



**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. <b>(Note: Failure to meet the Regulation 8 will result in rejection of the application)</b>	✓
2.	Application form has been completed and attached, which includes among others:	
	2.1. A list of all listed activities and/or waste management activities that was triggered when the development activity was commenced with.	✓
	2.2. A list of all <b>similarly listed</b> activities in terms of the current EIA regulations (if applicable).	<b>NA</b>
	2.3. A description of the receiving environment <b>before</b> commences of the activity(ies).	✓
	2.4. A description of the receiving environment <b>after</b> commences of the activity(ies).	✓
	2.5. All appendices and annexures:	
	2.5.1. Locality map	✓
	2.5.2. Site plans or/and Layout plan (cleared areas plan)	✓
	2.5.3. Building plans (if applicable)	x
	2.5.4. Colour photographs	✓
	2.5.5. Biodiversity overlay map	✓
	2.5.6. Permit(s) / license(s) from any other organ of state including service letters from the municipality	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	✓
	2.5.8. Environmental Management Programme	✓
	2.5.9. Certified copy of Identity Document of Applicant	✓
	2.5.10. Certified copy of the title deed (or title deeds in the case of linear activities)	x
	2.6. Signed declaration forms.	✓
3.	Are any specialist assessments required: e.g. Botanical, Hydro-geological, soil, socio-economic?	Y   <del>N</del>
	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:	
	• <del>Socio-economic</del>	
	• Ecology	
	• <del>Sense of place &amp;/or Heritage/ Cultural</del>	
	• <del>Any pollution or environmental degradation which has been, is being, is being or may be caused</del>	
5.	A methodology of how the investigation into the impacts associated with the unlawful activity was undertaken.	Yes in specialist report
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).	
7.	Completed and attached representations in terms of Annexure A, Section B (Deferral) of the S24G Fine Regulations.	✓
8.	Completed and attached representations in terms of Annexure A, Section C, Part 1 (Fine Quantum based on the assessment as specified above (4).	✓
	Confirmation that Annexure A, Section C, Part 1 has been completed by an environmental assessment practitioner (EAP)	✓
9.	Compliance history of the applicant:	✓
	9.1. Completed Annexure A, Section C, Part 2 and 3; namely:	
	9.1.1. Whether or not administrative enforcement notices, including pre -notices where appropriate, have previously been issued to the applicant in respect of a contravention of section 24F(1) of the NEMA and/or section 20(b) of the National Environmental Management: Waste Act (Act 59 of 2008) (NEM: WA).	✓
	9.1.2. Whether or not the applicant has previously been convicted in respect of a contravention of section 24F(1) of the Act and /or section 20(b) of the NEM: WA;	✓
	9.1.3. Whether or not the applicant has previously submitted a section 24G application in respect of an activity or activities which commenced prior to the activity or activities that are the subject of the current application; and	✓
	9.1.4. Whether the applicant is a firm or a natural person. (see Section 24G Fine Regulations for definition of "firm")	✓
	9.2. Provided information or whether or not any of the directors of the applicant firm are, or were, at the relevant time, directors of a firm to whom the above (9.1.1. - 9.1.3.) applies;	NA
	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.	NA
10.	Consultation with relevant State departments in terms of section 24O(2) & 24O(3) of the NEMA.	✓
	10.1 Proof of Consultation with relevant State departments, including, <i>inter alia</i> , notices, adverts etc.	✓
	10.2 Copies of comments and responses included in the application.	✓
	10.2 Comments and Response report attached to the application.	✓
11.	Public Participation Process undertaken in terms of Chapter 6 of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") (GN No. R.326 of 7 April 2017) <b>(if conducted/undertaken)</b>	✓



**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")**

**April 2018**

**Form Number S24GAF/04/2018**

**Kindly note that:**

1. This application must be submitted where a person has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1) of NEMA (i.e. where the person commenced with an activity listed or specified in terms of section 24(2) (a) or (b) of NEMA - the activities contained in the EIA Listing Notices) or has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20 (b) of the NEM:WA.
2. This **Application Form** must be completed for all section 24G applications, by an independent Environmental Assessment Practitioner ("EAP").
3. This Application Form is current as of 01 April 2018. It is the responsibility of the Applicant/EAP to ascertain whether subsequent versions of the Application Form have been published or produced by the competent authority. Note that this Application Form replaces all the previous versions. This updated Application Form must be used for all new applications submitted from 01 April 2018.
4. **The contents of this Application Form includes the following:**
  - PART 1 -**
    - Section A: Background Information**
    - Section B: Activity Information**
    - Section C: Description of Receiving Environment**
    - Section D: Need and Desirability**
    - Section E: Alternatives**
    - Section F: Impact Assessment, Management, Mitigation and Monitoring Measures**
    - Section G: Assessment Methodologies and Criteria, Gaps in Knowledge, underlying Assumptions and Uncertainties**
    - Section H: Recommendations of the EAP**
    - Section I: Representations - Response to an Incident or Emergency Situation**
    - Section J: Public Participation Process**
  - PART 2 -**
    - ANNEXURE A of Fine Regulations**
      - Section A: Directives**
      - Section B: Deferral of the Application**
      - Section C: Quantum of the section 24G fine**
      - Section D: Preliminary advertisement**
  - PART 3 -**
    - Appendices and Declarations**
  - PART 4 -**
    - ANNEXURE B: Waste Management Activity Supporting Information (if relevant)**
5. An independent EAP must be appointed to complete the required sections (in terms of NEMA and its Regulations) of the Application Form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with this Application Form. If a specialist report is required, the specialist will also be required to complete the declaration of independence.
6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must be submitted.

7. The required information must be typed within the spaces provided. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The space provided extend as each space is filled with typing. **A legible font type and size must be used when completing the form.** A digital copy of the Application Form is available on the Department's website <https://www.westerncape.gov.za/eadp/>.
8. The use of "not applicable" in the Application Form must be done with circumspection.
- 9. No faxed or e-mailed application forms will be accepted.**
10. Unless protected by law, all information contained in and attached to this application will become public information on receipt by the competent authority. Please note that, unless exemption has been granted in terms of the National Exemption Regulations published under GN R994 in GG 38303 of 8 December 2014, any Interested and Affected Party should be provided with the information contained in and attached to this Application Form as well as any subsequent information submitted.
11. This Application Form must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department.

**PROCESS TO BE FOLLOWED:**

- a) **Prior to submission of an Application Form**, the applicant is required to undertake a pre-application public participation process in terms of Regulation 8 of the Regulations relating to the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of section 24G published in the Government Gazette on 20 July 2017, Gazette No 40994, No. R. 698 ("Section 24G Fine Regulations").
- b) Together with the submission of a section 24G Application Form, the form **must include Proof of compliance with Regulation 8** of the Section 24G Fine Regulations, including, but not limited to, proof of the pre-application advertisement in a local newspaper and register of I&APs.
- c) The Department will acknowledge receipt of the application (within 14 days) and provide the Applicant / EAP with the relevant application reference number to be used in all future correspondence and the application public participation processes.
- d) Upon receipt of the application, the MEC/Competent Authority may direct the applicant in terms of section 24G(1) (i-viii) of the NEMA.
- e) In terms of the provisions of section 24G of NEMA, the applicant must pay an administrative fine up to a maximum of R5 million before the MEC/Competent Authority decides on the application.
- f) The applicant **must within 14 days** of receipt of the determination of the quantum of the fine, ensure that all registered interested and affected parties are notified of the determination of the quantum of the fine, including the reasons and provided with access to the determination.
- g) The administrative fine **must be paid within the time period stipulated** in the determination. Failure to pay the fine within the specified period, will result in the lapse of the application and any partial amounts paid in will not be refunded.
- h) **Proof of payment of the fine must be submitted to the Department.** Upon payment of the administrative fine, the MEC/Competent Authority may-
  - refuse to issue an environmental authorisation; or
  - issue an environmental authorisation to such person to continue, conduct or undertake the activity subject to such conditions as may be deemed necessary, which environmental authorisation shall only take effect from the date on which it has been issued; or
  - direct the applicant to provide further information or take further steps prior to making a decision provided for above;
  - together with the above decision the MEC/Competent Authority may direct a person to rehabilitate the environment within such time and subject to such conditions as may deem necessary or take any other steps necessary under the circumstances.

**PLEASE NOTE THE FOLLOWING:**

1. Failure to comply with a directive may result in the institution of appropriate legal action as is deemed necessary and as provided for in the legislation.
2. The submission of an application or the granting of an environmental authorisation shall in no way derogate from—

- (a) the environmental management inspector's or the South African Police Services' authority to investigate any transgression in terms of NEMA or any specific environmental management Act;
- (b) the National Prosecuting Authority's legal authority to institute any criminal prosecution.
3. If, at any stage after the submission of an application it comes to the attention of the Minister, Minister for mineral resources or MEC that the applicant is under criminal investigation for the contravention of or failure to comply with section 24F(1) or section 20(b) of the *National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)*, the Minister, Minister for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time that the investigation is concluded and—
- (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
- (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of such contravention or failure has been instituted; or
- (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.
4. A person is guilty of an offence if that person:
- Prior to submission of a section 24G application:
    - o fails, in terms of Regulation 8(1), to place a preliminary advertisement in a local newspaper in circulation in the area in which the activity was, or activities were, commenced and on the applicant's website, if any or
    - o fails, in terms of Regulation 8(2), to comply with the advertisement requirements set out in Annexure A, section D or
    - o fails, in terms of Regulation 8(3), to open and maintain a register of interested and affected parties)); or
    - o fails, in terms of Regulation 8(4), to attach to the application form the register of interested and affected parties, which must be included in the report, or form part of the information submitted in terms of section 24G(1) of NEMA.
  - Provides incorrect, false or misleading information in any form, including in any document submitted to a competent authority in terms of the Section 24G Fine Regulations or omits information that may have an influence on the outcome of a recommendation of the fine committee or determination of the competent authority.
5. A person convicted of an offence in terms of these Regulations is liable to a fine not exceeding R5 million or to imprisonment for a period not exceeding 5 years, and in the case of a second or subsequent conviction to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, and in both instances to both such fine and such imprisonment.
-

**DEPARTMENTAL DETAILS**

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

Registry Office  
1<sup>st</sup> 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	NA
File reference number (EIA), if applicable:	NA
File reference number (Waste), if applicable:	NA
File reference number (Other (specify)):	NA

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

**PART 1****PROJECT TITLE**

**Oudtshoorn GG Kamp development. The formalization of existing squatter area and development of superblocks to service squatters, realign roads, stormwater infrastructure and services on approximately 19ha on remainder of Erf 10413, Erf 13206, Erf 15012 and Erf 11111, Oudtshoorn**

**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:					
X	Body Corporate	Partnership	Trust	Parastatal	Organ of State X	
	Directors of a Company	Members of a Board	Other, please specify			

<b>Applicant's details</b> (duplicate this section where there is more than one applicant)	Oudtshoorn Local Municipality		
Applicant Name:	Oudtshoorn Local Municipality		
RSA Identity Number/ Passport Number of Applicant, if natural person:	NA		
Name of Firm (if applicable):	Oudtshoorn Local Municipality		
Firm Registration Number:	NA		
Contact Person at the Firm:	Municipal Manager		
List of all (as applicable at the relevant time):	Please insert the names and RSA ID numbers of the relevant persons below – <b>(In the list below, delete the firms that are not applicable to this application)</b>		
<ul style="list-style-type: none"> <li>• Directors of a company; or</li> <li>• Members of the board; or</li> <li>• Executive committee or other managing body of a corporate body or parastatal; or</li> <li>• Members of close corporation; or</li> <li>• Partners of a partnership; or</li> <li>• Trustees of a trust</li> </ul>	NA		
Postal address:	PO Box 255		
	Oudtshoorn	Postal code:	6620
Telephone:	+27(0) 44 203 3000	Cell:	NA
E-mail:	mm@oudtmun.gov.za	Fax:	( )
<b>Project Consultant</b>	ENVIROEAP (Pty) Ltd		
Contact person:	Mr. Nicolaas Willem Hanekom		
Postal address:	Skool str 2		
	Agulhas	Postal code:	7287
Telephone:	( )	Cell:	076 963 6450
E-mail:	admin@enviro-eap.co.za	Fax:	( )
<b>Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:</b>	Nicolaas Willem Hanekom		
Company name (if any):	ENVIROEAP (Pty) Ltd		
Postal address:	Skool str 2		
	Agulhas	Postal code:	7287
Telephone:	( )	Cell:	076 963 6450
E-mail:	admin@enviro-eap.co.za	Fax:	( )
EAP Qualifications	M.Tech Nature Conservation. Cape Peninsula University of Technology. EMS ISO 14001. North West University Environmental Audit ISO 19011. North West University		
EAP Registrations/Associations	EAPASA registration number 2020/1146		
<b>Name of the Landowner:</b>	Oudtshoorn Municipality		
Name of the contact person for the land owner (if other):	Municipal Manager		
Postal address:	PO Box 255		
	Oudtshoorn	Postal code:	6620
Telephone:	+27(0) 44 203 3000	Cell:	NA
E-mail:	mm@oudtmun.gov.za	Fax:	( )
Person in control of land:	Same as landowner		
Contact person:			
Postal address:			
		Postal code:	

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

**Please note:**

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

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

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

Municipality in whose area of jurisdiction the activity falls:	Oudtshoorn Municipality		
Contact person, if known:	Municipal Manager		
Postal address:	PO Box 255		
	Oudtshoorn	Postal code:	6620
Telephone	+27(0) 44 203 3000	Cell:	NA
E-mail:	mm@oudtmun.gov.za	Fax:	( )

**Please note:**

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

Property location(s):	The formalization of existing squatter area and development of housing project consisting of approximately 600 single residential erven, roads, stormwater infrastructure and services on approximately 27ha on remainder of Erf 10413, Erf 13206, Erf 15012 and Erf 11111, Oudtshoorn.		
Farm/Erf name(s) & number(s) including portion(s)	Remainder of Erf 10413, Erf 13206, Erf 15012 and Erf 11111, Oudtshoorn.		
Property size(s) (m <sup>2</sup> )	Erf RE/10413 = 16ha Erf 13206 = 1.49ha Erf 15012 = 1.5ha Erf 11111 = 44.3ha		
Development footprint size(s) (m <sup>2</sup> )	Approximately 27 ha		
SG21 Digit code(s)	C05400050001041200000;C05400050001320600000; C05400050001501200000 & C05400050001111100000		
Street address:	Access will be directly off Dassie road and 5 <sup>th</sup> Avenue.		
Magisterial District or Town:	Oudtshoorn		
Closest City/Town:	Oudtshoorn	Distance	0(km)
Zoning of Property:	Undetermined		

Coordinates of the proposed site(s) for all alternatives:

<b>Latitude (S) 33° 36' 25.89"</b>
<b>Longitude (E) 22° 14' 30.13"</b>

**Please note:**

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

Was the property rezoned after commencement of activities?	YES	NO
If yes, what was the previous zoning?		
Is a rezoning application required?	YES	NO
Is a consent use application required?	YES	NO
Locality map:	<p>A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> <li>an accurate indication of the project site position as well as the positions of the alternative sites, if any;</li> <li>road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> </ul>	

	<ul style="list-style-type: none"> <li>• a north arrow;</li> <li>• a legend;</li> <li>• the prevailing wind direction; and</li> <li>• 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)</li> </ul>
Landowner(s) Consent:	<p>If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated.</p> <p><b>Note:</b> The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the <i>Infrastructure Development Act, 2014 (Act No. 23 of 2014)</i>.</p>

**2. APPLICATION HISTORY**

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

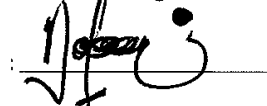
Has any national, provincial or local authority considered any development applications on the property previously?	Yes	No
If so, please give a brief description of the type and/or nature of the application/s as well as a reference number, if applicable: (In instances where there was more than one application,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

**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.

or waste management activities as



Applicant (Full names): Mkhululi Yekani \_\_\_\_\_

Signature: \_\_\_\_\_

Place: Oudtshoorn \_\_\_\_\_

Date: 13/2/2026 \_\_\_\_\_

EAP (Full names): Nicolaas Willem Hanekom

Signature:



Place: Agulhas

Date: 3 February 2026

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

### 1.1 Applicable EIA listed activities

<b>ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002</b>			
<b>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</b>			
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
NA			
<b>ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006</b>			
<b>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,</b>			
NA			
<b>NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010</b>			
<b>Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA</b>			
GN R386 Activity No(s): ( <b>Listing Notice 1 of 2006</b> )	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
NA			
Government Notice No. R387 Activity No(s): ( <b>Listing Notice 2 of 2006</b> )	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
NA			
<b>NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014</b>			
<b>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,</b>			
GN No. R. 544 Activity No(s): ( <b>Listing Notice 1 of 2010</b> )	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
NA			
GN No. R. 545 Activity No(s): ( <b>Listing Notice 2 of 2010</b> )	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
NA			
GN No. R. 546 Activity No(s): ( <b>Listing Notice 3 of 2010</b> )	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
NA			
<b>NEMA EIA Contraventions: on or after 08 December 2014</b>			
<b>Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,</b>			
GN No. R. 327 Activity No(s): ( <b>Listing Notice 1 of 2014</b> )	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
19	The infilling or depositing of any material of more than 10 cubic	The construction of stormwater infrastructure, roads and services will result in the infilling or depositing of any material of more than 10	No commence to date, but will be triggered when

	<p>metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>	<p>cubic metres within the onsite water courses.</p>	<p>development is formalized.</p>
27	<p>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>Commenced with when squatters invaded the area</p>	<p>The squatter activities that resulted in clearing took place from 2000 and 2016.</p>
GN No. R. 325 Activity No(s): <b>(Listing Notice 2 of 2014)</b>	<p>Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")</p>	<p>Describe the portion of the development as per the project description that relates to the applicable listed activity.</p>	<p>State the date of commencement of each activity</p>
NA			
GN No. R. 324 Activity No(s): <b>(Listing Notice 3 of 2014)</b>	<p>Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014</p>	<p>Describe the portion of the development as per the project description that relates to the applicable listed activity.</p>	<p>State the date of commencement of each activity</p>
12	<p>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.</p> <p><u>(i) Western Cape</u></p> <p>(i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>(ii) Within critical biodiversity areas identified in bioregional plans;</p> <p>(iii) Within the littoral active zone or 100 metres inland from high water mark of the</p>	<p>Commenced with when squatters invaded the area</p>	<p>The squatter activities that resulted in clearing took place from 2000 and 2016.</p>

	<p><del>sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on even in urban areas;</del>  <del>(iv) On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</del>  <del>(v) On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</del></p>		
--	---	--	--

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

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

**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): <b>(Listing Notice 1 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
19	The infilling or depositing of any material of more than 10 cubic metres	The construction of stormwater infrastructure, roads and services will result in the infilling or depositing of any material of more than 10 cubic metres within the onsite water courses.

	<p>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; <del>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</del></p> <p><del>(a) will occur behind a development setback;</del></p> <p><del>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</del></p> <p><del>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</del></p> <p><del>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</del></p> <p><del>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</del></p>	
27	<p>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, <del>except where such clearance of indigenous vegetation is required for—</del></p> <p><del>(i) the undertaking of a linear activity;</del></p> <p><del>or</del></p> <p><del>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</del></p>	Commenced with when squatters invaded the area
GN No. R. 325 Activity No(s): <b>(Listing Notice 2 of 2014)</b>	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.
NA		
GN No. R. 324 Activity No(s): <b>(Listing Notice 3 of 2014)</b>	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.
12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation <del>except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</del></p> <p><del>(i) Western Cape</del></p> <p><del>(i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</del></p> <p><del>(ii) Within critical biodiversity areas identified in bioregional plans;</del></p> <p><del>(iii) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will</del></p>	Commenced with when squatters invaded the area

	<p>occur behind the development setback line or even in urban areas;</p> <p>(iv) On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</p> <p>(v) On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</p>	
--	--	--

**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 <u>as well as</u> the original date of commencement if the application is an upgrade.	New	Upgrade
The squatter activities that resulted in clearing took place from 2000 and 2016.		

(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed and what still has to be completed.		
The squatter activities that resulted in clearing took place from 2000 and 2016.		

(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:		
None		
Infrastructure (e.g. roads, power and water supply/ storage)	YES	NO
Provide brief description:		
Informal gravel roads only in small eastern section.		
Processing activities (e.g. manufacturing, storage, distribution)	YES	NO
Provide brief description:		
None		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)	YES	NO
Provide brief description		
None		
Storage and treatment facilities for solid waste and effluent generated by the project	Yes	No
Provide brief description		
None		

(d) Other activities (e.g. water abstraction activities, crop planting activities)	Yes	No
Provide brief description		
None		

**3. PHYSICAL SIZE OF THE ACTIVITY**

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	Approximately 27ha
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	Approximately 27ha
Total area:	Approximately 27ha

**4. SITE ACCESS**

Was there an existing access road?	YES	NO
If NO, what was the distance over which the new access road was built? Please indicate the length and width of the new road.	(Length)	m
	(width)	m
Describe the type of access road constructed:		
None		

**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/ authorization/comment	DATE (if already obtained):
National Environmental Management Act, 1998 (Act No. 107 of 1998) [NEMA] and relevant regulations	Western Cape Department of Environmental Affairs and Development Planning	S24G Application	In progress
National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) [NEMWA] and relevant regulations	Western Cape Department of Environmental Affairs and Development Planning	N/A	N/A
National Environmental Management: Biodiversity Act 10 of 2004 [NEMBA] and relevant regulations	Western Cape Department of Environmental Affairs and Development Planning	N/A	N/A
National Environmental Management: Air Quality Act, 39 Of 2004 [NEMAQA] and Relevant Regulations	Western Cape Department of Environmental Affairs and Development Planning	N/A	N/A
National Water Act, 1998 (Act No. 36 of 1998) [NWA] and relevant regulations	Department of Water Affairs	Water use authorization required	Not commence with to date.
Conservation Of Agricultural Resources Act, 43 Of 1983 [CARA]	National Department of Agriculture, forestry and Fisheries Western Cape Department of Agriculture	Weeds and the tolerance thereof	N/A
National Health Act, 61 Of 2003		Littering and causing a nuisance	N/A
Constitution of the Republic of South Africa, 1996		General application to individual rights of all on and adjacent to the Sites	N/A
Fencing Act, 31 of 1963		The erection and maintenance of fences.	N/A
National Heritage Resources Act 25 of 1999 [NHRA]	Heritage Western Cape South African Heritage Resource Agency	N/A	N/A
National Veld and Forest Fire Act 101 of 1998 [NVFFA]		N/A	N/A

Fertilizers, Farm Feeds, Agricultural Remedies And Stock Remedies Act, 36 Of 1947 [FFFARSRA] and Relevant Regulations	National Department of Agriculture, forestry and Fisheries Western Cape Department of Agriculture	N/A	N/A
Environment Conservation Act, 73 Of 1989, Western Cape Noise Control Regulations	Western Cape Department of Environmental Affairs and Development Planning	N/A	N/A
National Forests Act, 84 Of 1998	National Department of Agriculture, forestry and Fisheries Western Cape Department of Agriculture	N/A	N/A
Hazardous Substances Act, 15 Of 1973	Department of Labour	N/A	N/A
National Environmental Management: Protected Areas Act 57 Of 2003		N/A	N/A
Occupational Health And Safety Act 85 Of 1993	Department of Labour	N/A	N/A
Compensation For Occupational Injuries And Diseases Act 130 Of 1993	Department of Labour	N/A	N/A
Basic Conditions Of Employment Act 75 Of 1997	Department of Labour	N/A	N/A
Labour Relations Act 66 Of 1995	Department of Labour	N/A	N/A
Tobacco Products Control Act 83 Of 1993		N/A	N/A

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
Guideline on Public Participation	Western Cape Department of Environmental Affairs and Development Planning
Guidelines on Alternatives	Western Cape Department of Environmental Affairs and Development Planning
Guideline on Need and desirability	Western Cape Department of Environmental Affairs and Development Planning
Guideline for Environmental Management Plans (EMP's)	Western Cape Department of Environmental Affairs and Development Planning

**7. APPLICATIONS IN TERMS OF NEMA AND SPECIFIC ENVIRONMENTAL MANAGEMENT ACTS (“SEMAS”)**

If not specifically applied for in terms of this application, does the development require an application for a waste management license in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)?	YES	NO
If yes, has an application been submitted to the licensing authority?	YES	NO
Does the proposed project require an application for a water use license in terms of the National Water Act, 1998 (Act No. 36 of 1998)?	YES	NO
If yes, has an application been submitted to the licensing authority?	YES	NO
If no, please provide evidence of existing water use rights (if applicable) with this application form. <b>No existing water rights. Water Use Authorization must still be applied for in will be part of this process.</b>		
Does the proposed project require an application for an atmospheric emissions license in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)?	YES	NO
If yes, has an application been submitted to the licensing authority?	YES	NO
Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act (“NEM: ICMA”)?	YES	NO
If yes, has an application been submitted to the relevant competent authority?	YES	NO
If yes, provide more details of the application submitted/to be submitted in terms of the NEM: ICMA		

**8. APPLICATIONS IN TERMS OF OTHER LEGISLATION**

Is any permission, licence or other approval required in terms of any other legislation? (Please tick)	YES	NO
---	-----	----

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 Authorization	Breede Olifants Catchment Management Agency	No	Pending

**SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT**

**Site/Area Description**

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

Section C Copy No. (e.g. 1, 2, or 3): 1,2,3,4  
and 5

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

GRANITE		QUARTZITE	
SHALE		DOLOMITE	
SANDSTONE		DOLERITE	
OTHER (specify)	Broad Soils Classification (ENPAT) Soil Type: Miscellaneous land classes, undifferentiated deep deposits Geology: Alluvial valley deposits. Land Types Land Type: Ia41 Description: Undifferentiated deep deposits Class: MISCELLANEOUS LAND CLASSES Area (Ha): 26939.222 Soil Erodibility Erodibility: High Erodibility Factor: 0.54 Soil Clay & Depth Symbol: EE Class: Soils with limited pedological development Description: Soils with negligible to weak profile development, usually occurring on recent flood plains Depth: >= 750 mm Clay: < 15% Soil Types Symbol: EE Class: Soils with limited pedological development Description: Soils with negligible to weak profile development, usually occurring on recent flood plains Depth: >= 750 mm Clay: < 15%		

**2. GRADIENT OF THE SITE**

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

Flat	Flatter than 1:10	<del>1:10—1:5</del>	Steeper than 1:5
------	-------------------	---------------------	------------------

Most of the areas are steep with agricultural constructed contours to control erosions. The lower lying areas is flat or low gradient.

**3. LOCATION IN LANDSCAPE**

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

Ridgeline	Plateau	Side slope of hill/mountain	Closed valley	Open valley	Plain	Undulating plain/low hills	Dune	Sea-front	Other
<b>If other, please describe</b>									
For areas located in open valley on edge of mountain range									

**4. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE**

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

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

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

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

**For all areas**

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

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

**5. SURFACE WATER**

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

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

**All areas**

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

**5.2 SURFACE WATER (POST-COMMENCEMENT)**

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

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

**6. VEGETATION AND/OR GROUNDCOVER**

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

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

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

**For areas 1,2,4 and 5**

<del>Indigenous Vegetation - good condition</del>		Indigenous Vegetation with scattered aliens	<b>X</b>	Indigenous Vegetation with heavy alien infestation	
Describe the vegetation type above:—		Describe the vegetation type above: <b>Muscadel Riviere and Eastern Little Karoo</b>		Describe the vegetation type above:	
Provide ecosystem status for above:		Provide ecosystem status for above: <b>Muscadel Riviere and Eastern Little Karoo both endangered</b>		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	
<b>Bare soil</b>		Building or other structure		Sport field	
Other (describe below)		Cultivated land		Paved surface	

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

Systematic Biodiversity Planning Category				If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan	
Critical Biodiversity Area (CBA)	Ecological Support Area (ESA)	Other Natural Area (ONA)	No Natural Area Remaining (NNR)	<b>Small areas</b>	<b>Natural</b>
				<b>Category 2:</b>	<b>CBA: Threatened Ecosystem</b>

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

Habitat Condition	Percentage of habitat condition class (adding up	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).

	to 100%)	
Natural	30%	Poor ecological condition indigenous vegetation due to urban development activities on boundary.
Near Natural (includes areas with low to moderate level of alien invasive plants)	%	
Degraded (includes areas heavily invaded by alien plants)	%	
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	70%	Transformed as a result of urban activities on border of site.

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

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

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

Poor ecological condition indigenous vegetation mapped as Muscadel Riviere and Eastern Little Karoo both with an endangered protection status as a result of the impacts of the urban development activities on boundary.

Two non-perennial river streams occur on site. The one will be maintained with its flood line as buffer. The other want is already severely degraded and transformed and infilled upstream and the proposal is to infill and channel the outflow into the historical stream west of the site to ensure hydrological flow and functioning downstream. The Olifants river to the south of the site floodplain wetlands originally occurred on a portion of the southern edge, but this wetlands and floodplains was destroyed long ago with the established agricultural fields, water channel, roads and railway line between the impact area and the Olifants river.



**Photograph 1:** Ecological condition of non-perennial stream not to be infilled.



**Photograph 2:** Ecological condition of indigenous vegetation.



**Photograph 3:** Ecological condition of non-perennial stream to be infilled.



**Photograph 4:** Ecological condition of non-perennial stream to be infilled.

**6.2 VEGETATION AND/OR GROUND COVER (POST-COMMENCEMENT)**

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

**For all areas**

Indigenous Vegetation – good condition	Indigenous Vegetation with scattered aliens	<b>x</b>	Indigenous Vegetation with heavy alien infestation
Describe the vegetation type above:	Describe the vegetation type above: <b>Muscadel Riviere and Eastern Little Karoo</b>		Describe the vegetation type above:
Provide ecosystem status for above:	Provide ecosystem status for above: <b>Muscadel Riviere and Eastern Little Karoo both endangered</b>		Provide Ecosystem status for above:
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe
Bare soil	Building or other structure		Sport field
Other (describe below)	Cultivated land		Paved surface

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

**For all areas**

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	%	
Near Natural (includes areas with low to moderate level of alien invasive plants)	%	
Degraded (includes areas heavily invaded by alien plants)	%	
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	100%	Squatter activities

(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)?

Poor ecological condition indigenous vegetation mapped as Muscadel Riviere and Eastern Little Karoo both with an endangered protection status as a result of the impacts of the urban development activities on boundary.

Two non-perennial river streams occur on site. The one will be maintained with its flood line as buffer. The other one is already severely degraded and transformed and infilled upstream and the proposal is to infill and channel the outflow into the historical stream west of the site to ensure hydrological flow and functioning downstream. The Olifants river to the south of the site floodplain wetlands originally occurred on a portion of the southern edge, but this wetlands and floodplains was destroyed long ago with the established agricultural fields, water channel, roads and railway line between the impact area and the Olifants river.

**6.3 VEGETATION / GROUNDCOVER MANAGEMENT**

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

No mitigation/management measures were adopted

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

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

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

(a) Please provide a description.

Poor ecological condition indigenous vegetation mapped as Muscadel Riviere and Eastern Little Karoo both with an endangered protection status as a result of the impacts of the urban development activities on boundary.

Two non-perennial river streams occur on site. The one will be maintained with its flood line as buffer. The other want is already severely degraded and transformed and infilled upstream and the proposal is to infill and channel the outflow into the historical stream west of the site to ensure hydrological flow and functioning downstream. The Olifants river to the south of the site floodplain wetlands originally occurred on a portion of the southern edge, but this wetlands and floodplains was destroyed long ago with the established agricultural fields, water channel, roads and railway line between the impact area and the Olifants river.

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

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

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

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

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

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

**10. SOCIO-ECONOMIC CONTEXT**

**10.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)**

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

This publication is produced by the Provincial Treasury for each of the Western Cape municipalities on an annual basis. These socio-economic profiles provide each municipality with up to date socio-economic data as well as analysis pertaining to the municipal area, to assist in planning, budgeting and the prioritisation of municipal services<sup>1</sup>.

The profiles include information on recent trends in GDP and labour market performance, demographics, education and health outcomes. It further unpacks per capita income, inequality and poverty, access to housing and basic services as well as crime levels. A new addition to the profile is the inclusion of risk and vulnerability indicators related to climate change which is critical to development.

Valuable insight can be gained as to the developmental challenges faced by communities residing within a specific geographical area. While some developmental challenges are not within the municipality's mandate to address, these profiles also provide spatial information for other spheres of Government in order to improve the quality of lives of people within each municipal area. This profile uses data primarily sourced from Statistics South Africa, administrative data from sector departments, the Municipal Review and Outlook (MERO), Global Insight Regional Explorer and Quantec. The data sourced from sector departments are the most recent that is available. The Statistics South Africa 2022 Census contains the latest survey data available at municipal level. The format of the profile allows for easy readability with the data being displayed in infographics, followed by the relevant trend analyses. The information contained in this profile highlights information for the Oudtshoorn Municipality in relation to the broader Garden Route District.

### **Population and Household Growth**

In 2022, the Oudtshoorn Municipality was home to 138 257 individuals, making it the third most populated municipal area within the region. The Mid-year population estimates (MYPE) released by Stats SA in February 2023 reflects that the municipal population is anticipated to decline at an annual average rate of 0.4 per cent over the 2023 to 2027 period. This demographic decline is potentially driven by semigration from this locale into more developed regions. The only areas within the municipal area that are estimated to have seen increases over the decade between 2011 and 2021 are Bongoletu and Bridgeton. With a total of 31 795 households recorded in 2022, the Oudtshoorn municipal area exhibits an average household size of 4.3 persons. This is significantly greater than the district average of 3.3. With the high levels of poverty in the municipal area (highest in the district) the large household sizes stem mainly from the challenge faced by individuals to afford separate living arrangements. Multiple family members therefore share a single household. The average household size recorded a slight decline from 4.4 persons in 2011. This is reflective of outmigration by members of the household and declining fertility rates. Household growth is therefore forecast to stagnate over the 2023 to 2027 period, while the outmigration and declining fertility rates leads to a forecasted population decline. Furthermore, it is noteworthy that the number of households recorded during the 2022 Census exceeds the count employed in the Local Government Equitable Share calculations by 25.4 per cent, signifying a higher-than-projected rise of households over the interval from 2011 to 2022. The divergence bears implications for the provisioning of municipal services and the requisite infrastructure.

### **Gender, Age and Race Dynamics**

A more in-depth analysis of the demographic composition within the municipal area reveals that 66.9 per cent of its residents fall within the economically active age group of 15 to 64 years. The overall population distribution leans in favour of females only from age group 25 to 29 and upward, reflecting an outmigration of working aged males from the municipal area after the age of 24, ostensibly in pursuit of employment opportunities elsewhere. Moreover, a segment comprising 25.2 per cent of the population is aged below 14 years, thereby engendering a comparatively high dependency on the working-age cohort. This sizable youth contingent underscores a mounting demand for educational resources and future employment prospects within the municipal area. Additionally, a relatively sizable elderly population, constituting 8.0 per cent of the total, signifies that the municipal area is an attractive destination for retirement, a pattern observed across the scenic expanse of the Garden Route. The insights derived from the age distribution patterns are instrumental for municipal planning, particularly concerning the availability of housing and government services tailored to meet the diverse needs of distinct age groups. Sustainable employment expansion holds paramount significance for the municipal area to mitigate the outmigration of the working-age populace, capable of actively fostering economic growth.

<sup>1</sup> 2023 Socio-Economic Profile: Oudtshoorn Municipality

Furthermore, the prominent racial demographic category in the municipal area is the coloured population, representing 76.1 percent of the total population, followed by the white population at 8.9 per cent and the black African population at 8.0 per cent. The Indian or Asian demographic group is the minority, accounting for merely 0.3 per cent of the municipal populace.

#### **Level of Urbanisation and Population Density**

The Oudtshoorn municipal area spans 3 537.1 km<sup>2</sup> and is situated in the semi-arid Klein Karoo. In 2023, it had a relatively low population density of 25.2 persons per km<sup>2</sup> and is expected to decrease to 24.9 persons per km<sup>2</sup> by 2025. Oudtshoorn experienced the most significant decline in urbanisation of 12.6 percentage points over the 2001 to 2021 period, accompanied by an increase in the rural population during the same period as agricultural activity expanded in the municipal area. The population is concentrated within the towns of Oudtshoorn, Bridgeton and Bongolethu, with Bridgeton and Bongolethu having the highest population densities. Bridgeton has shown a substantial increase in density over the 2001 to 2021 period, fueled by the comparatively greater affordability of housing options, drawing individuals into the town.

#### **GDPR Per Capita**

During the timeframe spanning from 2016 to 2022, the regional economy exhibited a growth rate surpassing that of the population, resulting in a notable upswing in the GDPR per capita i.e., GDPR per person. Over this period, GDPR per capita experienced a robust increase of 28.8 per cent, indicative of enhanced standards of living and heightened economic well-being within the Oudtshoorn municipal area. It has however grown from a low base. At R88 227, the GDP per capita remains below the District (R97 562) and the Western Cape (R113 327) average, pointing to potential areas for further improvement. It is imperative to acknowledge that the distribution of GDP per capita within the municipal area is not uniform. Disparities prevail, with a segment of the population enjoying affluence, while others grapple with financial challenges in an economic landscape characterized by inflation, escalating interest rates, and unemployment.

#### **Income Inequality**

South Africa suffers among the highest levels of inequality in the world when measured by the commonly used Gini index. Inequality manifests itself through a skewed income distribution, unequal access to opportunities, and regional disparities. The National Development Plan (NDP) has set a target of reducing income inequality in South Africa, endeavouring to lower the Gini coefficient from 0.7 in 2010 to 0.6 by 2030. The Oudtshoorn municipal area meets that goal at 0.57 and has amongst the most equally distributed incomes in the Province. When viewed in conjunction with the low GDP per capita, it reflects that the majority of the population are grappling with limited economic opportunities and resources. By global standards, the Gini coefficient of 0.57 is still high and reflects the discrepancy between persons with well remunerated jobs in the town of Oudtshoorn, compared to the lower income earned by farm workers as well as backyard dwellers and households residing in the informal settlements across the municipal area. Income inequality is also more pronounced among the coloured and black African demographic groups where some households have built wealth, whilst others have yet to escape the poverty trap.

#### **Poverty**

The Upper Bound Poverty Line (UBPL) head count ratio is the proportion of the population living below the UBPL i.e., that cannot afford to purchase adequate levels of food and non-food items. The UBPL in South Africa is R1 417 (in April 2022 prices) per person per month. In 2022, 63.8 per cent of the municipal population fell below the UBPL. This figure improved marginally from the 64.1 per cent recorded in 2019, indicating some progress despite the challenging economic conditions facing households across the country. The municipal area exhibits the highest levels of poverty in the District but is slightly lower when compared to the Western Cape rate. This points to a significant number of households being confronted with the adverse effects of poverty. These consequences include lower life expectancy, malnutrition, food insecurity, heightened exposure to crime and substance abuse, reduced educational attainment, and substandard living conditions. Therefore, the NDP sets the ambitious goal of eradicating poverty by 2030. To alleviate these negative impacts of poverty, the Department of Social Development Oudtshoorn SASSA office issues grants to 51 362 individuals. Beneficiaries of child support grants constituted 63.2 per cent of this total, with 11 464 pensioners receiving old age grants, thus offering vital income support to these households.

The Constitution stipulates that every citizen has the right to access to adequate housing and that the state must take reasonable legislative and other measures within its available resources to achieve the progressive realisation of this right. Access to housing also includes access to services such as potable water, basic sanitation, safe energy sources and refuse removal services, to ensure that households enjoy a decent standard of living. This section assesses the extent to which this objective has been realised by examining the progress reflected in the 2022 Census data.

### **Housing and Household Services**

There has been a slight rise in the percentage of households with access to formal housing, escalating from 88.5 per cent in 2011 to 89.5 per cent in 2022. This achievement is largely attributed to housing units constructed by the state, catering to the housing needs of low-income households, while the growth in households are subdued. The access to formal housing is slightly above the GRD average which has been dragged downward due to the large proportion of informal housing in the George municipal area. With 8.5 per cent of households living in informal dwellings, 1.7 per cent in traditional dwellings and 0.3 per cent in other/unspecified housing, it reflects further room for improvement to see enhanced living conditions for vulnerable households in the municipal area. The increase in the proportion of households residing in formal dwellings was accompanied by an 8.1 per cent surge in households equipped with flush toilets, an 8 per cent increase in access to regular refuse removal, a 7.1 per cent upswing in households using electricity for lighting, and a substantial 10.1 per cent increment in households enjoying access to piped water within their dwellings. However, it remains pertinent to acknowledge that the municipal area still lags in terms of providing essential services across all categories excluding access to piped water within the dwelling. This lag underscores the Municipality's difficulties associated with extending services to rural farmlands and informal settlements, as well as the lack of access to these basic services within backyard dwellings within the municipal area.

### **Free Basic Services**

Municipalities also provide a package of free basic services to households who are financially vulnerable and struggle to pay for services. There was a significant surge (16.7 per cent) in registered indigent households in 2020 attributable to the adverse economic impact of the COVID-19 pandemic, which resulted in income losses impeding households' capacity to cover their municipal service expenses. While the pace of growth decelerated, an upward trajectory persisted in 2021 (4.6 per cent) and endured into 2022 (0.6 per cent), indicative of a sustained departure from pre-pandemic levels. This is contrary to the trend observed in municipal areas with a decrease in the number of registered indigent households. The stressed economic conditions continue to exert pressure on household incomes and thereby keep demand for free basic services at elevated levels.

### **Labour Market Performance**

The Oudtshoorn municipal area has three main towns fuelling the labour market: Oudtshoorn, known as the ostrich capital of the world; Dysselsdorp, established as a British mission station in the 19th century; and De Rust, a quaint village just north of the Olifants River. The Ostrich Industry in the Oudtshoorn municipal area is one of the largest in the global market and therefore has a well-developed local value chain. As such, mixed farming and meat processing are amongst the largest employers in the municipal area, with 1 197 and 924 formal jobs, respectively, but the single largest employer in the municipal area remains public administration (1 820 jobs). There are numerous government offices offering employment in the municipal area including the Oudtshoorn Municipality, the Garden Route District Municipality, Department of Social Development, Department of Agriculture, Department of Home Affairs, Department of Labour, a magistrate court, and post office, amongst others. The agriculture sector's precarious performance has resulted in some subsectors creating jobs while others shed jobs. For example, the employment of mixed farming and non-perennial crop cultivators increased while those working in animal production and agricultural support activities lost their jobs. However, the most significant job losses were recorded for retail workers and those working in short-term accommodation facilities, underscoring both the importance of tourism for local jobs and the slow recovery of tourism in the area. Labour in the Oudtshoorn municipal area is mostly semi-skilled (30.9 per cent) and low-skilled (27.9 per cent). Semi-skilled workers tend to be concentrated in the trade, finance and manufacturing sectors. By contrast, low-skilled workers are usually employed in agriculture and community services. Semi-skilled and low-skilled employment have yet to reach pre-pandemic levels, with a -6.5 and -6.3 per cent backlog still existing. As tertiary sector activities in the Oudtshoorn municipal area have grown over the past decade, the number of skilled workers in the area has increased, especially in the finance sector. Skilled employment marks as the only category that has reached its pre-pandemic level of employment. Informal employment constitutes only 16.4 per cent of employment in the municipal area and was the hardest hit by the pandemic, showing the slowest recovery, with 11.7 per cent less jobs than its 2019 level. 2022 reflects the first year since the COVID-19 pandemic where there was net job growth in the municipal area, largely boosted by employment in the informal sector in that year. This contributed to a welcome reduction in the unemployment rate by 1.2 percentage points. At 22.2 per cent in 2022, it however remains above the District average, and contributes to the high poverty rate in the municipal area. In addition to this, the Oudtshoorn municipal area had the largest proportion of people in the District who were not economically

active (42.6 per cent). This places strain on the state for financial support and provision of services as reflected in the 3.5 percentage point rise in housing demand in 2023 and the rise in the number of indigent households. It should be noted that the proportion of economically inactive persons may be worsened by the presence of the South African Army Infantry School and the South Cape TVET College campus in Oudtshoorn as people are studying and therefore are not part of the job market.

**Wage Distribution** The Oudtshoorn municipal area had the highest proportion of people living below the food poverty line: at 33.4 per cent in 2021 and 32.1 per cent in 2022. Of the three main towns in the area, only Oudtshoorn, the epicentre of the services sector in the municipal area, had a median income above the municipal average. Dysselsdorp and De Rust are small towns that serve surrounding agricultural communities, which are mainly involved in ostrich farming. Of those with formal employment, 51.4 per cent earn less than R6 400 per month, which is above the District average of 45.3 per cent. Poverty has therefore become a significant factor in these towns, as most young people have jobs in Oudtshoorn or work as seasonal labourers on neighbouring farms. The lack of diversity in employment opportunities and low incomes make individuals in this area vulnerable to economic shocks and impact on their standard of living.

## 10.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

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

This publication is produced by the Provincial Treasury for each of the Western Cape municipalities on an annual basis. These socio-economic profiles provide each municipality with up to date socio-economic data as well as analysis pertaining to the municipal area, to assist in planning, budgeting and the prioritisation of municipal services.

The profiles include information on recent trends in GDP and labour market performance, demographics, education and health outcomes. It further unpacks per capita income, inequality and poverty, access to housing and basic services as well as crime levels. A new addition to the profile is the inclusion of risk and vulnerability indicators related to climate change which is critical to development.

Valuable insight can be gained as to the developmental challenges faced by communities residing within a specific geographical area. While some developmental challenges are not within the municipality's mandate to address, these profiles also provide spatial information for other spheres of Government in order to improve the quality of lives of people within each municipal area. This profile uses data primarily sourced from Statistics South Africa, administrative data from sector departments, the Municipal Review and Outlook (MERO), Global Insight Regional Explorer and Quantec. The data sourced from sector departments are the most recent that is available. The Statistics South Africa 2022 Census contains the latest survey data available at municipal level. The format of the profile allows for easy readability with the data being displayed in infographics, followed by the relevant trend analyses. The information contained in this profile highlights information for the Oudtshoorn Municipality in relation to the broader Garden Route District.

### **Population and Household Growth**

In 2022, the Oudtshoorn Municipality was home to 138 257 individuals, making it the third most populated municipal area within the region. The Mid-year population estimates (MYPE) released by Stats SA in February 2023 reflects that the municipal population is anticipated to decline at an annual average rate of 0.4 per cent over the 2023 to 2027 period. This demographic decline is potentially driven by semigration from this locale into more developed regions. The only areas within the municipal area that are estimated to have seen increases over the decade between 2011 and 2021 are Bongoletu and Bridgeton. With a total of 31 795 households recorded in 2022, the Oudtshoorn municipal area exhibits an average household size of 4.3 persons. This is significantly greater than the district average of 3.3. With the high levels of poverty in the municipal area (highest in the district) the large household sizes stem mainly from the challenge faced by individuals to afford separate living arrangements. Multiple family members therefore share a single household. The average household size recorded a slight decline from 4.4 persons in 2011. This is reflective of outmigration by members of the household and declining fertility rates. Household growth is therefore forecast to stagnate over the 2023 to 2027 period, while the outmigration and declining fertility rates leads to a forecasted population decline. Furthermore, it is noteworthy that the number of households recorded during the 2022 Census exceeds the count employed in the Local Government Equitable Share calculations by 25.4 per cent, signifying a higher-than-projected rise of households over the interval from 2011 to 2022. The divergence bears implications for the provisioning of municipal services and the requisite infrastructure.

### **Gender, Age and Race Dynamics**

A more in-depth analysis of the demographic composition within the municipal area reveals that 66.9 per cent of its residents fall within the economically active age group of 15 to 64 years. The overall population distribution leans in favour of females only from age group 25 to 29 and upward, reflecting an outmigration of working aged males from the municipal area after the age of 24, ostensibly in pursuit of employment opportunities elsewhere. Moreover, a segment comprising 25.2 per cent of the population is aged below 14 years, thereby engendering a comparatively high dependency on the working-age cohort. This sizable youth contingent underscores a mounting demand for educational resources and future employment prospects within the municipal area. Additionally, a relatively sizable elderly population, constituting 8.0 per cent of the total, signifies that the municipal area is an attractive destination for retirement, a pattern observed across the scenic expanse of the Garden Route. The insights derived from the age distribution patterns are instrumental for municipal planning, particularly concerning the availability of housing and government services tailored to meet the diverse needs of distinct age groups. Sustainable employment expansion holds paramount significance for the municipal area to mitigate the outmigration of the working-age populace, capable of actively fostering economic growth. Furthermore, the prominent racial demographic category in the municipal area is the coloured population, representing 76.1 percent of the total population, followed by the white population at 8.9 per cent and the black African population at 8.0 per cent. The Indian or Asian demographic group is the minority, accounting for merely 0.3 per cent of the municipal populace.

### **Level of Urbanisation and Population Density**

The Oudtshoorn municipal area spans 3 537.1 km<sup>2</sup> and is situated in the semi-arid Klein Karoo. In 2023, it had a relatively low population density of 25.2 persons per km<sup>2</sup> and is expected to decrease to 24.9 persons per km<sup>2</sup> by 2025. Oudtshoorn experienced the most significant decline in urbanisation of 12.6 percentage points over the 2001 to 2021 period, accompanied by an increase in the rural population during the same period as agricultural activity expanded in the municipal area. The population is concentrated within the towns of Oudtshoorn, Bridgeton and Bongolethu, with Bridgeton and Bongolethu having the highest population densities. Bridgeton has shown a substantial increase in density over the 2001 to 2021 period, fueled by the comparatively greater affordability of housing options, drawing individuals into the town.

### **GDPR Per Capita**

During the timeframe spanning from 2016 to 2022, the regional economy exhibited a growth rate surpassing that of the population, resulting in a notable upswing in the GDPR per capita i.e., GDPR per person. Over this period, GDPR per capita experienced a robust increase of 28.8 per cent, indicative of enhanced standards of living and heightened economic well-being within the Oudtshoorn municipal area. It has however grown from a low base. At R88 227, the GDP per capita remains below the District (R97 562) and the Western Cape (R113 327) average, pointing to potential areas for further improvement. It is imperative to acknowledge that the distribution of GDP per capita within the municipal area is not uniform. Disparities prevail, with a segment of the population enjoying affluence, while others grapple with financial challenges in an economic landscape characterized by inflation, escalating interest rates, and unemployment.

### **Income Inequality**

South Africa suffers among the highest levels of inequality in the world when measured by the commonly used Gini index. Inequality manifests itself through a skewed income distribution, unequal access to opportunities, and regional disparities. The National Development Plan (NDP) has set a target of reducing income inequality in South Africa, endeavouring to lower the Gini coefficient from 0.7 in 2010 to 0.6 by 2030. The Oudtshoorn municipal area meets that goal at 0.57 and has amongst the most equally distributed incomes in the Province. When viewed in conjunction with the low GDP per capita, it reflects that the majority of the population are grappling with limited economic opportunities and resources. By global standards, the Gini coefficient of 0.57 is still high and reflects the discrepancy between persons with well remunerated jobs in the town of Oudtshoorn, compared to the lower income earned by farm workers as well as backyard dwellers and households residing in the informal settlements across the municipal area. Income inequality is also more pronounced among the coloured and black African demographic groups where some households have built wealth, whilst others have yet to escape the poverty trap.

### **Poverty**

The Upper Bound Poverty Line (UBPL) head count ratio is the proportion of the population living below the UBPL i.e., that cannot afford to purchase adequate levels of food and non-food items. The UBPL in South Africa is R1 417 (in April 2022 prices) per person per month. In 2022, 63.8 per cent of the municipal population fell below the UBPL. This figure improved marginally from the 64.1 per

cent recorded in 2019, indicating some progress despite the challenging economic conditions facing households across the country. The municipal area exhibits the highest levels of poverty in the District but is slightly lower when compared to the Western Cape rate. This points to a significant number of households being confronted with the adverse effects of poverty. These consequences include lower life expectancy, malnutrition, food insecurity, heightened exposure to crime and substance abuse, reduced educational attainment, and substandard living conditions. Therefore, the NDP sets the ambitious goal of eradicating poverty by 2030. To alleviate these negative impacts of poverty, the Department of Social Development Oudtshoorn SASSA office issues grants to 51 362 individuals. Beneficiaries of child support grants constituted 63.2 per cent of this total, with 11 464 pensioners receiving old age grants, thus offering vital income support to these households.

The Constitution stipulates that every citizen has the right to access to adequate housing and that the state must take reasonable legislative and other measures within its available resources to achieve the progressive realisation of this right. Access to housing also includes access to services such as potable water, basic sanitation, safe energy sources and refuse removal services, to ensure that households enjoy a decent standard of living. This section assesses the extent to which this objective has been realised by examining the progress reflected in the 2022 Census data.

#### Housing and Household Services

There has been a slight rise in the percentage of households with access to formal housing, escalating from 88.5 per cent in 2011 to 89.5 per cent in 2022. This achievement is largely attributed to housing units constructed by the state, catering to the housing needs of low-income households, while the growth in households are subdued. The access to formal housing is slightly above the GRD average which has been dragged downward due to the large proportion of informal housing in the George municipal area. With 8.5 per cent of households living in informal dwellings, 1.7 per cent in traditional dwellings and 0.3 per cent in other/unspecified housing, it reflects further room for improvement to see enhanced living conditions for vulnerable households in the municipal area. The increase in the proportion of households residing in formal dwellings was accompanied by an 8.1 per cent surge in households equipped with flush toilets, an 8 per cent increase in access to regular refuse removal, a 7.1 per cent upswing in households using electricity for lighting, and a substantial 10.1 per cent increment in households enjoying access to piped water within their dwellings. However, it remains pertinent to acknowledge that the municipal area still lags in terms of providing essential services across all categories excluding access to piped water within the dwelling. This lag underscores the Municipality's difficulties associated with extending services to rural farmlands and informal settlements, as well as the lack of access to these basic services within backyard dwellings within the municipal area.

#### Free Basic Services

Municipalities also provide a package of free basic services to households who are financially vulnerable and struggle to pay for services. There was a significant surge (16.7 per cent) in registered

indigent households in 2020 attributable to the adverse economic impact of the COVID-19 pandemic, which resulted in income losses impeding households' capacity to cover their municipal service expenses. While the pace of growth decelerated, an upward trajectory persisted in 2021 (4.6 per cent) and endured into 2022 (0.6 per cent), indicative of a sustained departure from pre-pandemic levels. This is contrary to the trend observed in municipal areas with a decrease in the number of registered indigent households. The stressed economic conditions continue to exert pressure on household incomes and thereby keep demand for free basic services at elevated levels.

#### Labour Market Performance

The Oudtshoorn municipal area has three main towns fuelling the labour market: Oudtshoorn, known as the ostrich capital of the world; Dysseisdorp, established as a British mission station in the 19th century; and De Rust, a quaint village just north of the Olifants River. The Ostrich Industry in the Oudtshoorn municipal area is one of the largest in the global market and therefore has a well-developed local value chain. As such, mixed farming and meat processing are amongst the largest employers in the municipal area, with 1 197 and 924 formal jobs, respectively, but the single largest employer in the municipal area remains public administration (1 820 jobs). There are numerous government offices offering employment in the municipal area including the Oudtshoorn Municipality, the Garden Route District Municipality, Department of Social Development, Department of Agriculture, Department of Home Affairs, Department of Labour, a magistrate court, and post office, amongst others. The agriculture sector's precarious performance has resulted in some subsectors creating jobs while others shed jobs. For example, the employment

of mixed farming and non-perennial crop cultivators increased while those working in animal production and agricultural support activities lost their jobs. However, the most significant job losses were recorded for retail workers and those working in short-term accommodation facilities, underscoring both the importance of tourism for local jobs and the slow recovery of tourism in the area. Labour in the Oudtshoorn municipal area is mostly semi-skilled (30.9 per cent) and low-skilled (27.9 per cent). Semi-skilled workers tend to be concentrated in the trade, finance and manufacturing sectors. By contrast, low-skilled workers are usually employed in agriculture and community services. Semi-skilled and low-skilled employment have yet to reach pre-pandemic levels, with a -6.5 and -6.3 per cent backlog still existing. As tertiary sector activities in the Oudtshoorn municipal area have grown over the past decade, the number of skilled workers in the area has increased, especially in the finance sector. Skilled employment marks as the only category that has reached its pre-pandemic level of employment. Informal employment constitutes only 16.4 per cent of employment in the municipal area and was the hardest hit by the pandemic, showing the slowest recovery, with 11.7 per cent less jobs than its 2019 level. 2022 reflects the first year since the COVID-19 pandemic where there was net job growth in the municipal area, largely boosted by employment in the informal sector in that year. This contributed to a welcome reduction in the unemployment rate by 1.2 percentage points. At 22.2 per cent in 2022, it however remains above the District average, and contributes to the high poverty rate in the municipal area. In addition to this, the Oudtshoorn municipal area had the largest proportion of people in the District who were not economically active (42.6 per cent). This places strain on the state for financial support and provision of services as reflected in the 3.5 percentage point rise in housing demand in 2023 and the rise in the number of indigent households. It should be noted that the proportion of economically inactive persons may be worsened by the presence of the South African Army Infantry School and the South Cape TVET College campus in Oudtshoorn as people are studying and therefore are not part of the job market.

**Wage Distribution** The Oudtshoorn municipal area had the highest proportion of people living below the food poverty line: at 33.4 per cent in 2021 and 32.1 per cent in 2022. Of the three main towns in the area, only Oudtshoorn, the epicentre of the services sector in the municipal area, had a median income above the municipal average. Dysseisdorp and De Rust are small towns that serve surrounding agricultural communities, which are mainly involved in ostrich farming. Of those with formal employment, 51.4 per cent earn less than R6 400 per month, which is above the District average of 45.3 per cent. Poverty has therefore become a significant factor in these towns, as most young people have jobs in Oudtshoorn or work as seasonal labourers on neighbouring farms. The lack of diversity in employment opportunities and low incomes make individuals in this area vulnerable to economic shocks and impact on their standard of living.

## 11. HISTORICAL AND CULTURAL ASPECTS

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

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

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50m in length;
- (c) any development or other activity which will change the character of a site-
  - (i) exceeding 5 000 m<sup>2</sup> 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 m<sup>2</sup> in extent; or
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."

- (b) The impact on any national estate referred to in section 3(2), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii), of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), must also be investigated, assessed and evaluated. Section 3(2) states as follows: "3(2) Without limiting the generality of subsection (1), the national estate may include—
- (a) places, buildings, structures and equipment of cultural significance;
  - (b) places to which oral traditions are attached or which are associated with living heritage;
  - (c) historical settlements and townscapes;

- (d) landscapes and natural features of cultural significance;
- (e) geological sites of scientific or cultural importance;
- (f) archaeological and palaeontological sites;
- (g) graves and burial grounds, including—
  - (i) ancestral graves;
  - (ii) royal graves and graves of traditional leaders;
  - (iii) graves of victims of conflict;
  - (iv) graves of individuals designated by the Minister by notice in the Gazette;
  - (v) historical graves and cemeteries; and
  - (vi) other human remains which are not covered in terms of the Human Tissue Act, 1983 (Act No. 65 of 1983);
- (h) sites of significance relating to the history of slavery in South Africa;
- (i) movable objects, including—
  - (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens;
  - (ii) objects to which oral traditions are attached or which are associated with living heritage;
  - (iii) ethnographic art and objects;
  - (iv) military objects;
  - (v) objects of decorative or fine art;
  - (vi) objects of scientific or technological interest; and
  - (vii) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings, excluding those that are public records as defined in section 1(xiv) of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996)."

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?		YES	NO
		UNCERTAIN	
If YES, explain:			
Did/does the development impact on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999?		YES	NO
		UNCERTAIN	
If YES, explain:			
Was any building or structure older than 60 years affected in any way?	YES	NO	UNCERTAIN
If YES, explain:			

**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.

**12. COASTAL ASPECTS (SEAFRONT/SEA ENVIRONMENT)**

- (a) Is the site(s) located within any of the following areas? (highlight the appropriate boxes).  
 If the site or alternative site is closer than 100m to such an area, please provide the approximate distance in (m).

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

An area below the 5m contour	YES	NO	UNSURE	
An area within 1km from the high water mark of the sea	YES	NO	UNSURE	
A rocky beach	YES	NO	UNSURE	
A sandy beach	YES	NO	UNSURE	

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

### 13. REGIONAL PLANNING CONTEXT

Is the activity permitted in terms of the property's existing land use rights?	YES	NO	Please explain
Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
Will the activity be in line with the following?			
Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
Urban edge / Edge of Built environment for the area	YES	NO	Please explain
On edge of town.			
Integrated Development Plan of the Local Municipality	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
Spatial Development Framework of the Local Municipality	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
Approved Structure Plan of the Municipality	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
An Environmental Management Framework (EMF) adopted by the Department	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
Any other Plans	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the 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
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
2. Was the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
(b) Urban edge / Edge of Built environment for the area	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
(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
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
(d) Approved Structure Plan of the Municipality	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
(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	YES	NO	Please explain

justified in terms of sustainability considerations?)			
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
(f) Any other Plans (e.g. Guide Plan)	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
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
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
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
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
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
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
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 <b>appendix</b> , where applicable.)	YES	NO	Please explain
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 <b>appendix</b> , where applicable.)	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
8. Was this project part of a national programme to address an issue of national concern or importance?	YES	NO	Please explain
Municipal Land. Squatting that requires formalize and service of the area.			
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
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service 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
Taking in consideration and the fact that the areas were previously impacted by the urban and agricultural activities on the border, the impact of the clearing of the areas on ecological and biodiversity is assessed to be low. Due to the poor quality of both non-perennial rivers, the impact on freshwater ecology is low. The CBA areas were incorrectly mapped as the areas was degraded.			
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
Squatting that requires formalize and service of the area will improve peoples health and wellbeing.			
12. Did/does the proposed activity or the land use associated with the activity	YES	NO	Please explain

applied for, result in unacceptable opportunity costs?			
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
13. What were the cumulative impacts (positive and negative) of the land use associated with the activity applied for?	YES	NO	Please explain
Clearing of indigenous vegetation and non service of site impact and lead to pollution of area and bigger area.			
14. Is/was the development the best practicable environmental option for this land/site?	YES	NO	Please explain
Municipal Land. Squatting on undetermined zoned land. Rezoning required to formalize and service the area.			
15. What are/were the benefits to society in general and to the local communities?			Please explain
Squatting that requires formalize and service of the area will improve peoples health and wellbeing.			
16. Any other need and desirability considerations related to the activity?			Please explain
NO			
17. Please describe how the general objectives of Integrated Environmental Management as set out in section 23 of NEMA were taken into account:			
The general objectives of Integrated Environmental Management were taken into account by considering all the potential negative and positive impacts of the proposed project on both the biophysical and socio-economic environments. In order to avoid potentially significant impacts, specialist inputs were obtained in relation to terrestrial and aquatic ecology. The public and authorities will be given adequate opportunity to comment on the proposed project and to participate in the Assessment Process.			
18. Please describe how the <b>principles of environmental management</b> as set out in section 2 of NEMA were taken into account:			
All decisions during the assessment by all involved for the activity promote the integration of the principles of environmental management set out in section 2 to minimize and mitigate any significant effect on the environment.			
Specialists involved in the assessment of the activity are independent and ensure that the effects of the activities on the environment receive adequate consideration before recommendations and actions are taken for inclusion in the EA conditions. Adequate and appropriate opportunity for public participation will be provided and included in Appendix as per the guidelines and regulations in decisions that may affect the environment. The consideration of environmental attributes in management and decision making which may have a significant effect on the environment was ensured. The modes of environmental management best suited to ensuring that a particular activity is pursued in accordance with the principles of environmental management set out in section 2 were identified and employed. Refer to the section below.			

## 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 alternatives were assessed and are not feasible due to the fact that the areas are already cleared. The only alternative considered was to determine the flood line of the one non-perennial stream and design services and formalize plots outside this area. The other alternative was to formalize the other non-perennial stream to improve water quality and impacts on downstream water uses which is applicable to the existing squatting activities. This stream is totally transformed and formalizing it will improve impact management.

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

The only activity alternative considered was to determine the flood line of the one non-perennial stream and design services and formalize plots outside this area. The other alternative was to formalize the other non-perennial stream to improve water quality and impacts on downstream water uses which is applicable to the existing squatting activities. This stream is totally transformed and formalizing it will improve impact management.

(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 alternative was considered. The layout and designed of services included accommodating the determined flood line of the one non-perennial stream and design services and formalize plots outside this area. The other alternative was to formalize the other non-perennial stream to improve water quality and impacts on downstream water uses which is applicable to the existing squatting activities. This stream is totally transformed and formalizing it will improve impact management.

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

No feasible or reasonable technology alternatives exists

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

No feasible or reasonable operational alternatives exists

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

Ceasing of the activity is not feasible. The site is impacted and degraded as a result of the squatting impacts and servicing and formalizing the site will ensure that impacts are mitigated and managed.

(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:

The flood line to prevent flooding of infrastructure associated with one non-perennial stream. Installation of services and formalizing of plots will manage and mitigate impacts to avoid the negative impacts on the environment.

(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.

Design and layout alternative was considered. The layout and designed of services included accommodating the determined flood line of the one non-perennial stream and design services and formalize plots outside this area. The other alternative was to formalize the other non-perennial stream to improve water quality and impacts on downstream water uses which is applicable to the existing squatting activities. This stream is totally transformed and formalizing it will improve impact management.

## 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:

Broad Soils Classification (ENPAT)  
 Soil Type: Miscellaneous land classes, undifferentiated deep deposits  
 Geology: Alluvial valley deposits.  
 Land Types  
 Land Type: Ia41  
 Description: Undifferentiated deep deposits  
 Class: MISCELLANEOUS LAND CLASSES  
 Area (Ha): 26939.222  
 Soil Erodibility  
 Erodibility: High  
 Erodibility Factor: 0.54  
 Soil Clay & Depth  
 Symbol: EE  
 Class: Soils with limited pedological development  
 Description: Soils with negligible to weak profile development, usually occurring on recent flood plains  
 Depth: >= 750 mm  
 Clay: < 15%  
 Soil Types  
 Symbol: EE  
 Class: Soils with limited pedological development  
 Description: Soils with negligible to weak profile development, usually occurring on recent flood plains  
 Depth: >= 750 mm  
 Clay: < 15%

(b) Biological aspects:

Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	YES	NO
If yes, please describe:		
Taking in consideration and the fact that the areas were previously impacted by the urban and		

agricultural activities on the border, the impact of the clearing of the areas on ecological and biodiversity is assessed to be low. Due to the poor quality of both non-perennial rivers, the impact on freshwater ecology is low.

The CBA areas were incorrectly mapped as the areas was degraded.

**CapeNature (2024). 2023 Western Cape Biodiversity Spatial Plan and Guidelines Map**



Has the development impacted on terrestrial vegetation, or aquatic ecosystems (wetlands, estuaries or the coastline)?	YES	NO
---	-----	----

If yes, please describe:

Taking in consideration and the fact that the areas were previously impacted by the urban and agricultural activities on the border, the impact of the clearing of the areas on ecological and biodiversity is assessed to be low. Due to the poor quality of both non-perennial rivers, the impact on freshwater ecology is low.  
The CBA areas were incorrectly mapped as the areas was degraded.

**CapeNature (2024). 2023 Western Cape Biodiversity Spatial Plan and Guidelines Map**



**Legend**

- Erf
- Farm Portions
- Wetlands (NFEPA)**
- Artificial
- Wetlands (NWM5) Classification**
- Depression wetland
- Floodplain wetland
- Rivers**
- Non-Perennial
- Critical Biodiversity Areas**
- CBA: Terrestrial
- CBA: Wetland

Map Center: Lon: 22°14'27.4"E  
Lat: 33°36'28.9"S

Scale: 1:7,934

Date created: 2026/11/02

**Western Cape Government**  
FOR YOU

Has the development impacted on any populations of threatened plant or animal species, and/or on any habitat that may contain a unique signature of plant or animal species?	YES	NO
If yes, please describe:		
Please describe the manner in which any other biological aspects were impacted:		
Other biological aspects were not impacted.		

(c) Socio-Economic aspects:

What was the capital value of the activity on completion?	Unknown. Only costs of provision of services.	
What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?	No income. Informal area serviced to prevent impact on environment and ensure people are connected to services.	
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?	Informal area serviced to prevent impact on environment and ensure people are connected to services.	

What was the value of the employment opportunities during the construction phase?	R 0
What percentage of this accrued to previously disadvantaged individuals?	0%
How was this ensured and monitored (please explain):	
Not applicable	
How many permanent new employment opportunities were/will be created during the operational phase of the activity?	None.
What is the current/expected value of the employment opportunities during the first 10 years?	R 0
What percentage of this accrued/will accrue to previously disadvantaged individuals?	0%
How was/will this be ensured and monitored (please explain):	
Not applicable	
Any other information related to the manner in which the socio-economic aspects was/will be impacted:	
Refer to socio-economic information above.	

(d) Cultural and historic aspects:

There are no archaeological or cultural heritage features on the site or surrounds that will or was impacted upon.

**2. WASTE AND EMISSIONS**

(a) Waste (including effluent) management

Did the activity produce waste (including rubble) during the construction phase?	YES	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type?	30m <sup>3</sup>	
Access soil and builders rubble.		

Does the activity produce waste during its operational phase?	YES	NO
If yes, indicate the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) and estimated quantity per type? Normal residential waste to be collected and disposed of by municipality	80m <sup>3</sup>	

Where and how was/will the waste be treated / disposed of (describe)?		
Not Applicable		
Has the municipality or relevant authority confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? If yes, provide written confirmation from Municipality or relevant authority	YES	NO
Does/will the activity produce waste that is/will be treated and/or disposed of at another facility other than into a municipal waste stream?	YES	NO
If yes, has this facility confirmed that sufficient capacity exists for treating / disposing of the waste (to be) generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:	YES	NO
Does the facility have an operating license? (If yes, please attach a copy of the license.)	YES	NO
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:		
Not Applicable		

(b) Emissions into the atmosphere

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

**3. WATER USE**

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

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

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:	m <sup>3</sup>
---	----------------

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:	
Not Applicable	

**4. POWER SUPPLY**

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

Municipality
--------------

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

**5. ENERGY EFFICIENCY**

Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:
Not Applicable

Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:
Not Applicable

**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.

(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:	No impact. Vegetation cleared and no impacts on geographical and physical aspects
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Impact on biological aspects:</b>	
Nature of impact:	<b>Biodiversity Impacts</b>
Extent and duration of impact:	<b>Permanent</b>
Probability of occurrence:	<b>Definitive</b>
Degree to which the impact can be reversed:	<b>Cannot be reversed</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Low</b>
Cumulative impact prior to mitigation:	<b>Taking in consideration and the fact that the areas were previously impacted by the urban and agricultural activities on the border, the impact of the clearing of the areas on ecological and biodiversity is assessed to be low. Due to the poor quality of both non-perennial rivers, the impact on freshwater ecology is low. The CBA areas were incorrectly mapped as the areas was degraded.</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>Low</b>
Degree to which the impact can be mitigated:	<b>None.</b>
Proposed mitigation:	<b>Already cleared.</b>
Cumulative impact post mitigation:	<b>None. Already cleared</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>Low</b>

<b>Impacts on socio-economic aspects:</b>	
Nature of impact:	<b>Positive taking in consideration that the area is already occupied by squatters and the formalization of services will have positive socio-economic impacts.</b>
Extent and duration of impact:	<b>Permanent</b>
Probability of occurrence:	<b>Definitive</b>
Degree to which the impact can be reversed:	<b>Cannot be reversed</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>Positive impact. Services provision.</b>
Cumulative impact prior to mitigation:	<b>Positive impact. Services provision.</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>Positive impact. Services provision.</b>
Degree to which the impact can be mitigated:	<b>None</b>
Proposed mitigation:	<b>None</b>
Cumulative impact post mitigation:	<b>None</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>Positive impact. Services provision.</b>

<b>Impacts on cultural-historical aspects:</b>	
Nature of impact:	<b>There are no archaeological or cultural heritage features on the site or surrounds that will be impacted upon.</b>
Extent and duration of impact:	<b>Permanent</b>
Probability of occurrence:	<b>Unlikely. None observed during site inspections.</b>
Degree to which the impact can be reversed:	<b>None</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>None</b>
Cumulative impact prior to mitigation:	<b>None</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>None</b>
Degree to which the impact can be mitigated:	<b>None</b>
Proposed mitigation:	<b>None</b>
Cumulative impact post mitigation:	<b>None</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>None</b>

<b>Noise impacts:</b>	
Nature of impact:	<b>None</b>
Extent and duration of impact:	<b>None</b>
Probability of occurrence:	<b>None</b>
Degree to which the impact can be reversed:	<b>None</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>None</b>
Cumulative impact prior to mitigation:	<b>None</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>None</b>

Degree to which the impact can be mitigated:	<b>None</b>
Proposed mitigation:	<b>None</b>
Cumulative impact post mitigation:	<b>None</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>None</b>

<b>Visual impacts / Sense of Place:</b>	
Nature of impact:	<b>None. Provision of services inside an area occupied by squatters on the edge of the town.</b>
Extent and duration of impact:	<b>None</b>
Probability of occurrence:	<b>None</b>
Degree to which the impact can be reversed:	<b>None</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>None</b>
Cumulative impact prior to mitigation:	<b>None</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>None</b>
Degree to which the impact can be mitigated:	<b>None</b>
Proposed mitigation:	<b>None</b>
Cumulative impact post mitigation:	<b>None</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>None</b>

(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.**

<b>Impacts on the geographical and physical aspects:</b>	
Nature of impact:	<b>No impact. Vegetation cleared and no impacts on geographical and physical aspects</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Impact on biological aspects:</b>	
Nature of impact:	<b>No impact. Vegetation cleared</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Impacts on socio-economic aspects:</b>	
Nature of impact:	<b>Positive taking in consideration that the area is already occupied by squatters and the formalization of services will have positive socio-economic impacts.</b>
Extent and duration of impact:	<b>Permanent</b>
Probability of occurrence:	<b>Definitive</b>
Degree to which the impact can be reversed:	<b>Cannot be reversed</b>
Degree to which the impact may cause irreplaceable	<b>Positive impact. Services provision.</b>

loss of resources:	
Cumulative impact prior to mitigation:	<b>Positive impact. Services provision.</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>Positive impact. Services provision.</b>
Degree to which the impact can be mitigated:	<b>None</b>
Proposed mitigation:	<b>None</b>
Cumulative impact post mitigation:	<b>None</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>Positive impact. Services provision.</b>

<b>Impacts on the cultural-historical aspects:</b>	
Nature of impact:	<b>No impact. Vegetation cleared</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Noise impacts:</b>	
Nature of impact:	<b>No impact. Vegetation cleared</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Visual impacts / Sense of Place:</b>	
Nature of impact:	<b>None. Provision of services inside an area occupied by squatters on the edge of the town.</b>
Extent and duration of impact:	<b>None</b>
Probability of occurrence:	<b>None</b>
Degree to which the impact can be reversed:	<b>None</b>
Degree to which the impact may cause irreplaceable loss of resources:	<b>None</b>
Cumulative impact prior to mitigation:	<b>None</b>
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>None</b>
Degree to which the impact can be mitigated:	<b>None</b>
Proposed mitigation:	<b>None</b>
Cumulative impact post mitigation:	<b>None</b>
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	<b>None</b>

**(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.**

<b>Potential impacts on the geographical and physical aspects:</b>	
Nature of impact:	<b>Not Applicable</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	

Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential impact on biological aspects:</b>	
Nature of impact:	<b>Not Applicable</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential impacts on the socio-economic aspects:</b>	
Nature of impact:	<b>Not Applicable</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential impacts on the cultural-historical aspects:</b>	
Nature of impact:	<b>Not Applicable</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

<b>Potential noise impacts:</b>	
Nature of impact:	<b>Not Applicable</b>
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	

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

Potential visual impacts:	
Nature of impact:	Not Applicable
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

**(d) Any other impacts:**

Potential impact:	Not Applicable
Nature of impact:	
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

**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:

<p>The sampling and analysis of the site was optimum and provides suitable data and results to present an informed decision on the local ecology, animal species habitat, plant species, freshwater ecological features and terrestrial biodiversity features. During the site visit, the different biodiversity features, habitat, vegetation and landscape units present were identified and recorded in the field. Walk-through-surveys were conducted of representative habitats and areas of interest. Searches for listed species of conservation concern at the site were conducted, but none were observed which required the recording of their location.</p> <p>Poor ecological condition indigenous vegetation mapped as Muscadel Riviere and Eastern Little Karoo both with an endangered protection status as a result of the impacts of the urban development activities on boundary. Two non-perennial river streams occur on site. The one will be maintained with its flood line as buffer. The other one is already severely degraded and transformed and infilled upstream and the proposal is to infill and channel the outflow into the historical stream west of the site to ensure hydrological flow and functioning downstream. The Olifants river to the south of the site floodplain wetlands originally occurred on a portion of the southern edge, but this wetlands and floodplain was destroyed long ago with the established agricultural fields, water channel, roads and railway line between the impact area and the Olifants river.</p> <p>No species of conservation concern were recorded and their habitat is not present on site.</p> <p>Very low sensitive areas were mapped. The proposed development will have relatively little terrestrial biodiversity and ecological impact on the surrounding terrestrial biodiversity features provided that appropriate mitigation measures included in the impact table above are included in the EMP and</p>
---

adhered to.  
 No additional survey or further assessment is in the author's view recommended.  
 Provided that activities are restricted to the property and the mitigation measures to reduce the impacts of the activities are implanted, then the activities are not likely to result in long-term degradation of the receiving environment or significant net loss of terrestrial biodiversity.

**8. IMPACT ASSESSMENT SUMMARY**

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

Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):
<b>Terrestrial Biodiversity</b>	<b>Low</b>
<b>Aquatic biodiversity</b>	<b>Low</b>

**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.

Taking in consideration and the fact that the areas were previously impacted by the urban and agricultural activities on the border, the impact of the clearing of the areas on ecological and biodiversity is assessed to be low. Due to the poor quality of both non-perennial rivers, the impact on freshwater ecology is low.  
 The CBA areas were incorrectly mapped as the areas was degraded.

**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.

None.

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

Ability is good since the applicant is aware of the fact that environmental authorization is required.

**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.

Based on the EAP's assessment information was provided to address the concerns and assess the impacts of the proposed development on the environment. Information as provided by the applicant and specialists and as collected by the EAP during site surveys etc. has been used by the to inform this report.

(b) Please describe the assessment criteria used.

Criteria	Description		
<b>Nature</b>	a description of what causes the effect, what will be affected, and how it will be affected.		
	<b>Type</b>	<b>Score</b>	<b>Description</b>
<b>Extent (E)</b>	None (No)	1	Footprint
	Site (S)	2	On site or within 100 m of the site
	Local (L)	3	Within a 20 km radius of the centre of the site
	Regional (R)	4	Beyond a 20 km radius of the site
	National (Na)	5	Crossing provincial boundaries or on a national / land wide scale
<b>Duration (D)</b>	Short term (S)	1	0 – 1 years
	Short to medium (S-M)	2	2 – 5 years
	Medium term (M)	3	5 – 15 years
	Long term (L)	4	> 15 years

<b>Magnitude (M)</b>	Permanent (P)	5	Will not cease
	Small (S)	0	will have no effect on the environment
	Minor (Mi)	2	will not result in an impact on processes
	Low (L)	4	will cause a slight impact on processes
	Moderate (Mo)	6	processes continuing but in a modified way
	High (H)	8	processes are altered to the extent that they temporarily cease
	Very high (VH)	10	results in complete destruction of patterns and permanent cessation of processes.
<b>Probability (P)</b> the likelihood of the impact actually occurring. Probability is estimated on a scale, and a score assigned	Very improbable (VP)	1	probably will not happen
	Improbable (I)	2	some possibility, but low likelihood
	Probable (P)	3	distinct possibility
	Highly probable (HP)	4	most likely
	Definite (D)	5	impact will occur regardless of any prevention measures
<b>Significance (S)</b>	Determined through a synthesis of the characteristics described above: <b>S = (E+D+M) x P</b> Significance can be assessed as low, medium or high		
	<b>Low: &lt; 30 points:</b> The impact would not have a direct influence on the decision to develop in the area		
<b>Medium: 30 – 60 points:</b>		The impact could influence the decision to develop in the area unless it is effectively mitigated	
<b>High: &lt; 60 points:</b>		The impact must have an influence on the decision process to develop in the area	
<b>No significance</b>		When no impact will occur or the impact will not affect the environment	
<b>Status</b>		Positive (+)	Negative (-)
<b>The degree to which the impact can be reversed</b>	Completely reversible (R)	90-100%	The impact can be mostly to completely reversed with the implementation of the correct mitigation and rehabilitation measures.
	Partly reversible (PR)	6-89%	The impact can be partly reversed providing that mitigation measures as stipulated in the EMP are implemented and rehabilitation measures are undertaken
	Irreversible (IR)	0-5%	The impact cannot be reversed, regardless of the mitigation or rehabilitation measures taking place
<b>The degree to which the impact may cause irreplaceable loss of resources</b>	Resource will not be lost (R)	1	The resource will not be lost or destroyed provided that mitigation and rehabilitation measures as stipulated in the EMP are implemented
	Resource may be partly destroyed (PR)	2	Partial loss or destruction of the resources will occur even though all management and mitigation measures as stipulated in the EMP are implemented
	Resource cannot be replaced (IR)	3	The resource cannot be replaced no matter which management or mitigation measures are implemented.
<b>The degree to which the impact can be mitigated</b>	Completely mitigatable (CM)	1	The impact can be completely mitigated providing that all management and mitigation measures as stipulated in the EMP are implemented
	Partly mitigatable (PM)	2	The impact cannot be completely mitigated even though all management and mitigation measures as stipulated in the EMP are implemented. Implementation of these measures will provide a measure of mitigatability
	Un-mitigatable (UM)	3	The impact cannot be mitigated no matter which management or mitigation measures are implemented.

(c) Please describe the gaps in knowledge.

EAP is only knowledgeable with regards to the environment, biodiversity and ecosystem aspects.

(d) Please describe the underlying assumptions.

In undertaking the investigation and compiling this report, the following has been assumed:

- The information provided by the client and all specialists is accurate and unbiased;
- The scope of this investigation is to assess the direct and cumulative environmental impacts associated with the development.

(e) Please describe the uncertainties.

None at this stage.

## 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	NO
---	-----	----

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

If "YES", please indicate below whether in your opinion the applicant should be directed to cease the activity or if it should be authorised:		
Applicant should be directed to cease the activity:	YES	NO
Please provide reasons for your opinion		
Taking in consideration and the fact that the areas were previously impacted by the urban and agricultural activities on the border, the impact of the clearing of the areas on ecological and biodiversity is assessed to be low. Due to the poor quality of both non-perennial rivers, the impact on freshwater ecology is low. The CBA areas were incorrectly mapped as the areas was degraded. Formalizing the area and provision of services will have a positive impact on the environment and ensure service delivery that will prevent pollution impacts.		
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.		
No further clearing of indigenous vegetation or squatter activities may occur.		

**SECTION I: REPRESENTATIONS – RESPONSE TO AN INCIDENT OR EMERGENCY SITUATION**

This section is only applicable to instances where Section 49A (2) of NEMA applies. Please list all steps that were taken in response to the incident or emergency situation.
Not Applicable.

Please note:

Section 30 of NEMA deals with the procedures to be followed for the control of emergency incidents and Section 30A deals with procedures to be followed in the case of emergency situations.

**SECTION J: PUBLIC PARTICIPATION**

**1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED**

**1.1 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF THE SECTION 24G FINE REGULATIONS, 2017**

Regulation 8 of the Section 24G Fine Regulations require that all applicants must conduct public participation prior to submission of a section 24G application (as outlined in Annexure A of the Section 24G Fine Regulations - Section D: Preliminary Advertisement).

<b>"The applicant must place a preliminary advertisement in-</b>
(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 <b>register must be attached to the application form and included in the report</b> , or form part of the information submitted in terms of section 24G(1) of the Act, which the register must, as a minimum, contain the names, contact details and addresses of- (a) all persons who, as a consequence of the public participation process conducted in respect of the application, have submitted written comments or attended meetings with the applicant or any environmental assessment practitioner or other specialist appointed by the applicant to assist with the application; (b) all persons who have requested the applicant, in writing, to place their names on the register; and (c) all organs of state that have jurisdiction in respect of the activity to which application relates."

Please provide a summary of the steps followed where public participation was undertaken in accordance with Regulation 8 prior to submission of this Application Form. Ensure that proof of compliance with Regulation 8 is submitted with this Application Form, including, <i>inter alia</i> , proof of preliminary advertisement in a local newspaper.
Please refer to Appendix G for more detail. 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. Please note the applicant have a website. Public participation that has been conducted was the placement of a notice in the local newspaper the Die Hoorn on 28 June 2024. Placement of site notices on 11 June 2024. And notifications was send to neighbours via registered mail on 7 November 2024 of the s24g application to rectify the clearing of indigenous vegetation. The draft s24g application and Appendixes will be send for 30 days comment period to the list of key departments.

Please indicate whether the applicant has a website (please tick relevant box):	YES	NO
If yes, please note that the application information as specified above must have been advertised on such website and proof thereof must accompany this application.		

**Please note: Annexure A: Section D attached to this Application form must be strictly adhered to.**

## 1.2 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF NEMA EIA REGULATIONS, 2014

As the applicant, you may be directed to conduct the public participation process that fulfils the requirements outlined in Chapter 6 of the EIA Regulations, 2014. In doing so, you must take into account any applicable guidelines published in terms of Section 24J of NEMA, the Department's Circular EADP 0028/2014 on the "One Environmental Management System" and the EIA Regulations, 2014 as well as any other guidance provided by the Department. Note that the public participation requirements are applicable to all proposed sites.

Please highlight the appropriate box below to indicate the public participation process that has been or will be undertaken to give notice of the application to all potential interested and affected parties, including deviations that may be agreed to by the competent authority:

1. In terms of regulation 41 of the EIA Regulations, 2014 -			
(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -			
(i) the site where the activity to which the application relates is or is to be undertaken; and	YES	DEVIATION	
(ii) any alternative site	YES	DEVIATION	
(b) giving written notice, in any manner provided for in section 47D of the NEMA, to -			
(i) the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	DEVIATION	N/A
(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	DEVIATION	
(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	YES	DEVIATION	
(iv) the municipality (Local and District Municipality) which has jurisdiction in the area;	YES	DEVIATION	
(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	YES	DEVIATION	
(vi) any other party as required by the Department;	YES	DEVIATION	N/A
(c) placing an advertisement in -			
(i) one local newspaper; or	YES	DEVIATION	
(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	DEVIATION	N/A
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken	YES	DEVIATION	N/A
(e) using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage.	YES	DEVIATION	N/A
If you have indicated that "DEVIATION" applies to any of the above, then Section 2. below must be completed.			
NOTE: 2. The NEM: WA requires that a notice must be placed in at least two newspapers.			
If applicable, have/will an advertisement be placed in at least two newspapers?	YES	NO	
If "NO", then an application for exemption from the requirement must be applied for.			

1. Provide a list of all the state departments that will be consulted:		
List of State Depts.	Comment obtained (YES/NO)	If not, provide reasons
DEA&DP Pollution Management	No	Reports to be send for comment
DEA&DP Waste Management	No	Reports to be send for comment
DEA&DP Development Management	No	Reports to be send for comment
Garden Route District Municipality	No	Reports to be send for comment
CapeNature	No	Reports to be send for comment
Breede Olifant Catchment	No	Reports to be send for comment

Management Agency		
Heritage Western Cape	No	Reports to be send for comment
Oudtshoorn Municipality	No	Reports to be send for comment

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

None at this stage. Pre-Application

3. Provide a summary of any conditional aspects identified / highlighted by any Organs of State, which have jurisdiction in respect of any aspect of the relevant activity.

None at this stage. Pre-Application

**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.

No deviation applicable

## 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.

STAKEHOLDER	CONTACT PERSON	EMAIL ADDRESS
DEA&DP: Development Management (Region 3)	The Director	DEADPEIAAdmin.George@westerncape.gov.za
CapeNature		landusegeorge@capenature.co.za
DEA&DP: Pollution & Chemicals Management	Gunther Frantz	gunther.frantz@westerncape.gov.za
DEA&DP: Waste Management	Mr. Saliem Haider/ Mr. Lance-McBain Charles	Lance.McBain-Charles@westerncape.gov.za Saliem.Haider@westerncape.gov.za
Heritage Western Cape	CEO Heritage Western Cape	<a href="mailto:Ceoheritage@westerncape.gov.za">Ceoheritage@westerncape.gov.za</a> Hwc.hwc@westerncape.gov.za
Oudtshoorn Municipality	Municipal Manager, Mayor & Ward Councillors	mm@oudtmun.gov.za
Garden Route District Municipality	Municipal Manager, Mayor Ward Councillors	info@gardenroute.gov.za
Breede Olifants		info@bocma.co.za

Catchment Management Agency		
-----------------------------	--	--

**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	<i>immediately cease the activity pending a decision on the application submitted in terms of this subsection</i>	
ii	<i>investigate, evaluate and assess the impact of the activity on the environment</i>	
iii	<i>remedy any adverse effects of the activity on the environment</i>	
iv	<i>cease, modify or control any act, activity, process or omission causing pollution or environmental degradation</i>	
v	<i>contain or prevent the movement of pollution or degradation of the environment</i>	
vi	<i>eliminate any source of pollution or degradation</i>	
vii	<i>compile a report containing-</i>	
	aa	<i>a description of the need and desirability of the activity</i>
	bb	<i>an assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity</i>
	cc	<i>a description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity</i>
	dd	<i>a description of the public participation process followed during the course of compiling the report, including all comments received from interested and affected parties and an indication of how the issues raised have been addressed</i>
	ee	<i>an environmental management programme</i>
viii	<i>provide such other information or undertake such further studies as the Minister, Minister responsible for mineral resources or MEC, as the case may be, may deem necessary.</i>	

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

**Please Note:**

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

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

**SECTION B: DEFERRAL OF THE APPLICATION**

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

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

Kindly answer the following questions:

<p><i>Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that is <u>not subject to this application</u> and in any province in the Republic?</i></p>	<p>YES</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>NO</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>UNCERTAIN</p> <hr style="width: 80%; margin: 0 auto;"/>
<p><i>If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i></p>			
<p><i>Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is <u>not subject to this application</u> and in any province in the Republic?</i></p>	<p>YES</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>NO</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>UNCERTAIN</p> <hr style="width: 80%; margin: 0 auto;"/>
<p><i>If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i></p>			
<p><i>Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA <u>in terms of which this application directly relates</u>?</i></p>	<p>YES</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>NO</p> <hr style="width: 80%; margin: 0 auto;"/>	<p>UNCERTAIN</p> <hr style="width: 80%; margin: 0 auto;"/>
<p><i>If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.</i></p>			
<p>S24G and expansion of existing cemetery in Oudtshoorn</p>			

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**

<b>Index</b>	<b>Socio Economic Impact</b>	<b>Place an "x" in the appropriate box</b>
<b>Description of variable</b>		
	The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	<b>x</b>
	The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	
	The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
	The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.	
Motivation: Socio-economic impacts as a result of the vegetation clearing will increase the cultivated portion of the property and will be related to agricultural impacts. The main reason for the vegetation clearing was to reinstate old agricultural lands to ensure that they are productive again.		

<b>Index</b>	<b>Biodiversity Impact</b>	<b>Place an "x" in the appropriate box</b>
<b>Description of variable</b>		
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	
	The activity is giving, has given or could give rise to localised biodiversity impacts	<b>x</b>
	The activity is giving, has given or could give rise to significant biodiversity impacts	
	The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	
Motivation: Taking in consideration and the fact that the areas were previously impacted by the urban and agricultural activities on the border, the impact of the clearing of the areas on ecological and biodiversity is assessed to be low. Due to the poor quality of both non-perennial rivers, the impact on freshwater ecology is low. The CBA areas were incorrectly mapped as the areas was degraded. Formalizing the area and provision of services will have a positive impact on the environment and ensure service delivery that will prevent pollution impacts.		

<b>Index</b>	<b>Sense of Place Impact and / or Heritage Impact</b>	<b>Place an "x" in the appropriate box</b>
<b>Description of variable</b>		
	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	<b>x</b>
	The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage	
	The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
	The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
Motivation: There are no archaeological or cultural heritage features on the site or surrounds that will be impacted upon.		

Index	Pollution Impact	Place an "x" in the appropriate box
Description of variable		
	The activity is not giving, has not given and will not give rise to any pollution	
	The activity is giving, has given or could give rise to pollution with low impacts.	
	The activity is giving, has given or could give rise to pollution with moderate impacts.	
	The activity is giving, has given or could give rise to pollution with high impacts.	<b>x</b>
	The activity is giving, has given or could give rise to pollution with major impacts.	
Motivation: No formal services to squatters. Application is to formalise and provide services that will manage and mitigate impacts.		

**PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT**

Index	Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
Description of variable		
	Administrative action was previously taken against the applicant in respect of the abovementioned provisions.	<b>x</b>
	No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	
	Administrative action was <b>not</b> previously taken against the applicant in respect of the abovementioned provisions.	
Explanation of all previous administrative action taken in respect of the above: S24G for Oudtshoorn cemetery expansion.		

Index	Previous Convictions in terms of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
Description of variable		
	The applicant was previously convicted in terms of either or both of the abovementioned provisions.	
	No previous convictions have been secured against the applicant but a conviction has been secured against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time; or a conviction was secured against a director of the applicant in his or her personal capacity.	
	The applicant has not previously been convicted in terms of either or both of the abovementioned provisions.	<b>x</b>
Explanation of all previous convictions in respect of the above: S24G for Oudtshoorn cemetery expansion.		

Index	Number of section 24G applications previously submitted by the applicant	Place an "x" in the appropriate box
Description of variable		
	Previous applications in terms of section 24G of NEMA were submitted by the applicant.	<b>x</b>
	No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	
	No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	
Explanation in respect of all previous applications submitted in terms of section 24G: S24G for Oudtshoorn cemetery expansion.		

**PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES**

Index	Applicant's legal persona	Place an "x" in the appropriate box
Description of variable		
	The applicant is a natural person.	
	The applicant is a firm.	<b>x</b>
	Describe the firm: Oudtshoorn Municipality	

Index	Any other relevant information that the applicant would like to be considered.
	Motivate and explain fully: None at this stage.

**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	✓
Appendix B:	Site plan(s) (Areas cleared map)	✓
Appendix C:	Building plans (if applicable)	NA
Appendix D:	Colour photographs	NA
Appendix E:	Biodiversity overlay map	✓
Appendix F:	Permit(s) / license(s) from any other organ of state including service letters from the municipality	NA
Appendix G:	Public participation information: including a copy of the register of interested and affected parties, the comments and responses report, proof of notices, advertisements, Land owner consent and any other public participation information as required in Section J above.	✓
Appendix H:	Specialist Report(s), if any	✓
Appendix I:	Environmental Management Programme	✓
Appendix J:	Supporting documents relating to compliance/enforcement history of the applicant, including but not limited to, Pre-compliance/compliance notices, Pre-directives/directives etc.	NA
Appendix K:	Certified copy of Identity Document of Applicant	NA
Appendix L:	Certified copy of the title deed (or title deeds in the case of linear activities)	NA
Appendix M:	Any Other (if applicable) (describe) Environmental Screen reports	✓

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)	NA
Other	(please list accordingly)	NA

**DECLARATIONS**

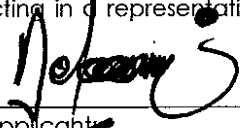
**THE APPLICANT**

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

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

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

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



Signature of the applicant:

MKHULULI YEKANI

Name:

Name of Firm (if applicable):

13 / 02 / 2026

Date:

---

**THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")**

I **Nicolaas Willem Hanekom**, as the appointed independent environmental practitioner ("EAP") hereby declare/affirm the correctness of the information provided or to be provided as part of the application, and that I:

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

**Note:** The terms of reference must be attached.




---

Signature of the environmental assessment practitioner:

---

ENVIROEAP (Pty) Ltd

Name of company:

---

11 February 2026

Date:

**PART 4-**

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

**1. WASTE QUANTITIES**

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

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

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

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

**Determined from volumes**

**Determined with weighbridge/scale**

**Estimated**


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

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

TYPES OF WASTE	MAIN SOURCE (NAME OF COMPANY)	QUANTITIES		ON-SITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE DISPOSAL
		Tons/ Month	M <sup>3</sup> / 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	<input type="checkbox"/>	_____
Recycling installation	<input type="checkbox"/>	_____
Formal salvaging	<input type="checkbox"/>	_____
Contractor	<input type="checkbox"/>	_____
No salvaging planned	<input type="checkbox"/>	_____

**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  
 Indicate the distance to the boundary of the industrial area

metres
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
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "
		° ' "	° ' "

		<u>    o    I    II    </u>	<u>    o    I    II    </u>
--	--	-----------------------------	-----------------------------

---