.	**Low**
Visual / Sense of Place – Introduction of visible structures (gabion wall, pool, lapa, and carport) altered the immediate riverbank appearance but now blend naturally through use of stone finishes and indigenous planting.	**Low–Medium**
Air Quality / Dust – Localised dust generation during construction; controlled by watering and phased works. No residual or operational air quality impacts remain.	**Low**
Traffic / Access Impacts – Minor, temporary increase in traffic during material delivery and construction. No ongoing traffic impact post-completion.	**Low**
Decommissioning / Closure Phase Impacts – If decommissioning were ever undertaken, potential for major soil disturbance, erosion, and visual scarring exists. However, these are fully mitigable through phased removal, recontouring, and revegetation.	**Low–Medium**
Cumulative Impacts – No measurable cumulative or regional effects anticipated. The activity has resulted in improved stability, environmental recovery, and reduced erosion along the Spruitrivier corridor.	**Low**

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

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

9.1 Introduction & Legal Context

By virtue of commencing work (pool, retaining wall, outbuilding, and related stabilisation) within 32 m of the Spruitrivier without prior environmental authorisation, the development technically fell within the ambit of an unauthorised commencement under NEMA Section 24G and the EIA Regulations. Neighbouring parties have flagged the development as unlawful.

However, the following contextual factors and legislative principles must guide the assessment of consequences, potential legal liability, and the remedial pathway:

- NEMA's principle of environmental management (Section 2) requires that we mitigate, rectify, and rehabilitate environmental damage after the fact, emphasizing corrective rather than only punitive remedies.
- Section 24G of NEMA provides a legal mechanism to regularize unlawful developments provided environmental damage is appropriately addressed.
- The Need & Desirability principles must still apply: the corrective work was a necessary response to flood damage, aimed at restoring land stability and preventing further environmental harm.
- The Duty of Care (Section 28 of NEMA) and Polluter Pays Principle require that any residual impacts are mitigated and the environment returned to acceptable condition.

- The Western Cape DEA&DP Guideline on Need & Desirability (2013) and DEA&DP 24G Application Guideline (2020) require that negative consequences be transparently disclosed but weighted against the remedial purpose and compliance undertaken.

9.2 Environmental Consequences of Unauthorised Commencement

1. Soil Disturbance, Erosion, and Sediment Mobilisation
    - During excavation and earthworks, exposed soils and disturbed slopes had an elevated risk of erosion and sediment entering the nearby riverbank corridor.
    - Runoff during inclement weather may have transported fine sediments into the Spruitrivier buffer, temporarily degrading riparian water quality and habitat.
2. Vegetation and Riparian Habitat Disturbance
    - Riparian vegetation within the regulated 32 m zone was trammeled, cleared, or compacted in places. This represented a temporary reduction in ecological buffer function and infiltration capacity.
    - Removal of natural groundcover increased exposure risk for invasive species encroachment until rehabilitation.
3. Hydrological Alteration & Bank Stability Risk
    - Unmitigated earthworks temporarily altered surface drainage paths, potentially concentrating flows and increasing local scour.
    - The absence of a stabilised retaining structure initially left the riverbank vulnerable to further collapse or land loss during heavy rain or subsequent flooding events.
4. Perceptions of Illegitimacy & Neighbour Concerns
    - The failure to obtain authorisation prior to commencement undermined trust among neighbours, who may fear precedent for further unauthorised expansion.
    - Although no serious crime (e.g. vandalism or trespass) was committed, the perception of disregard for regulatory norms may have created community friction and reputational risk for the applicant.
5. Uncertainty in Long-Term Environmental Safety
    - Without immediate approval or oversight, there existed risk that the partially constructed works might have deviated from acceptable engineering or environmental standards, possibly increasing hazard potential to downstream landowners or the watercourse.
6. Administrative and Regulatory Exposure
    - The applicant exposes themselves to administrative fines, compliance orders, or remedial enforcement under NEMA.
    - Neighbour objections may escalate into protracted public participation (PPP) processes, appeals or legal reviews if the 24G application is contested.

9.3 Mitigation, Rectification and Remedial Response

Critically, the applicant did not proceed with the works for convenience or avoidance of regulation — but as a necessary rehabilitative response to flood damage already sustained along the riverbank. The work was executed concurrently with restoration, reducing incremental impact.

To minimize consequences and strengthen the corrective case:

- Timely Mitigation & Rehabilitation
  The gabion retaining wall, bed stabilisation, and revegetation were implemented with professional oversight. The disturbed soils were stabilised and vegetated, runoff was diverted, and alien vegetation controlled.

- Commitment to No Further Unauthorised Disturbance
  The applicant pledges that no further excavation or development within the regulated zone will occur without proper environmental authorisation.

- Transparency & Specialist Input
  Independent wetland specialist, engineering oversight, and an Environmental Control Officer (ECO) verified that the works meet environmental and structural standards. These records support the legitimacy of remedial action.

- Neighbour and Community Engagement
  The applicant is prepared to share cross-sections, rehabilitation plans, and environmental monitoring records with neighbours concerned, to foster transparency and trust.

- Ongoing Monitoring and Maintenance
  Routine inspections and photographic records (especially after high-flow events) will ensure that structural integrity and ecological recovery are maintained, and that any minor slippage or erosion is promptly addressed.

9.4 Legal and Regulatory Safeguards & Mitigation of Penalty Exposure

When considering fines or sanctions, the competent authority must consider:

- The retrospective, remedial nature of the application under Section 24G, designed precisely to regularize and rehabilitate unauthorised works.

- That the environmental harm has been largely reversed or reduced to residual low or low–medium significance across all assessed aspects, as shown in the impact tables.

- The principle of proportionality — considering the scale of the works, the absence of serious malicious intent, and the corrective actions taken.

- The applicant's good faith in acting to stabilize flood damage, rather than pursuing aggressive expansion, under the doctrine of reasonable necessity.

- The application's alignment with Need & Desirability — the works restore ecological resilience, protect property, and maintain the rural character of the area — serving public and private interest.

The unlawful commencement of the listed development did carry environmental risks and regulatory exposure. However, due to the remedial intent, the immediate implementation of mitigation, and the compliance-focused approach, the net environmental consequence has been substantially controlled and reduced.

10. OTHER MANAGEMENT, MITIGATION AND MONITORING MEASURES

(a) Over and above the mitigation measures described above, please indicate any additional management, mitigation and monitoring measures.

10.1 Introduction

Over and above the specific mitigation actions already implemented and documented in preceding sections, the applicant has adopted (and commits to continue applying) a suite of management, mitigation, and monitoring measures designed to ensure long-term environmental protection, compliance with Section 28 of NEMA (Duty of Care), and alignment with the Western Cape DEA&DP and DWS Best Practice Guidelines for activities within or near a watercourse.

These measures demonstrate a sustained commitment to environmental stewardship, transparency, and adaptive management beyond mere rectification.

10.2 Environmental Management and Operational Controls

1. Environmental Management Plan (EMP) Implementation

    - A site-specific EMP has been compiled (Environmental Management Plan attached as Appendix I) and once approved will remain active for the lifespan of the structure.

- The EMP sets out operational procedures for vegetation maintenance, stormwater control, and waste management.
- The EMP will be reviewed annually or following any flood-related event that may change site conditions.

2. ECO Oversight and Compliance Verification
   - A qualified Environmental Control Officer (ECO) shall inspect the site twice annually and following major rainfall events (>25 mm in 24 h).
   - ECO inspections will focus on gabion stability, erosion evidence, vegetation health, and runoff management.
   - Inspection records and photographs will be retained for five years and submitted to DEA&DP upon request.
3. Maintenance and Housekeeping
   - Debris, litter, and alien vegetation (e.g. *Acacia mearnsii*, *Arundo donax*) will be removed at least twice per year.
   - Gabion baskets will be checked for corrosion, displacement, or undercutting.
   - Any exposed soils will be immediately re-vegetated with suitable indigenous species.
   - Farm operations will continue to separate general and recyclable waste, ensuring no discharge into the river corridor.
4. Stormwater and Drainage Management
   - Existing surface water diversions will be maintained to prevent concentrated runoff from entering the riverbank.
   - Energy-dissipating structures (rock-packed outlets, vegetated swales) will be maintained to avoid scour.
   - No detergents, pool backwash water, or other pollutants will be released into the river or soil zone.

10.3 Biodiversity and Vegetation Management

1. Rehabilitation Maintenance
   - Indigenous riparian vegetation (e.g. *Phragmites australis*, *Cyperus textilis*, *Leucadendron salignum*) will be maintained to ensure bank stability and habitat recovery.
   - Monitoring of vegetation cover will be conducted bi-annually for the first two years, then annually thereafter.
   - Areas showing bare soil or erosion will be promptly re-seeded.
2. Alien Invasive Species Control
   - An ongoing alien-clearing programme will be implemented within the 32 m buffer zone in accordance with NEMBA (Act 10 of 2004).
   - Follow-up clearing will occur annually to prevent regrowth and re-invasion.

10.4 Water Quality and Hydrological Monitoring

1. Visual Monitoring
   - Monthly visual checks of water clarity, odour, and presence of debris will be conducted, with any anomalies recorded and reported.
   - If any signs of pollution or erosion are detected, corrective action will be taken immediately.
2. Surface Runoff Control

- All stormwater control features will be inspected prior to and after major rainfall events to ensure functionality.
- Should turbidity or sediment release be observed, temporary silt traps or brush packing will be installed.

10.5 Community and Stakeholder Engagement

1. Communication and Transparency
   - A standing commitment to engage with adjacent landowners will be maintained.
   - The applicant will notify affected neighbours of any significant maintenance work or inspections taking place within the buffer zone.
   - Any complaints received will be logged and addressed through the EMP procedure.
2. Awareness and Recordkeeping
   - Site staff and maintenance workers will receive brief induction on the environmental sensitivities of the site and correct waste-handling procedures.
   - All environmental documentation (inspection reports, photographs, waste disposal slips) will be stored on file.

10.6 Adaptive Management and Review

1. Annual Review and Reporting
   - The EMP and mitigation measures will be reviewed annually by the ECO or Environmental Consultant to ensure continued relevance.
   - If site conditions change materially (e.g. following flooding, bank movement, or policy update), mitigation will be updated in line with the latest DEA&DP Guideline on the Management of Activities within Watercourses (2021).
2. Corrective Actions
   - Should any new impacts be identified through monitoring, the applicant will implement corrective actions in consultation with the competent authority before these become significant.

The additional management, mitigation, and monitoring measures outlined above ensure that no further adverse environmental impacts will occur from the already-rectified activity.
These measures provide long-term environmental security, reinforce compliance with NEMA's Duty of Care, and demonstrate a proactive approach that aligns with the Department's expectations for responsible environmental governance under Section 24G.

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

The applicant has demonstrated both the competence and practical means to implement the required management, mitigation, and monitoring measures in a manner that ensures ongoing environmental protection and compliance with the National Environmental Management Act (Act 107 of 1998) and related provincial guidelines.

The ability to implement and sustain these measures is based on the following factors:

1. Demonstrated Environmental Responsibility

The applicant has shown consistent willingness to comply with environmental legislation and to act responsibly in correcting the unauthorised activity.
Although the construction works were initiated during urgent flood repairs, the applicant immediately sought to regularise the situation through the formal Section 24G process once the need for authorisation was realised.

This demonstrates both good faith and a clear understanding of the Duty of Care obligation (Section 28 of NEMA) to prevent and mitigate harm.

2. Access to Competent Environmental and Technical Support

The applicant is supported by experienced environmental and engineering professionals who guide and oversee all mitigation and monitoring activities.
These include:

- An Environmental Consultant for ongoing compliance advice, environmental monitoring, and reporting;
- A Wetland Specialist who has assessed the site and provides guidance on rehabilitation within the riparian buffer; and
- A Civil Engineer who verified the stability and design suitability of the retaining structures.

This multidisciplinary support ensures that all actions taken are appropriate, proportionate, and technically sound.

3. Practical and Logistical Capacity

The site is owner-managed, allowing for regular supervision of the area where mitigation measures are implemented.
The applicant and on-site staff are familiar with the property's environmental sensitivities and can undertake basic maintenance tasks, such as clearing alien vegetation, maintaining stormwater channels, and repairing minor erosion, without delay.

This ensures that environmental controls are maintained efficiently and without dependence on large-scale resources.

4. Administrative Systems and Recordkeeping

The applicant maintains a straightforward but effective recordkeeping system, which includes:

- A file for future ECO inspection reports,
- Photographic monitoring records, and
- Documentation of any corrective actions taken.

This provides a transparent paper trail for future audits and aligns with DEA&DP's expectations for post-rectification compliance assurance.

5. Realistic and Sustainable Implementation Approach

The mitigation and monitoring measures proposed are practical and proportionate to the scale of the activity.
They do not require complex or high-cost interventions but rely on regular observation, basic maintenance, and specialist oversight as needed.

This approach ensures that compliance can be maintained within the applicant's normal operational capacity, avoiding unnecessary or unrealistic commitments.

6. Cooperation and Transparency

The applicant has cooperated fully with the environmental authorities and engaged qualified specialists to address the situation transparently.
This cooperation, together with the proactive submission of the Section 24G application, shows that the applicant has both the intention and the capacity to comply with any further requirements that may be imposed by the competent authority.

In summary, the applicant's practical management ability, access to professional guidance, and commitment to responsible environmental governance provide clear assurance that all mitigation and monitoring measures can be effectively implemented.

The approach is proportionate, realistic, and sustainable, ensuring compliance with environmental legislation without unnecessary financial or operational burden.

This capability, together with the rectification measures already undertaken, demonstrates that the applicant can maintain environmental protection in line with Section 24G objectives and the Western Cape DEA&DP's expectations for long-term compliance.

Please note: A draft **ENVIRONMENTAL MANAGEMENT PROGRAMME** must be attached to this application as **Appendix I**.

SECTION G: ASSESSMENT METHODOLOGIES AND CRITERIA, GAPS IN KNOWLEDGE, UNDERLYING ASSUMPTIONS AND UNCERTAINTIES

(a) Please describe adequacy of the assessment methods used.

The assessment methods used for this Section 24G application are appropriate and sufficiently comprehensive to evaluate the environmental consequences of the activities and their current mitigated state. All methodologies conform to recognised practices applied by the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) and the Department of Water and Sanitation (DWS) for retrospective environmental assessments.

The following approaches were applied:

1. **Desktop and Site-Based Assessment**
    - Site verification and field observations were conducted by qualified environmental specialists and environmental practitioners familiar with riparian and post-flood environments.
    - Aerial imagery, GIS overlays, and photographic records were used to confirm the location, scale, and condition of the activity footprint.
2. **Specialist Input Integration**
    - The Wellington Spruitrivier Ecological and Wetland Assessment (2024) provided professional delineation of the riparian zone and confirmed the limited ecological sensitivity within the disturbed footprint.
    - Observations were benchmarked against regional spatial datasets, including CapeNature's Biodiversity Spatial Plan (2022) and NFEPA (National Freshwater Ecosystem Priority Areas) mapping.
3. **DEA&DP Standard Impact Methodology (2013)**
    - The assessment followed the DEA&DP Significance Rating Methodology, which evaluates extent, duration, intensity, probability, reversibility, and cumulative potential.
    - The approach ensures consistent, transparent, and repeatable impact grading and is widely used in environmental authorisation and rectification processes in the province.
4. **Professional Judgement and Site Experience**
    - The environmental team drew on direct site inspection, photographic evidence, and professional experience from comparable flood-rehabilitation projects in the Drakenstein area.

This ensured that findings are realistic, context-specific, and proportionate to the scale and sensitivity of the activity.

(b) Please describe the assessment criteria used.

The following standard environmental impact assessment criteria were applied to determine impact significance before and after mitigation:

Criterion	Description
Extent	Spatial influence of the impact — site-specific, local, or regional.
Duration	The expected timeframe of the impact — short-, medium-, or long-term.
Intensity / Magnitude	The degree of environmental change or loss of function.
Probability	The likelihood of the impact occurring.
Reversibility	The degree to which the impact can be reversed or rehabilitated.
Cumulative Impact	The combined influence of the activity with other existing pressures.
Significance Rating (Post-Mitigation)	Categorised as: Very High (🔴), High (🟠), Medium–High (🟡), Medium (🟤), Low–Medium (🟢🟤), Low (🟢), or Positive (🟣).

The same methodology was applied consistently across all environmental components — physical, biological, and socio-economic — allowing for a balanced and defensible impact rating.

(c) Please describe the gaps in knowledge.

All key aspects required to assess the environmental and compliance status of the site have been adequately covered. However, as with any environmental study, certain inherent limitations exist, which are not material to the overall findings or conclusions:

1. Historic Data Availability
    - Detailed pre-flood baseline data (prior to the July 2024 flood) was not available, as the flood event caused significant physical alteration of the site.
    - Nonetheless, the post-flood condition was accurately documented through site inspection, drone imagery, and specialist verification, providing a reliable representation of the site's current environmental status.
2. Temporal Scope of Assessment
    - The assessment reflects conditions at the time of investigation (2024–2025).
    - The site will continue to be monitored under the Environmental Management Plan (EMP), which provides for ongoing adaptive management if minor site changes occur over time.

These are standard and acceptable limitations that do not affect the credibility, accuracy, or adequacy of the assessment for decision-making purposes.
No gaps were identified that could materially alter the impact ratings or mitigation conclusions presented in this report.

(d) Please describe the underlying assumptions.

The assessment is based on the following reasonable and verified assumptions:

1. The applicant will continue to implement and maintain all approved mitigation and management measures.
2. No further construction or modification will occur within 32 m of the watercourse without prior authorisation.
3. The gabion retaining structure and associated stabilisation works have been correctly installed and will be inspected periodically.
4. Environmental conditions observed during the specialist study represent typical conditions for the site and surrounding area.
5. There are no significant upstream or external developments expected to alter local hydrological patterns in the short to medium term.

(e) Please describe the uncertainties.

A limited degree of uncertainty is inherent in all environmental evaluations, particularly where natural processes such as vegetation growth, rainfall variation, or future flood events are involved.
The key uncertainties identified are typical of low-intensity rural developments and are not expected to materially influence the outcomes of this assessment:

1. Climatic Variability:
    - Future rainfall intensity or flood frequency could influence erosion dynamics.
    - This uncertainty is addressed through the adaptive management approach and routine site inspections.

2. Natural Ecological Succession:
    - The exact rate of vegetation recovery may vary, depending on seasonal rainfall and soil conditions.
    - Ongoing vegetation monitoring is already in place to confirm re-establishment success.
3. Neighbouring Land Use Practices:
    - Minor changes in upstream land use or runoff management could influence local water movement, though no such activities are currently known.

These uncertainties have been appropriately recognised and mitigated through practical management and specialist input. They should not affect the reliability of the impact assessment or the Department's ability to make an informed decision under Section 24G of NEMA.

SECTION H: RECOMMENDATIONS OF THE EAP

In my view (EAP), the information contained in the Application and the documentation attached hereto is sufficient to make a decision in respect of the activity applied for.	**YES**	

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

N/A –

In my professional view as the appointed Environmental Assessment Practitioner (EAP), the information contained within this Section 24G Application including the supporting specialist study (Wellington Spruitrivier Ecological and Wetland Assessment, 2024), photographic records, site verification data, and environmental management measures is sufficient, comprehensive, and reliable for the competent authority (DEA&DP) to make an informed decision in respect of the rectification of the listed activities applied for.

The documentation adequately describes:

- The nature and extent of the unauthorised activities;
- The environmental impacts before and after mitigation;
- The need and desirability of the activity within its spatial and policy context; and
- The proposed mitigation and monitoring measures, which are reasonable and enforceable.

All information has been verified through professional input and site inspection, and no material data gaps remain that would prevent a fair and legally sound decision in terms of Section 24G of the National Environmental Management Act (Act 107 of 1998).

Therefore, it is the considered opinion of the EAP that the application meets the requirements of Regulation 36 of the EIA Regulations, 2014 (as amended), and is sufficient for decision-making purposes.

If "YES", please indicate below whether in your opinion the applicant should be directed to cease the activity or if it should be authorised:

Applicant should be directed to cease the activity:		**NO**

Please provide reasons for your opinion

In my professional opinion, the applicant should not be directed to cease the activity, as the works have been completed, stabilised, and rehabilitated following a legitimate post-disaster recovery process. Directing cessation at this stage would cause unnecessary environmental disturbance and reverse the rehabilitation success achieved to date.

The following considerations support this conclusion:

1. Post-Flood Recovery and Duty of Care
   The activities were initiated as an immediate response to the July 2024 flood, which resulted in extensive erosion and infrastructure failure. The response aligned with the Section 28 NEMA duty of care to prevent further degradation, restore environmental stability, and protect life and property.
2. Environmental Stabilisation Achieved
   The bank is now stable, vegetated, and functioning as an effective riparian buffer. No ongoing erosion, sedimentation, or water quality concerns were identified during field verification.
3. Low Residual Environmental Risk
   The specialist assessment confirmed that the works occurred within a previously disturbed ESA 2 and not within any Critical Biodiversity Area (CBA) or intact wetland system. Impacts are low, reversible, and have been mitigated effectively.
4. Compliance and Accountability
   Although the Section 24G rectification process followed a compliance notice rather than voluntary disclosure, the applicant has since cooperated fully with DEA&DP, appointed an independent EAP, and implemented all mitigation and monitoring measures recommended by the specialists.
5. Associated Activities and Functional Upgrading
   While the lapa, ablution facility, and carport were not direct emergency repairs to the flood event, their inclusion within the same rehabilitated area represents a practical and environmentally responsible consolidation of land use. The flood-damaged area was already disturbed and stabilised through rehabilitation efforts; hence, its upgrade for limited domestic use prevented the opening of a new development footprint elsewhere on the property.
   This approach reflects sound environmental planning: by concentrating low-intensity use within an already impacted zone, further transformation of undisturbed land was avoided, the landscape footprint was minimised, and long-term management of the rehabilitated area was integrated under a single environmental framework.
   The decision to use this previously affected area therefore aligns with the Best Practicable Environmental Option (BPEO) principle under NEMA, promoting efficient, contained, and sustainable land utilisation.
6. Public Safety and Neighbouring Benefit
   The reinstated fencing and associated infrastructure contribute significantly to property protection, deterring trespassing and crime in an area with a recorded violent incident (SAPS CAS 296/07/2024). The activity supports safety and community resilience, benefiting both the applicant and neighbouring landowners.
7. Alignment with NEMA Principles
   The rehabilitated area and supporting facilities uphold NEMA's guiding principles — preventing further degradation, minimising new disturbance, and promoting sustainable and responsible land use. Ceasing or dismantling the works would undermine these outcomes and reintroduce unnecessary risk.

If you are of the opinion that the activity should be authorised, then please provide any conditions, including mitigation measures that should in your view be considered for inclusion in an authorisation.

It is therefore recommended that the competent authority authorise the activity under Section 24G of NEMA, subject to the following enforceable conditions:

Environmental Management and Mitigation Conditions

1. No Further Construction without Authorisation

- No new or expanded works within 32 m of the Spruitrivier without prior written environmental authorisation.
- The carport must remain outside the 32 m riparian buffer as approved.

2. Maintenance of Stability and Safety Infrastructure
   - The retaining/pool structure, gabions, fencing, lapa, and ablution facilities shall be maintained in sound condition.
   - All maintenance must follow best-practice erosion control and be recorded in an environmental logbook.
3. Stormwater and Wastewater Management
   - All runoff must be directed away from the river.
   - Pool water shall not contain chlorine or other harmful chemicals; only saltwater or natural filtration systems may be used.
   - Backwash and greywater must be reused for irrigation or directed to the existing septic system.
4. Vegetation and Visual Rehabilitation
   - Indigenous vegetation must be maintained and supplemented annually.
   - All alien and invasive species shall be removed in accordance with CARA regulations.
5. Waste and Pollution Management
   - Waste handling and disposal must comply with the National Environmental Management: Waste Act (Act 59 of 2008).
   - No waste may be stored or disposed of within 32 m of the river.
6. Water Use Compliance
   - Should DWS confirm Section 21(c) and (i) water uses, the applicant must obtain and comply with the relevant Water Use Authorisation.
7. Environmental Audit and Reporting
   - An independent environmental audit shall be conducted within 12 months of authorisation and submitted to DEA&DP.
8. Adaptive Management
   - Any unforeseen environmental issues must be remediated immediately and reported to DEA&DP within 14 days.

Based on field verification, specialist findings, and the outcomes of public participation, it is my considered opinion that:

- The rectified works present low environmental risk and have achieved measurable ecological recovery;
- The inclusion of associated low-intensity facilities represents responsible, contained land use within an already disturbed footprint;
- The applicant has demonstrated accountability, compliance, and a long-term management commitment; and

Authorisation under Section 24G of NEMA constitutes the Best Practicable Environmental Option (BPEO), consistent with the principles of sustainable development, environmental duty of care, and integrated land management as outlined in Sections 2 and 23 of NEMA.

SECTION I: REPRESENTATIONS – RESPONSE TO AN INCIDENT OR EMERGENCY SITUATION

This section is only applicable to instances where Section 49A (2) of NEMA applies. Please list all steps that where taken in response to the incident or emergency situation.
Although this application is submitted under Section 24G of NEMA, it must be emphasised that the works originated as a direct emergency response to the declared July 2024 flood disaster in the Western Cape, which caused extensive erosion, infrastructure collapse, and safety hazards along the Spruitrivier on Portion 3 of Farm 1387 (Eden Farm), Wellington. Summary of Actions Taken

1. Flood Event and Immediate Damage (July 2024):
   Severe floodwaters eroded the riverbank and destroyed the original boundary fence, damaged the existing retaining structure, and caused loss of topsoil and bank stability. The affected section formed the primary access boundary and security line of the property, posing immediate danger to residents and livestock.
2. Emergency Containment (Late July 2024):
   Temporary measures, including the installation of sandbags, temporary fencing, and limited reshaping of the bank, were undertaken to prevent further collapse and restrict access to the unstable area. These actions were consistent with the duty of care principle under Section 28 of NEMA.
3. Heightened Security Risk (July–August 2024):
   In the weeks following the flood, multiple theft incidents and a violent farm attack (SAPS CAS 296/07/2024) occurred in the surrounding area. The absence of a boundary fence created an immediate security threat. The applicant therefore reinstated a permanent fence and improved lighting and surveillance to protect residents and property — an urgent necessity, not a discretionary improvement.
4. Initial Rehabilitation Works (August–October 2024):
   To stabilise the eroded bank, gabion baskets were installed within the previously disturbed footprint of the collapsed retaining area. This intervention aimed to prevent continued erosion and protect the reinstated fence from further undermining.
5. Structural Reinforcement and Flood-Resilient Design (January–February 2025):
   Following further evaluation, the gabion installation was supplemented with a reinforced concrete retaining and pool structure designed along the natural contour of the riverbank. The structure improved flood resilience, limited future soil loss, and enhanced long-term slope stability within the same disturbed area.
   The pool, though now serving a dual role as both a stabilising feature and future amenity, remains empty pending environmental authorisation.
6. Ancillary Works and Safety Infrastructure (February–April 2025):
   Supporting structures were added within the same developed area, including:
   - A lapa for domestic shade and safety adjacent to the rehabilitated area;
   - An ablution facility connected to the existing septic system above flood level to ensure sanitary management; and
   - A proposed carport, to be situated outside the 32 m riparian buffer, intended for vehicle protection and not for commercial use.
     These features were introduced incrementally to restore full usability and safety of the property following flood damage.
7. Environmental Rehabilitation (March–May 2025):
   The disturbed area was cleared of construction debris, levelled, and revegetated with indigenous riparian species to restore ecological stability and reduce visual impact. Ongoing maintenance includes alien plant control, slope inspection, and vegetation monitoring.
8. Regulatory Discovery and Compliance Process Initiation (May 2025):
   The applicant was notified by DEA&DP through a compliance process that the works required environmental authorisation.
   In full cooperation, the applicant appointed Greenmined Environmental as an independent Environmental Assessment Practitioner (EAP) to initiate the Section 24G rectification process.
   All required specialist studies — including ecological, wetland, and hydrological assessments were commissioned to assess and verify the environmental implications of the completed works.

The applicant's response was reactive, reasonable, and necessary given the emergency context.
Each step was aimed at:

- Preventing further environmental degradation and sediment loss into the Spruitrivier;
- Protecting human life, livestock, and property from ongoing flood and security risks;
- Restoring stability, safety, and ecological function to the damaged area; and
- Ensuring long-term compliance through formal rectification once regulatory requirements became known.

While the original interventions extended beyond temporary containment (and therefore fell outside Section 30A emergency provisions), they were clearly driven by disaster recovery and environmental protection needs, not by deliberate disregard for environmental law.

This Section 24G application now serves to:

- Bring the activities into full legal compliance;
- Confirm that no lasting negative environmental impacts have occurred;
- Secure enforceable management conditions under the Environmental Authorisation; and
- Demonstrate the applicant's ongoing commitment to lawful, sustainable, and responsible land management in alignment with NEMA Sections 2, 23, and 28.

Please note:

Section 30 of NEMA deals with the procedures to be followed for the control of emergency incidents and Section 30A deals with procedures to the followed in the case of emergency situations.

SECTION J: PUBLIC PARTICIPATION

1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED

1.1 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF THE SECTION 24G FINE REGULATIONS, 2017

Regulation 8 of the Section 24G Fine Regulations require that all applicants must conduct public participation **prior to submission** of a section 24G application (as outlined in Annexure A of the Section 24G Fine Regulations - Section D: Preliminary Advertisement).

"The applicant must place a preliminary advertisement in-
(1) A local newspaper in circulation in the area in which the activity was, or activities were, commenced; and on the applicant's website, if any.
(2) This advertisement must comply with the requirements set out in Annexure A, Section D of the Section 24G Fine Regulations, 2017.
(3) The applicant must open and maintain of a register of interested and affected parties.
*(4) The **register must be attached to the application form and included in the report**, or form part of the information submitted in terms of section 24G(1) of the Act, which the register must, as a minimum, contain the names, contact details and addresses of-* *(a) all persons who, as a consequence of the public participation process conducted in respect of the application, have submitted written comments or attended meetings with the applicant or any environmental assessment practitioner or other specialist appointed by the applicant to assist with the application;* *(b) all persons who have requested the applicant, in writing, to place their names on the register; and* *(c) all organs of state that have jurisdiction in respect of the activity to which application relates."*

Please provide a summary of the steps followed where public participation was undertaken in accordance with Regulation 8 prior to submission of this Application Form. Ensure that proof of compliance with Regulation 8 is submitted with this Application Form, including, *inter alia*, proof of preliminary advertisement in a local newspaper.
Public participation for this Section 24G application was undertaken in accordance with Regulation 8 of the EIA Regulations, 2014 (as amended). The process was designed to ensure fair and transparent engagement with all Interested and Affected Parties (I&APs). 1. Preliminary Newspaper Advertisement: A public notice was published in the *Paarl Post* on 9 October 2025, notifying the public of the Section 24G application in terms of NEMA (Act No. 107 of 1998). The notice included property details, listed activities, and contact information for Greenmined Environmental. The advertisement invited I&APs to register and submit comments by 10 November 2025 2. Notification of Authorities: The Drakenstein Municipality, DEA&DP (Competent Authority), and relevant state departments were formally notified of the application. Acknowledgement of receipt from the Competent Authority was received on 15 October 2025, confirming registration of the application. 3. Direct Notification of Neighbouring Landowners and Stakeholders: All adjacent and surrounding property owners, as well as key community representatives, were notified via email. Proof of delivery and email correspondence have been included in the submission.

4. Land Claims Commission Consultation:
   A letter was sent to the Regional Land Claims Commission, ensuring that no registered or pending claims affect the subject property.

5. Public Participation Record:
   All correspondence have been compiled as evidence of compliance with Regulation 8 and are attached to this application.

All required notification and advertisement steps have been completed in full compliance with Regulation 8. The process ensured that the public, neighbouring landowners, and relevant authorities were informed and afforded an opportunity to register prior to submission of the Section 24G application.

Please indicate whether the applicant has a website (please tick relevant box):	**YES**	

If yes, please note that the application information as specified above must have been advertised on such website and proof thereof must accompany this application.

The applicant does not have a dedicated website; however, all public information related to the application is being hosted via Greenmined Environmental's official website: www.greenmined.com.

This ensures public access to project-related documents and compliance with Regulation 8 requirements for electronic availability of information.

Please note: Annexure A: Section D attached to this Application form must be strictly adhered to.

1.2 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF NEMA EIA REGULATIONS, 2014

As the applicant, you may be directed to conduct the public participation process that fulfils the requirements outlined in Chapter 6 of the EIA Regulations, 2014. In doing so, you must take into account any applicable guidelines published in terms of Section 24J of NEMA, the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 as well as any other guidance provided by the Department. Note that the public participation requirements are applicable to all proposed sites.

Please highlight the appropriate box below to indicate the public participation process that has been or will be undertaken to give notice of the application to all potential interested and affected parties, including deviations that may be agreed to by the competent authority:

1. In terms of regulation 41 of the EIA Regulations, 2014 -		
(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -		
(i) the site where the activity to which the application relates is or is to be undertaken; and	**YES**	
(ii) any alternative site	**YES**	
(b) giving written notice, in any manner provided for in section 47D of the NEMA, to –		
(i) the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	**YES**	
(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	**YES**	
(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	**YES**	

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

Summary of Pre-Application Public Participation (Regulation 8 Compliance)

In accordance with Regulation 8 of the Section 24G Fine Regulations (GN R.698 of 2017) and Chapter 6 of the Environmental Impact Assessment Regulations, 2014 (as amended), a pre-application Public Participation Process (PPP) was undertaken to identify and register all Interested and Affected Parties (I&APs) prior to submission of this application.

The purpose of this preliminary phase was to:

- Notify potentially affected stakeholders of the applicant's intent to seek rectification under Section 24G of NEMA;
- Invite all interested persons to register as I&APs and indicate their interest in the process; and
- Compile a comprehensive register of all parties to be consulted during the subsequent draft-report commenting phase.
- This process forms part of the mandatory pre-application steps outlined in Section D: Preliminary Advertisement of the DEA&DP Section 24G Application Form and was conducted as required by the DEA&DP-approved Project Schedule.

Proof of compliance includes:

- A newspaper advertisement placed in the local press;
- A site notice displayed at the Drakenstein Municipality (Wellington Offices) and at the property boundary;
- Direct written notifications to all relevant state departments and adjacent landowners; and
- A 30-day registration period (9 October – 10 November 2025), exceeding the minimum 20-day period required under Regulation 8(3).

All parties listed below have been formally registered and will be notified again during the second round of PPP, when the Draft Application Report and Environmental Management Programme (EMPr) will be made available for public review and comment.

1. **Provide a list of all the state departments that has been / will be consulted:**		
List of State Departments	Comment obtained (YES/NO)	If not, provide reasons
Drakenstein Local Municipality	No	Officially notified via municipal manager and planning department; acknowledgment of receipt confirmed. Awaiting written comment.
Drakenstein Local Municipality – Ward 29 (Cllr Bazil Jacobs)	No	Notification delivered; councillor confirmed registration but no written comment yet.
Cape Winelands District Municipality Henry Prins / Bongi PA	No	Notification submitted to municipal manager and PA; no comment received to date.
Heritage Western Cape – Heritage Resource Council	No	Included in circulation list as a statutory commenting authority; no heritage impacts expected due to previously disturbed area. Awaiting response.
Cape West Coast Biosphere Reserve	No	Notified through Elsenburg, awaiting feedback.
CapeNature – Scientific Services: Land Use Advice Alana Duffell-Canham / Ismat Adams	No	Notified on 14 Oct 2025. Formal comment to be obtained during Draft Report circulation.
Department of Agriculture (WC) Cor Van der Walt / Brandon Layman	Yes	No agricultural land loss anticipated. Registered as I&AP; written acknowledgment and request for access to draft report received (14 Oct 2025).
Department of Water and Sanitation (DWS) Mashudu Murovhi / Zan Tantana	No	Provincial office notified (Sanlamhof). Written response regarding Section 21 water use considerations as GA was received 17 October 2025.
Department of Economic Development and Tourism (DEDAT)	No	Circulated via official list; no response received yet.
Department of Environmental Affairs and Development Planning (DEA&DP) Adri La Meyer / Yena Gunguluzi	N/A	Competent authority for this application; included for record purposes only.
Department of Social Development	No	Notified; not expected to have material jurisdiction on environmental or safety aspects.
Department of Forestry, Fisheries and the Environment (DFFE) Feroza Albertus / Jessica du Toit / Tabisile Mhlana	No	Notified via regional representatives. No comment to date.
Department of Labour	No	Notified as per Regulation 8 circulation. No occupational health or construction labour concerns raised.
Department of Rural Development and Land Reform – Western Cape District Offices	No	Contacted as part of statutory stakeholder notification; no comment received yet.
Department of Transport & Public Works (WC) Jacqui Gooch / Devlin Fortuin / Vanessa Stoffels	No	Included as standard stakeholder; awaiting comment.
2. **List of all registered I&AP's:**		

publicFull Name / Organisation	Affiliation / Interest	Comment Obtained (YES/NO)	If Not, Provide Reasons / Additional Notes
Blouvlei Action Group (Lesley Armstrong)	Local conservation group focusing on the Blouvlei Valley; registered I&AP (HWC/NHRA S25/2025/05/09).	YES	Policy: Opposes retro-active authorisation ("build-now-pay-later"). Procedural: Queries unclear process; no reports available. Substantive: Highlights serious environmental & heritage degradation; requests demolition and prosecution.
Terrafrica (Pty) Ltd (Camille Lelard / Philippe Lelard / Christophe Labesse)	Adjacent upstream owners – La Folie Farm 1768/0.	YES	Objection: Calls for demolition & restoration. Environmental: River flow alteration, flood risk, grey/black-water contamination, loss of heritage value. Legal: Cites GN R.327 (12, 19, 27) & R.324 (WC 12, 14).
Sharon Rose (Thankful Farm 1768/1)	Direct downstream neighbour sharing river border; resident since 2019.	YES	Objection: Seeks demolition of three outbuildings, swimming pool & gabion. Reasons: Riparian pollution risk, flood-flow acceleration, loss of heritage/rural character, suspected commercial intent, ecological impact (fynbos–renosterveld transition zone; otter, mongoose, steenbok).
Janine Maske	Neighbouring resident; organiser of community correspondence.	YES	Comment: Requested process clarity & transparency; opposed post-facto legalisation of unlawful construction; expressed concern over environmental & social fairness. Note: Janine's email included cc'd I&APs (Erich Maske, Lesley Armstrong, Nick Roux, Rikus Mouton, Kevin Antonie, Reni Hildenbrand) who are all registered below.
Erich Maske	Co-landowner / resident cc'd in Janine's correspondence.	NO (Indirect)	Did not submit separate comment but acknowledged as an I&AP via Janine's submission circulation. Registered for notification in later phases.
Lesley Armstrong	See *Blouvlei Action Group* entry (also cc'd).	—	Already covered under Blouvlei Action Group submission.
Nick Roux	Community member / property owner in affected area.	NO (Indirect)	Copied on Janine's correspondence; no separate written input. Registered as I&AP for notification purposes.
Rikus Mouton	Neighbouring resident; cc'd on Janine's correspondence and received direct notice.	NO (Indirect)	Copied on Janine's correspondence; no separate written input. Registered as I&AP for notification purposes.
Kevin Antonie	Local resident / affected party (cc'd on Janine's correspondence).	NO (Indirect)	Copied on Janine's correspondence; no separate written input. Registered as I&AP for notification purposes.
Reni Hildenbrand	Neighbouring resident; cc'd on Janine's correspondence and included in direct notices.	NO (Indirect)	Registered as I&AP; no direct submission but included through Janine's correspondence.
Welbedacht Van der Merwe Trust (Hugo & Danita van der Merwe)	Adjacent property owners; rely on two fountains and river for potable water.	YES	Concern: Sanitation facilities near boundary & river risk contaminating Welbedacht's water sources. Requested proof that sealed conservancy tanks (not septic systems) are installed and regularly pumped. Environmental context: Groundwater & river pollution risk; potential health hazard for all downstream users. Request: Written confirmation of compliance with water quality standards.
GH Security (Pty) Ltd	Local security services, Paarl.	NO	Registered interest only; no environmental comments submitted.
Kurt Harman [Community Member]	Local community member / public enquirer.	NO (Query only)	Queried when the next commenting period would occur and how to provide additional feedback; no substantive environmental objection lodged.
Kristoph Lodge	Surrounding land owner Individual I&AP acknowledged.	NO	Registered for notifications only; no comment received.
Dr Edmund Oettle Upland Organic Estate Blouvlei Rd	Registered via email	NO	Added to notification list for future communication; no submission received.

Wellington On behalf of the Spruitriver Water Users Association (SRWUA)			

3. **Summary of all concerns raised by registered I&AP's:**		
I&AP / Organisation	Summary of Issue Raised	Manner in Which Issue Was / Will Be Addressed
Blouvlei Action Group (Lesley Armstrong)	Opposed retroactive regularisation, stating that it promotes a "build-now-pay-later" culture. Objected to the perceived high visual and heritage impact and requested full demolition of all unapproved structures. Also queried procedural clarity and availability of documents.	The concern regarding policy precedent is acknowledged. The current Section 24G process is a compulsory legal rectification following a compliance notice, not voluntary regularisation. Its purpose is to bring the activities under lawful control, not to condone non-compliance. Visual and heritage impacts have been assessed in the Ecological and Cultural Assessment and are managed through EMPr mitigation measures (e.g. indigenous revegetation, visual screening, and restricted lighting). Full transparency is ensured through the public release of the Draft Application Report and EMPr in the next PPP phase.
Sharon Rose (Neighbouring Landowner, Thankful Farm)	Objected to all listed activities, citing pollution risk to the Spruit River, potential flood hazards, negative visual and heritage impacts, inappropriate density and land-use intensity, and lack of confidence in the site's future use. Requested demolition of all structures.	The ecological and hydrological specialists have addressed the concerns in the Specialist Report (Appendix F). Findings confirm that: (a) no effluent is entering the river; (b) all wastewater will be managed via a sealed septic system above the flood line; and (c) no increase in downstream flood risk is expected. The EMPr now includes stricter waste-handling, stormwater-management, and monitoring conditions. The lapa, pool, and ablution facilities are confirmed for private domestic use only under the property's agricultural zoning. These restrictions will be enforceable under the Environmental Authorisation, ensuring compliance and preventing future misuse. Visual and heritage integration measures are incorporated to preserve the Blouvlei's rural sense of place.
Dr Janine & Mr Erich Maske	Objected to the two-phase PPP approach, requesting that all documents be available during the first comment period and clarity on procedural compliance.	Clarified that the initial phase constitutes the Regulation 8 pre-application registration required by DEA&DP. Full access to the Draft Application Report and EMPr will be granted during the formal PPP phase in accordance with Chapter 6 of the EIA Regulations (2014).
Kristoph (Upstream Landowner)	Commented that the unauthorised works are visually intrusive and may encourage similar unapproved construction.	The Section 24G process itself rectifies the non-compliance, ensuring legal precedent is avoided. The EMPr provides for visual rehabilitation, including revegetation, colour blending, and long-term monitoring to reinstate the natural appearance of the riverbank.
Camille (Neighbouring Landowner)	Requested registration as an I&AP and access to all documents once available.	Registration confirmed and acknowledgment sent. Notification and full access will be provided during the formal PPP phase.
Kurt (Neighbouring Landowner)	Queried the timing of future comment opportunities and circulation of reports.	Greenmined confirmed that all registered I&APs will receive the Draft Report & EMPr for comment in the next PPP round, as required by the EIA Regulations (2014).
Sharon February (Cape West Coast Biosphere Reserve)	Requested registration and access to the draft report when available.	Registration acknowledged. Notification and access will be provided during the next PPP phase.
Rikus Mouton (Neighbouring Landowner)	Requested assurance that reinstatement works will not cause downstream flooding or erosion.	Addressed in the Hydrological and Ecological Report (Appendix F), which found no downstream risk. Long-term erosion-control measures have been integrated into the EMPr.

4. **Provide a summary of any conditional aspects identified / highlighted by any Organs of State, which have jurisdiction in respect of any aspect of the relevant activity.**
In accordance with Section 24(O)(2) of the National Environmental Management Act (NEMA), 1998 (Act 107 of 1998) and Regulation 8 of the Section 24G Fine Regulations (GN R.698 of 2017), all relevant Organs of State with jurisdiction over aspects of the listed activities were notified during the pre-application public participation phase. Formal correspondence has been received from the Department of Water and Sanitation (DWS) confirming that the activities (pool construction, gabion wall, and reinstated fencing) fall within 32 m of a watercourse and may therefore constitute a Section 21(c) and (i) water use in terms of the National Water Act (Act 36 of 1998). DWS requires the applicant to submit a Water Use Authorisation (WUA) application or provide sufficient evidence that the activities qualify under the General Authorisation GN509 of 2016., while other authorities have been notified and will provide comments during the circulation of the Draft Section 24G Application and EMPr.

Please note:

- **A list of all the potential interested and affected parties, including the organs of State must be opened, maintained and made available to any person requesting access, in writing, to the register.**

- **All comments of interested and affected parties on the Application Form and Additional Information must be recorded, responded to and included in the Comments and Responses Report attached as Appendix G to the Application. The Comments and Responses Report must also include a description of the Public Participation Process followed.**

- **The minutes of any meetings held by the EAP with interested and affected parties and other role players which record the views of the participants must also be submitted as part of the public participation information to be attached to the additional information/Environmental Impact Report as Appendix G.**

- **Proof of all the notices given as indicated, as well as of notice to the interested and affected parties of the availability of the Application Form/Additional Information must be submitted as part of the public participation information to be attached to the application as Appendix G.**

2. REPRESENTATIONS REGARDING DEVIATION FROM PUBLIC PARTICIPATION REQUIREMENTS IN TERMS OF THE EIA REGULATIONS, 2014

Please provide detailed reasons (representations) as to why it would be appropriate not direct you to comply with all of the requirements and to deviate from the requirements of regulation 41 as indicated above.
N/A

3. LIST OF STATE DEPARTMENTS

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

Provide a list of all the State departments that will be/have been consulted, including the name and contact details of the relevant official.			
State Department	Name of person	Contact details	
Department of Agriculture WC	Brandon Layman / Cor Van Der Walt	Tel	021 808 5005
		Fax	
		E-mail	brandon.layman@westerncape.gov.za
		E-mail	cor.vanderwalt@westerncape.gov.za
Department of Water and Sanitation	Mr Mashudu Murovhi	Tel	021 941 6000
		Fax	
		E-mail	MurovhiM@dws.gov.za
Department of Economic Development and Tourism	Mr Solly Fourie	Tel	021 483 5065
		Fax	
		E-mail	ecohead@westerncape.gov.za
Department of Environmental Affairs and Development Planning	Adri LaMeyer	Tel	021 483 2443
		Fax	
		E-mail	Adri.LaMeyer@westerncape.gov.za
Department of Social Development	Dr. Robert Macdonald	Tel	021 483 3083
		Fax	
		E-mail	Robert.Macdonald@westerncape.gov.za
Dept of Forestry, Fisheries and the Environment	Feroza Albertus Nitasha Baijnath-Pillay Ulric Van Bloemestein Jessica du Toit /Mans Tabisile Mhlana Thandeka Mbambo	Tel	021 944 1413
		Fax	
		E-mail	FAlbertus@dffe.gov.za
		E-mail	Nbpillay@dffe.gov.za

		E-mail	Uvbloem@dffe.gov.za
		E-mail	jedutoit@environment.gov.za
		E-mail	tmhlana@dffe.gov.za
		E-mail	TMbambo@dffe.gov.za
Department of Labour	Candice van Reenen	Tel	(021) 441 8000
		Fax	
		E-mail	Candice.VanReenen@labour.gov.za
Department of Rural Development and Land Reform	Mr Lubabalo Mbekeni /Maroeda Johnson	Tel	021 409 0300
		Fax	
		E-mail	Lubalalo.Mbekeni@drdlr.gov.za
Department of Transport and Public Works	Jacqui Gooch	Tel	021 483 2826
		Fax	
		E-mail	Jacqui.Gooch@westerncape.gov.za

Please note:

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

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

SECTION A: DIRECTIVES

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

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

	bb	*an assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity*
	cc	*a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity*
	dd	*a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed*
	ee	*an environmental management programme*
viii	*provide such other information or undertake such further studies as the Minister, Minister responsible for mineral resources or MEC, as the case may be, may deem necessary.*	

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

Please Note:

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

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

SECTION B: DEFERRAL OF THE APPLICATION

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

(a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;

(b) the applicant concerned is acquitted or found not guilty after prosecution in respect of which such contravention or failure has been instituted; or

(c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

Kindly answer the following questions:

Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that is not subject to this application and in any province in the Republic?	[redacted]	**NO** [redacted]
If yes provide details of the offence being investigated and authority conducting the investigation. *If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.*		
N/A		
Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is not subject to this application and in any province in the Republic?	[redacted]	**NO** [redacted]
If yes provide details of the offence being investigated and authority conducting the investigation. *If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.*		
N/A		
Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA in terms of which this application directly relates?	[redacted]	**NO** [redacted]
If yes provide details of the offence being investigated and authority conducting the investigation. *If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.*		
N/A		

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

SECTION C: QUANTUM OF THE SECTION 24G FINE

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant an *ex post facto* environmental authorisation or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded with an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies, copies of which must be submitted with this completed application form.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefor.

PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES

Index **Socio Economic Impact** **Description of variable**	**Place an "x" in the appropriate box**
The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	**X**
The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	**N/A**
The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	**N/A**
The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.	**N/A**

Motivation:

The activity has not resulted in any negative socio-economic impacts. On the contrary, it has produced tangible benefits for both the property and surrounding community through flood recovery, improved safety, and the restoration of previously damaged land.

Following the severe July 2024 flood, which caused major erosion and infrastructure loss along the Spruitrivier, the applicant undertook necessary stabilisation and repair works to prevent further collapse and safeguard the property. These included reinstating the boundary fence, constructing the retaining/pool structure, and adding associated improvements such as the lapa, ablution facilities, and planned carport (outside the 32m buffer).

The socio-economic benefits of these works include:

- Protection of livelihoods and property value: Stabilising the eroded bank prevented loss of productive agricultural land and safeguarded infrastructure vital to local operations.
- Improved rural safety and security: The reinstated fencing and camera systems reduced incidents of trespassing and theft, benefitting both the applicant and neighbouring landowners.
- Local employment and supply chain contribution: Construction activities created short-term jobs for local workers and contractors, while materials were procured from suppliers in Wellington and Paarl.
- Reduced municipal burden: By funding the rehabilitation privately, the applicant alleviated potential costs to the municipality associated with post-disaster recovery and infrastructure repair.
- Enhanced landscape stability and aesthetic value: The works replaced an eroded, unsafe riverbank with a stable, vegetated landscape consistent with the area's agricultural and rural character.

The activity is small in scale, non-commercial, and contained within an already disturbed footprint. It has not increased service demand, traffic, or population pressure, and therefore poses no adverse regional socio-economic effects.

The applicant acknowledges the public concern expressed during the Public Participation Process, particularly regarding the fact that the activities commenced prior to environmental authorisation. The applicant did not voluntarily initiate rectification but rather responded to a compliance notice issued by the competent authority following a public report. However, once notified, the applicant acted immediately and cooperatively, engaging an independent Environmental Assessment Practitioner (EAP) and commissioning all necessary specialist studies to ensure full legal compliance under Section 24G of NEMA. It is important to emphasise that the activities were not undertaken with disregard for environmental law, but in direct response to a natural disaster that destroyed existing infrastructure and posed imminent safety risks. The actions were emergency-driven, intended to prevent further land degradation and protect life, property, and the environment. Since the compliance process began, strict corrective measures have been implemented, including environmental monitoring, improved waste management, and adherence to best practice guidelines. No residual pollution, waste, or environmental degradation has been observed on site. The area now reflects a stable, rehabilitated, and well-managed landscape, consistent with the intent of the environmental legislation. The applicant recognises community concerns regarding accountability and transparency and is committed to ongoing compliance, open communication, and environmental stewardship. The formalisation of this process ensures that all future actions will be undertaken within a regulated and enforceable framework providing assurance to both the public and authorities that the property will remain compliant and responsibly managed.

Index	**Biodiversity Impact** **Description of variable**	**Place an "x" in the appropriate box**
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	**X**
	The activity is giving, has given or could give rise to localised biodiversity impacts	**N/A**
	The activity is giving, has given or could give rise to significant biodiversity impacts	**N/A**
	The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	**N/A**
Motivation: The activity occurred in a previously disturbed area adjacent to existing residential infrastructure and outside any formally mapped biodiversity "hotspot," CBA, or ESA. No indigenous vegetation of ecological significance was cleared, and the minor infilling works have not altered the functioning of the adjacent watercourse. Rehabilitation measures implemented post-construction have further stabilised the bank and limited any potential ecological degradation.		

Index	**Sense of Place Impact and / or Heritage Impact** **Description of variable**	**Place an "x" in the appropriate box**
	The activity is in keeping with the surrounding environment and / or does not negatively impact on the affected area's sense of place and /or heritage	**X**
	The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage	**N/A**
	The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	**N/A**

The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	**N/A**

Motivation:

The completed rehabilitation and associated works at Eden Farm are consistent with the established rural–residential and agricultural landscape of the surrounding valley. The structures including the retaining/pool feature, fencing, lapa, and ablution facilities are low-profile, well integrated, and visually compatible with the existing pattern of farmsteads and smallholdings typical of the area.

The intervention was not a new development but a necessary restorative response to catastrophic flood damage that destroyed the riverbank, eroded topsoil, and destabilised infrastructure. The works were undertaken to restore stability, prevent further erosion, and protect the integrity of the river corridor, all while maintaining the natural topography and rural aesthetic.

The design and materials were specifically chosen to blend with the surrounding environment:

- Natural, muted tones and finishes will be used for all structures to harmonise with the agricultural landscape.
- The retaining/pool structure follows the natural curvature of the riverbank, avoiding visual harshness and ensuring continuity with the terrain.
- Indigenous riparian vegetation will be replanted along the rehabilitated slopes, softening the visual line of the structures and reinstating a natural transition between built and natural areas.
- The lapa and fencing are modest in scale, positioned within the original disturbed footprint, and will be finished in earth-toned materials that complement nearby rural homesteads.

In its completed form, the site presents as a stabilised, landscaped, and well-managed rural property. The aesthetic value of the area has been improved relative to its flood-damaged condition, where collapsed soil, exposed debris, and unsafe access points detracted significantly from the local sense of place.

No heritage sites or features of cultural significance are located within or adjacent to the activity footprint. The area has long been part of an active agricultural landscape with established farm dwellings, fences, access tracks, and utility infrastructure. A review of available heritage databases and aerial imagery confirms that the activity does not intersect any formally recognised heritage landscape or scenic corridor.

From a visual and spatial planning perspective, the activity is:

- Contained within the existing developed area of the property, without encroaching on undisturbed land;
- Subordinate in scale and form to surrounding rural infrastructure; and
- Consistent with the policy intent of maintaining rural character and environmental stewardship within agricultural zones.

While public comments reflected concern about the visual and landscape implications of the intervention, the final rehabilitation outcome demonstrates that the area's natural and cultural character has been preserved and, in key respects, enhanced. The intervention resolved a significant visual scar left by the flood, restored order and stability to the riverbank, and prevented ongoing environmental and aesthetic degradation.

The completed works are sympathetic to the landscape setting, visually discreet, and fully aligned with the rural identity and agricultural purpose of the surrounding environment. They restore ecological and visual balance after flood damage, uphold the principles of sustainable rural design, and contribute positively to the safety, functionality, and aesthetic integrity of the property.

The activity therefore supports rather than undermines the sense of place. Through appropriate design, material selection, and re-vegetation, it maintains the visual harmony and heritage continuity of the area while achieving environmental protection and long-term landscape resilience.

Archaeologist and heritage consultant -Jayson Orton (ASHA Consulting(Pty) Ltd) submitted a HWC S38 Notification of Intent to Develop Form and recommended that no further studies are required in terms of heritage.

In this context, the development is environmentally justified, visually compatible, and culturally appropriate, representing a balanced and responsible response to post-disaster rehabilitation within a heritage-sensitive rural landscape.

Index	**Pollution Impact**	

Description of variable	Place an "x" in the appropriate box
The activity is not giving, has not given and will not give rise to any pollution	**X**
The activity is giving, has given or could give rise to pollution with low impacts.	**N/A**
The activity is giving, has given or could give rise to pollution with moderate impacts.	**N/A**
The activity is giving, has given or could give rise to pollution with high impacts.	**N/A**
The activity is giving, has given or could give rise to pollution with major impacts.	**N/A**
Motivation: No pollution was caused during or after construction. The site was managed in accordance with sound environmental practice, and no hazardous materials entered the watercourse. All building waste was appropriately disposed of, and the pool remains empty pending approval to ensure no contamination or overflow into the river system. Routine monitoring will prevent any future risk of pollution.	

PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT

Index	Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act Description of variable	Place an "x" in the appropriate box
	Administrative action was previously taken against the applicant in respect of the abovementioned provisions.	**N/A**
	No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	**N/A**
	Administrative action was **not** previously taken against the applicant in respect of the abovementioned provisions.	**N/A**
	Explanation of all previous administrative action taken in respect of the above: **N/A**	

Index	Previous Convictions in terms of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act Description of variable	Place an "x" in the appropriate box
	The applicant was previously convicted in terms of either or both of the abovementioned provisions.	**N/A**

No previous convictions have been secured against the applicant but a conviction has been secured against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time; or a conviction was secured against a director of the applicant in his or her personal capacity.	**N/A**
The applicant has not previously been convicted in terms of either or both of the abovementioned provisions.	
Explanation of all previous convictions in respect of the above: **N/A**	

Index	**Number of section 24G applications previously submitted by the applicant** **Description of variable**	**Place an "x" in the appropriate box**
	Previous applications in terms of section 24G of NEMA were submitted by the applicant.	**N/A**
	No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	**N/A**
	No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	**N/A**
	Explanation in respect of all previous applications submitted in terms of section 24G: **N/A**	

PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES

Index	**Applicant's legal persona** **Description of variable**	**Place an "x" in the appropriate box**
	The applicant is a natural person.	
	The applicant is a firm.	**X**
	Describe the firm: The Esterl Family Trust is a privately registered landholding entity responsible for the ownership, management, and maintenance of residential and agricultural land at Eden Farm, Wellington. The Trust functions as a non-commercial, family-administered entity, with a clear focus on the sustainable use, protection, and responsible management of its property assets. The Trust's operational philosophy is rooted in environmental accountability, legal compliance, and long-term ecological stewardship. All land-use decisions are made by the trustees in strict alignment with: • The National Environmental Management Act (NEMA, Act 107 of 1998); • The Drakenstein Spatial Development Framework; and • The principles of sustainable development and duty of care applicable to private landowners.	

In this instance, the Trust acted in good faith and under emergency circumstances following the July 2024 flood, which caused severe erosion, loss of land, and the collapse of essential boundary infrastructure. The intention of the immediate intervention was not to expand or alter land use, but to:

- Stabilise the eroded riverbank to prevent further degradation;
- Protect the Spruitrivier watercourse from sedimentation and collapse; and
- Safeguard human life, property, and environmental integrity within the affected area.

Upon becoming aware that authorisation was required, the Trust immediately engaged with the competent authority and appointed Greenmined Environmental (Pty) Ltd as the independent Environmental Assessment Practitioner (EAP) to undertake the NEMA Section 24G rectification process. This proactive approach underscores the Trust's commitment to lawful compliance, transparency, and environmental responsibility.

Index	Any other relevant information that the applicant would like to be considered.

Motivate and explain fully:

The applicant respectfully submits the following information for consideration in determining the administrative fine under Section 24G of the National Environmental Management Act (Act 107 of 1998):

The activities undertaken were not an intentional breach of environmental legislation but an urgent response to a natural disaster that presented immediate risks to human safety, property, and environmental stability. The actions taken were guided by the duty to prevent further environmental harm, consistent with Section 28 of NEMA.

At the time of construction, the trustees acted under the reasonable belief that the rehabilitation constituted emergency repair work, permissible in terms of disaster recovery. There was no commercial motive or intent to circumvent environmental authorisation requirements.

Supporting Facts and Context:

- The works were small-scale, localised, and confined to an already disturbed area within the property's developed footprint.
- No new disturbance of undisturbed natural vegetation or sensitive ecological areas occurred.
- No Critical Biodiversity Areas (CBAs) or high-sensitivity Ecological Support Areas (ESAs) were affected.
- The specialist ecological assessment confirmed that the site's rehabilitation improved environmental functionality, stabilised the bank, and reduced sedimentation.
- No chemical use, fuel spillage, or effluent discharge into the Spruitrivier occurred.
- Mitigation and rehabilitation were implemented immediately — including erosion control, slope stabilisation, and indigenous replanting.
- The pool structure remains empty and unused pending the outcome of the rectification process and final authorisation.
- The Trust has fully cooperated with all regulatory authorities and undertaken all specialist studies and reporting required to regularise the activity.

Positive Environmental and Social Outcomes

The project has yielded substantial positive outcomes for both the environment and the surrounding community:

- The riparian bank is now stable, preventing further erosion and protecting downstream water quality.
- The rehabilitated landscape enhances biodiversity resilience and aesthetic quality.
- The works improved flood protection and reduced future environmental vulnerability.
- The reinstatement of the boundary fence and safety measures restored security for the applicant and neighbouring farms.
- The intervention supported local economic participation, employing local contractors and suppliers.

The work therefore represents a restorative rather than destructive activity, achieving measurable environmental and community benefits.

The pool also serves a dual purpose as a dedicated water storage reservoir within the DFW Fire & Rescue Farm Network, providing an accessible and reliable on-site water source for firefighting and emergency response. Given the region's history of frequent veld and structural fires, the availability of stored water on the property significantly enhances local fire preparedness and supports both the applicant's property and neighbouring farms in case of emergency. This

adaptive use of the pool aligns with sustainable land management principles and demonstrates the applicant's proactive commitment to community safety and disaster resilience in a high-risk rural area.

Demonstrated Good Faith and Accountability

The Esterl Family Trust's conduct throughout this process reflects responsible landownership and institutional integrity. The trustees have:

- Fully cooperated with officials and the EAP in the assessment process;
- Taken all necessary corrective measures to bring the site into full compliance; and
- Committed to long-term environmental monitoring, alien plant management, and bank maintenance to prevent future degradation.

The Trust's conduct demonstrates a genuine commitment to compliance, not negligence or disregard for the law.

Summary of Mitigating Factors

- Intent: Actions taken in response to a natural disaster, not in pursuit of unlawful gain.
- Scale: Localised, small footprint confined to previously disturbed ground.
- Impact: Low, short-term, and fully mitigated.
- Environmental outcome: Site condition now improved relative to pre-flood state.
- Conduct: Full transparency, cooperation, and voluntary rectification.
- Public interest: The works reduced erosion, improved water quality, and enhanced rural safety.

The Esterl Family Trust acknowledges that a contravention occurred and takes full responsibility for its actions. However, in light of the emergency context, the good faith nature of the intervention, and the positive environmental outcomes achieved, the Trust submits that the non-compliance constitutes a technical breach rather than a willful or negligent offence.

The Trust's swift cooperation, voluntary disclosure, environmental rehabilitation, and full compliance with rectification procedures demonstrate exceptional accountability and respect for environmental governance.

Accordingly, and in the spirit of administrative fairness, proportionality, and equity, it is respectfully requested that the competent authority:

- Recognise the mitigated and low-risk nature of the transgression;
- Take into account the emergency and public safety context under which the works were performed; and
- Consider the applicant's ongoing commitment to compliance and stewardship in determining a minimal administrative fine under Section 24G.

The Esterl Family Trust remains fully dedicated to maintaining the rehabilitated area, upholding all environmental management obligations, and setting a model example of responsible private land stewardship within the Western Cape.

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

SECTION D: PRELIMINARY ADVERTISEMENT

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

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

- the date;

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

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

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

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

PART 3 -

APPENDICES

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

Appendix		Tick the box if Appendix is attached
Appendix A:	**Locality map**	**X**
Appendix B:	**Site plan(s)**	**X**
Appendix C:	**Building plans (if applicable)**	**X**
Appendix D:	**Colour photographs**	**X**
Appendix E:	**Biodiversity overlay map**	**X**
Appendix F:	**Permit(s) / license(s) from any other organ of state including service letters from the municipality**	**X**
Appendix G:	**Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information as required in Section J above.**	**X**
Appendix H:	**Specialist Report(s), if any**	**X**
Appendix I:	**Environmental Management Programme**	**X**

Appendix J:	**Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc.**	**N/A**
Appendix K:	**Certified copy of Identity Document of Applicant**	**X**
Appendix L:	**Certified copy of the title deed (or title deeds in the case of linear activities)**	**X**
Appendix M:	**Any Other (if applicable) (describe)**	

Where an application has been made in terms of the waste management activities, please complete and annex Annexure 1 as in the following:

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

DECLARATIONS

DECLARATION OF THE APPLICANT

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

I Andreas Esterl, ID number 6305205311183 in my personal capacity or duly authorised thereto hereby declare/affirm that all the information submitted or to be submitted as part of this application form is true and correct, and that:

- I am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment ("EIA") Regulations, and any relevant Specific Environmental Management Act and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;

- I am aware of my general duty of care in terms of Section 28 of the NEMA;

- I am aware that it is an offence in terms of Section 24F of the NEMA should I commence with a listed activity prior to obtaining an Environmental Authorisation;

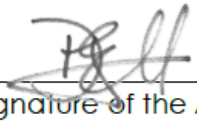
- I appointed the Environmental Assessment Practitioner ("EAP") (if not exempted from this requirement) which:
  - meets all the requirements in terms of Regulation 13 of the NEMA EIA Regulations; or
  - meets all the requirements other than the requirement to be independent in terms of Regulation 13 of the NEMA EIA Regulations, but a review EAP has been appointed who does meet all the requirements of Regulation 13 of the NEMA EIA Regulations;

- I will provide the EAP and any specialist, where applicable, and the Competent Authority with access to all information at my disposal that is relevant to the application;

- I will be responsible for the costs incurred in complying with the NEMA EIA Regulations and other environmental legislation including but not limited to –
  - costs incurred for the appointment of the EAP or any legitimately person contracted by the EAP;
  - costs in respect of any fee prescribed by the Minister or MEC in respect of the NEMA EIA Regulations;
  - Legitimate costs in respect of specialist(s) reviews; and
  - the provision of security to ensure compliance with applicable management and mitigation measures;

- I am responsible for complying with conditions that may be attached to any decision(s) issued by the Competent Authority, hereby indemnify, the government of the Republic, the Competent Authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which I or the EAP is responsible in terms of the NEMA EIA Regulations and any Specific Environmental Management Act.

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



(Trustee)

Signature of the Applicant: Date: November 2025

Esterl Family Trust

Name of Firm (close corporation/company/trust etc.) (if applicable):

DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

I Sonette Smit, EAPASA Registration number 2020/2467 as the appointed EAP hereby declare/affirm the correctness of the information provided or to be provided as part of this application, and that:

- in terms of the general requirement to be independent:
  - other than fair remuneration for work performed/to be performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
  - am not independent, but another EAP that meets the general requirements set out in Regulation 13 of NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review EAP must be submitted);

- in terms of the remainder of the general requirements for an EAP, am fully aware of and meet all of the requirements and that failure to comply with any the requirements may result in disqualification;

- I have disclosed/will disclose, to the Applicant, the specialist (if any), the Competent Authority and registered interested and affected parties, all material information that have or may have the potential to influence the decision of the Competent Authority or the objectivity of any report, plan or document prepared or to be prepared as part of this application;

- I have ensured/will ensure that information containing all relevant facts in respect of the application was/will be distributed or was/will be made available to registered interested and affected parties and that participation will be facilitated in such a manner that all interested and affected parties were/will be provided with a reasonable opportunity to participate and to provide comments;

- I have ensured/will ensure that the comments of all interested and affected parties were/will be considered, recorded, responded to and submitted to the Competent Authority in respect of this application;

- I have ensured/will ensure the inclusion of inputs and recommendations from the specialist reports in respect of the application, where relevant;

- I have kept/will keep a register of all interested and affected parties that participated in the public participation process;

- I am aware that a false declaration is an offence in terms of Regulation 48 of the NEMA EIA Regulations;

14 November 2025

Signature of the EAP: Date:

Greenmined Environmental Pty Ltd

Name of company (if applicable):

PART 4 – NOT APPLICABLE

ANNEXURE B - SUPPORTING INFORMATION WHERE THE ACTIVITY BEING APPLIED FOR IS A LISTED WASTE MANAGEMENT ACTIVITY/IES (IF RELEVANT)

1. WASTE QUANTITIES

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

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

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

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

Determined from volumes	
Determined with weighbridge/scale	
Estimated	

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

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

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

2. GENERAL

Prevailing wind direction (e.g. NWW)

November – April	
May - October	

The size of population to be served by the facility:

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

LANDFILL PARAMETERS (If applicable)
The method of disposal of waste:

Land-building ☐ Land-filling ☐ Both ☐

The dimensions of the disposal site in metres

	At commencement	**After rehabilitation**

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

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

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

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

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

The Salvage method

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

At source	
Recycling installation	
Formal salvaging	
Contractor	
No salvaging planned	

Fatal flaws for the site:

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

Within a 3000m radius of the end of an airport landing strip	Yes	No
Within the 1 in 50-year flood line of any watercourse	Yes	No
Within an unstable area (fault zone, seismic zone, dolomitic area, sinkholes)	Yes	No

Within the drainage area or within 5 km of water source	Yes	No
Within the drainage area or within 5 km of water source	Yes	No
Within an area adjacent to or above an aquifer	Yes	No
Within an area with shallow bedrock and limited available cover material	Yes	No
Within 100 m of the source of surface water	Yes	No
Within 1km from the wetland	Yes	No

Indicate the distance to the boundary of the nearest residential area	metres
Indicate the distance to the boundary of the industrial area	metres

Wettest six months of the year

November- April	
May -October	

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

	Total rainfall for 6 months	**Total rainfall for 6 months**	**Total rainfall for 6 months**
For the 1st wettest year			
For the 2nd wettest year			
For the 3rd wettest year			
For the 4th wettest year			
For the 5th wettest year			
For the 6th wettest year			
For the 7th wettest year			
For the 8th wettest year			
For the 9th wettest year			
For the 10th wettest year			

Location and depth of ground water monitoring boreholes:

Codes of the boreholes	**Borehole locality**	**Depth (m)**	**Latitude**	**Longitude**
			° ' "	° ' "

			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "
			° ' "	° ' "

Location and depth of landfill gas monitoring test pit:

Codes of the boreholes	Borehole locality	Latitude	Longitude
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "