



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

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

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

	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.	X
8.	Completed and attached representations in terms of Annexure A, Section C, Part 1 (Fine Quantum based on the assessment as specified above (4).	X
	Confirmation that Annexure A, Section C, Part 1 has been completed by an environmental assessment practitioner (EAP)	X
9.	Compliance history of the applicant:	
	9.1. Completed Annexure A, Section C, Part 2 and 3; namely:	X
	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).	X
	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;	X
	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	X
	9.1.4. Whether the applicant is a firm or a natural person. (see Section 24G Fine Regulations for definition of "firm")	X
	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;	X
	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.	X
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.	X
	10.2 Copies of comments and responses included in the application.	X
	10.2 Comments and Response report attached to the application.	X
11.	Public Participation Process undertaken in terms of Chapter 6 of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations, 2014") (GN No. R.326 of 7 April 2017) (if conducted/undertaken)	X



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

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

OCTOBER 2022

Form Number S24GAF/10/2022

Kindly note that:

1. This application must be submitted where a person has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1) of NEMA (i.e. where the person commenced with an activity listed or specified in terms of section 24(2) (a) or (b) of NEMA - the activities contained in the EIA Listing Notices) or has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20 (b) of the NEM:WA.
2. This **Application Form** must be completed for all section 24G applications, by an Independent and Registered Environmental Assessment Practitioner ("EAP").
3. This Application Form is current as of 10 October 2022. It is the responsibility of the Applicant/EAP to ascertain whether subsequent versions of the Application Form have been published or produced by the competent authority. Note that this Application Form replaces all the previous versions. This updated Application Form must be used for all new applications submitted from 10 October 2022.

4. The contents of this Application Form include 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 and Registered EAP** must be appointed to complete the required sections (in terms of NEMA and its Regulations) of the Application Form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with this Application Form. If a specialist report is required, the specialist will also be required to complete the declaration of independence. **Copies of the EAPS and Specialists Registration Certificates be submitted with this application.**
6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must be submitted. Email copies to be submitted
7. The required information must be typed within the spaces provided. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The space provided extend as each space is filled with typing. **A legible font type and size must be used when completing the form.** A digital copy of the Application Form is available on the Department's website <https://www.westerncape.gov.za/eadp/>
8. The use of "not applicable" in the Application Form must be done with circumspection.
9. Unless protected by law, all information contained in and attached to this application will become public information on receipt by the competent authority. Please note that, unless exemption has been granted in terms of the National Exemption Regulations published under GN R994 in GG 38303 of 8 December 2014, any Interested and Affected Party should be provided with the information contained in and attached to this Application Form as well as any subsequent information submitted.
10. This Application Form must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department.

PROCESS TO BE FOLLOWED:

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

CIRCULARS, GUIDELINES AND TOOLS:

1. The Department's latest Circulars pertaining to the "One Environmental Management System" and the EIA Regulations and guidelines must be taken into account when completing this Application Form.

2. The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link <https://screening.environment.gov.za/screeningtool> to generate the Screening Report. The Screening Report must be attached to this Application Form as an Appendix.

PLEASE NOTE THE FOLLOWING:

1. Failure to comply with a directive may result in the institution of appropriate legal action as is deemed necessary and as provided for in the legislation.
2. The submission of an application or the granting of an environmental authorisation shall in no way derogate from—
 - (a) the environmental management inspector's or the South African Police Services' authority to investigate any transgression in terms of NEMA or any specific environmental management Act;
 - (b) the National Prosecuting Authority's legal authority to institute any criminal prosecution.
3. If, at any stage after the submission of an application it comes to the attention of the Minister, Minister for mineral resources or MEC that the applicant is under criminal investigation for the contravention of or failure to comply with section 24F(1) or section 20(b) of the *National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)*, the Minister, Minister for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time that the investigation is concluded and—
 - (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
 - (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of such contravention or failure has been instituted; or
 - (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.
4. A person is guilty of an offence if that person:
 - Prior to submission of a section 24G application:
 - 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.

DISCLAIMER

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

DEPARTMENTAL DETAILS

The Application Form must be sent to the following details:

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

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

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

DEPARTMENTAL REFERENCE NUMBER(S) (for official use)

File Reference number (S24G)	
Administrative Fine Reference	

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

File Reference number (Enforcement), if applicable	
File reference number (EIA), if applicable:	
File reference number (Waste), if applicable:	
File reference number (Other (specify)):	24G Consultation: 14/2/4/1/B4/45/0018/25

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

PART 1**PROJECT TITLE AND GENERAL DESCRIPTION OF THE DEVELOPMENT**

The application is for approval of existing construction of a farm dwelling and erection of structures with an area of more than 100m² within 32m of the bank of the Eerste River and an unnamed stream along the boundaries of Farm 1620, Stellenbosch (Jonkershoek).

RELEVANT REGION IN WHICH THE ACTIVITY COMMENCED

Cross out the appropriate box "X" 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 "X".

1.1	The applicant is a Natural Person (individual)					X ¹
1.2	The applicant is a Firm (i.e. any body incorporated by, or established in terms of, any law as well as any partnership, trust, parastatal or organ of state)					
1.2.1	If a firm, please tick the relevant box below:					
	Body Corporate	Partnership	Trust	Parastatal	Organ of State	
	Directors of a Company	Members of a Board	Other, please specify			

NOTE 1: APPLICANT IS NOT THE OWNER, BUT A DIRECTOR OF THE COMPANY (STONE MEADOWS INVESTMENTS 11 (PTY) LTD), WITH A RIGHT TO USE THE LAND ON WHICH THE ACTIVITY WAS UNDERTAKEN

Applicant's details (duplicate this section where there is more than one applicant)			
Applicant Name:	Heinrich Richter		
Name of Firm (if applicable):	As a Director of Stoney Meadows Investments 11 (Pty) Ltd		
Firm Registration Number:	2018/524704/07		
Contact Person at the Firm:	Heinrich Richter		
List of all (as applicable at the relevant time):	Please insert the names and RSA ID numbers of the relevant persons below – (In the list below, delete the firms that are not applicable to this application)		
• Directors of a company	Name: Heinrich Richter 7105225223080 Name: Johan van Zyl 5606015082083 Name: Willem Roos 7205145090088 Name: Danie van der Merwe 5805215066082 Name: Anton de Swart 7403275102084 Name: Ernst Gouws 7111185202080		
Postal address:	Jonkersdrift Olive and Wine Estate, Jonkershoek Road, Stellenbosch		
		Postal code:	7600
Telephone:	(011) 721 0601	Cell:	+27 83 450 5585
E-mail:	HeinrichR@psg.co.za	Fax:	()
Project Consultant	Virdus Works (Pty) Ltd		
Contact person:	Dupré Lombaard		
Postal address:	11 Elektron Street, Techno Park, Stellenbosch		
		Postal code:	7600
Telephone:	()	Cell:	+27 82 8956362 (WhatsApp only)
E-mail:	dupre.lombaard@virdus.com	Fax:	()
Name of the Environmental Assessment Practitioner ("EAP") responsible for the application:	Virdus Works (Pty) Ltd		
Company name (if any):	Dupré Lombaard		
Postal address:	11 Elektron Street, Techno Park, Stellenbosch		
		Postal code:	7600
Telephone:	()	Cell:	+27 82 8956362 (WhatsApp only)
E-mail:	dupre.lombaard@virdus.com	Fax:	()
EAP Qualifications	MSc (Earth Sciences), MA (Geography)		
EAP Registrations/Associations and registration number/s	EAPASA 2019/304		
Name of the Landowner:	Stoney Meadows Investments 11 (Pty) Ltd (2018/524704/07)		
Name of the contact person for the land owner (if other):	Marilee Rautenbach		
Postal address:	Jonkersdrift Olive and Wine Estate, Jonkershoek Road, Stellenbosch		
		Postal code:	7600
Telephone:	()	Cell:	+27 76 501 3503
E-mail:	marilee.raut@stbhh.co.za	Fax:	()

Person in control of land:	Heinrich Richter		
Contact person:	Heinrich Richter		
Postal address:	Jonkersdrift Olive and Wine Estate, Jonkershoek Road, Stellenbosch		
		Postal code:	7600
Telephone:	(011) 721 0601	Cell:	+27 83 450 5585
E-mail:	HeinrichR@psg.co.za	Fax:	()

Please note:

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

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

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

Municipality in whose area of jurisdiction the activity falls:	Stellenbosch Municipality		
Contact person, if known:	Schalk van der Merwe		
Postal address:	NPK Building, cnr Plein and Ryneveldt Street, Stellenbosch		
		Postal code:	7600
Telephone:	(021) 808 8679	Cell:	
E-mail:	Schalk.VanderMerwe@stellenbosch.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):	Jonkershoek Road, Stellenbosch
Farm/Erf name(s) & number(s) including portion(s)	Farm 1620, Stellenbosch
Property size(s) (m²)	157 6570
Development footprint size(s) (m²)	6 200
SG21 Digit code(s)	C06700000000162000000

Property boundary:

Point	Latitude (S) Longitude (E)
1	33°56'34.7"S 018°54'04.5"E
2	33°56'41.8"S 018°54'05.8"E
3	33°56'58.6"S 018°54'12.4"E
4	33°57'00.3"S 018°54'10.5"E
5	33°56'46.7"S 018°53'57.2"E
6	33°56'42.9"S 018°53'47.1"E

The co-ordinates for the site boundary are:

Point	Latitude (S) Longitude (E)
1	33°56'40.3"S 018°53'54.0"E
2	33°56'43.2"S 018°53'56.5"E
3	33°56'44.2"S 018°53'54.8"E
4	33°56'43.8"S 018°53'54.4"E
5	33°56'44.0"S 018°53'54.0"E
6	33°56'43.7"S 018°53'53.6"E
7	33°56'43.5"S 018°53'53.9"E
8	33°56'43.2"S 018°53'53.4"E
9	33°56'43.0"S 018°53'53.8"E
10	33°56'41.2"S 018°53'52.4"E

Please note:

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

Street address:	Jonkersdrift Olive and Wine Estate, Jonkershoek Road, Stellenbosch		
Magisterial District or Town:	Stellenbosch		
Closest City/Town:	Stellenbosch	Distance	1 (km)
Zoning of Property:	Agriculture and Rural Zone		

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?		NO
If yes, what was the previous zoning?		
Is a rezoning application required?		NO
Is a consent use application required?		NO
Locality map:	A locality map must be attached to the Application Form as an appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following: • an accurate indication of the project site position as well as the positions of the alternative sites, if any; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; • the prevailing wind direction; and • GPS co-ordinates (Indicate the position of the proposed activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)	
Landowner(s) Consent:	If the applicant is not the owner or person in control of the land on which the activity has been undertaken, he/she must obtain written consent from all landowners or persons in control of the land (of the site and all alternative sites). This must be attached to this document as Appendix G. Such consent must indicate whether or not the owner or person in control of the land would support approval of the application and that the land need not be rehabilitated. Note: The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the <i>Infrastructure Development Act, 2014 (Act No. 23 of 2014)</i>.	

2. APPLICATION HISTORY

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

Has any national, provincial or local authority considered any development applications on the property previously?	Yes	
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)		
Department of Water Affairs: Licence No: 19/G22F/CI/431, File No: 27/2/1/G22/101/1. Water use license to Section 21(c) of the National Water Act, 1998, Act 36 of 1998 for Impeding or diverting the flow of water in a watercourse and Section 21(i) for altering the bed, banks, course or characteristics of a watercourse. Western Cape Government: Road Network Management: TPW/CFS/RP/LUD/REZ/SUB-25/361 (Job 27649). Application for development of the site (construction of the house) by the controlling authority in terms of the Road and Ribbon Development Act, 1940, Act 21 of 1940. Department of Agriculture, Land Reform and Rural Development: 2020_08_0008 Consent 55350. Application for subdivision and consolidation of subdivided portions of agricultural land in terms of the Subdivision of Agricultural Land Act, 1970, Act 70 of 1970. Stellenbosch Municipality: BP311/2020. Building plan approval on site below dam, approximately 150m upstream from existing house. Stellenbosch Municipality: BP 3961/2023. Building plan refusal for current site due to proximity to river and need for NEMA EA and/or WUL.		
Which authority considered the application:		
Department of Water Affairs Western Cape Government: Road Network Management Department of Agriculture, Land Reform and Rural Development Stellenbosch Municipality		
Has <u>any</u> one of the previous application/s on the property been approved or refused?	Yes	
If so provide a list of the successful and unsuccessful application/s and the reasons for decision(s).		
Stellenbosch Municipality: BP 3961/2023. Building plan refusal for current site due to proximity to river and need for NEMA EA and/or WUL.		

All others referred to above were approved.
Provide detail on the period of validity of decision and expiry dates of the above applications/ permits etc.
None applicable.

SECTION B: ACTIVITY INFORMATION

1. ACTIVITIES APPLIED FOR

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

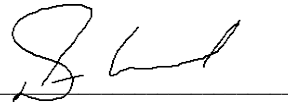
Applicant (Full names): Heinrich Richter

Signature: 

Place: Stellenbosch

Date: 30/10/2025

EAP (Full names): Dupré Lombaard

Signature: 

Place: Stellenbosch

Date: 17 October 2025

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

1.1 Applicable EIA listed activities

ECA EIA Contraventions: between 08 September 1997 and end of 09 May 2002			
Activities commenced with on or after 08 September 1997 and before end 09 May 2002: EIA regulations promulgated in terms of the ECA, Act 73 of 1989			
Government Notice No. ("GN") R1182 Activity No(s):	Describe the relevant listed activity/ies in writing as per GN No. 1182 of 1997	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
ECA EIA Contraventions: between 10 May 2002 and end of 02 July 2006			
Activities unlawfully commenced with on or after 10 May 2002 and before end 02 July 2006: EIA regulations promulgated in terms of the ECA, Act 73 of 1989,			
NEMA EIA Contraventions: between 03 July 2006 and end of 01 August 2010			
Activities unlawfully commenced with on or after 03 July 2006 and before end 01 August 2010: EIA regulations promulgated in terms of the NEMA			
GN R386 Activity No(s): (Listing Notice 1 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 386 of 2006 ("NEMA 2006 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
Government Notice No. R387 Activity No(s): (Listing Notice 2 of 2006)	Describe the relevant listed activity/ies in writing as per GN No. R. 387 of 2006 ("NEMA 2006 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
NEMA EIA Contraventions: between 02 August 2010 and end of 07 December 2014			
Activities unlawfully commenced with on or after 02 August 2010 and before end 07 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			

GN No. R. 544 Activity No(s): (Listing Notice 1 of 2010)	Describe the relevant listed activity(ies) in writing as per GN No. R. 544 of 2010 ("NEMA 2010 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN No. R. 545 Activity No(s): (Listing Notice 2 of 2010)	Describe the relevant listed activity/ies in writing as per GN No. R. 545 of 2010. (NEMA 2010 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
GN No. R. 546 Activity No(s): (Listing Notice 3 of 2010)	Describe the relevant listed Activity(ies) in writing as per GN No. R. 546 of 2010	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
NEMA EIA Contraventions: on or after 08 December 2014			
Activities unlawfully commenced with on or after 08 December 2014: EIA regulations promulgated in terms of the NEMA, Act 107 of 1998,			
GN No. R. 983 Activity No(s): (Listing Notice 1 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity
12	The development of — (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs — (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; — Excluding — (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies; (dd) where such development occurs within an urban area; (ee) where such development occurs within existing roads, road reserves or railway line reserves; or (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.	Construction and erection of structures (outbuildings, farmyard wall, outdoor entertainment area, landscaping), with an area of more than 100m ² within 32m of the bank of the Eerste River and an unnamed stream along the boundaries of Farm 1620, Stellenbosch (Jonkershoek).	April 2021
GN No. R. 984 Activity No(s): (Listing Notice 2 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity

GN No. R. 985 Activity No(s): (Listing Notice 3 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.	State the date of commencement of each activity

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

1.2 Applicable Waste Management Activities

List the relevant waste management activity/ies applied for:

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

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

Please note:

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

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

1.3 Activities listed similarly in terms of the EIA Regulations

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

The similarly listed activities in terms of the EIA Regulations promulgated in terms of the NEMA, Act 107 of 1998,		
GN No. R. 327 Activity No(s): (Listing Notice 1 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.327 of 2014 ("NEMA 2014 Basic Assessment listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
12	The development of — (i) dams or weirs, where the dam or weir, including infrastructure and	Construction and erection of structures (outbuildings, farmyard wall, outdoor entertainment area, landscaping), with an area

	water surface area, exceeds 100 square metres; or (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs — (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; — Excluding — (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies; (dd) where such development occurs within an urban area; (ee) where such development occurs within existing roads, road reserves or railway line reserves; or (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.	of more than 100m² within 32m of the bank of the Eerste River and an unnamed stream along the boundaries of Farm 1620, Stellenbosch (Jonkershoek).
GN No. R. 325 Activity No(s): (Listing Notice 2 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.325 of 2014 ("NEMA 2014 Scoping/EIA listed activity/ies")	Describe the portion of the development as per the project description that relates to the applicable listed activity.
GN No. R. 324 Activity No(s): (Listing Notice 3 of 2014)	Describe the relevant listed activity(ies) in writing as per GN No. R.324 of 2014	Describe the portion of the development as per the project description that relates to the applicable listed activity.

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	
(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	
April 2021 – construction of the dwelling and related structures.		
(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed and what still has to be completed.		
Construction of a dwelling house, outbuildings, and related structures, e.g., outdoor recreation area, yard wall, driveway, and hard landscaping.		
(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	
Provide brief description:		
Total built footprint area of buildings is 1 059m ² , of which approximately 226m ² is within the 32m buffer.		
Infrastructure (e.g. roads, power and water supply/ storage)	YES	
Provide brief description:		
Total hard surfaced and landscaped area within the 32m buffer is approximately 669m ² .		
Processing activities (e.g. manufacturing, storage, distribution)		NO
Provide brief description:		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)		
Provide brief description		NO
Storage and treatment facilities for solid waste and effluent generated by the project		
Provide brief description		No
(d) Other activities (e.g. water abstraction activities, crop planting activities)		
Provide brief description		No

3. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	895	m ²
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	6 200	m ²
Total area:	6 200	m ²

4. SITE ACCESS

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

Please Note:

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

5. SITE PHOTOGRAPHS

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

Please note:

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

6. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

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

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorisation/comment	DATE (if already obtained):
National Water Act, 1998, Act 36 of 1998	Department of Water and Sanitation	Water use license ito Section 21(c) of the for Impeding or diverting the flow of water in a watercourse and Section 21(i) for altering the bed, banks, course or characteristics of a watercourse.	
Road and Ribbon Development Act, 1940, Act 21 of 1940	Stellenbosch Municipality	Application for development of the site (construction of the house) by the controlling authority in terms of the title deed restrictions.	29 April 2021
National Building Regulations and Standards Act, 1977, Act 103 of 1977	Stellenbosch Municipality	Building plan approval.	

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
DEA&DP Guideline for Determining the Scope of Specialist Involvement, June 2005 DEA&DP EIA Guideline Information Document on Environmental Management Plans, July 2006 DEA&DP NEMA EIA Guidelines, 2013 DEA&DP Guideline on Public Participation, 2013 DEA&DP Guideline on Alternatives, 2013 DEA&DP Guidelines on Need and Desirability, 2013 Western Cape Provincial Guideline on Biodiversity Offsets, 2015	DEA&DP
General Guide to the EIA Regulations, 2006 Protocols for the Assessment and Minimum Report Content Requirements for Environmental Themes, 2020 Protocol for the Specialist Assessment and Minimum Report Content Requirements for Environmental Impacts on Aquatic Biodiversity, 2020 National Biodiversity Offset Guideline, 2023	DEA&DP
Guideline for Hydopedological Assessments and Minimum Requirements, 2021	DWS
Circular EADP 0028/2014: One Environmental Management System	DEA&DP

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

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

Does the proposed project require an application for an atmospheric emissions license in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)?		NO
If yes, has an application been submitted to the licensing authority?		NO
Does the proposed project require an application in terms of the National Environmental Management: Integrated Coastal Management Act ("NEM: ICMA")?		NO
If yes, has an application been submitted to the relevant competent authority?		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	
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If yes, please complete the table below:

Type of approval required (List the applicable legislation & approval required):	Name of the authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending/ granted/ refused)
National Water Act, 1998, Act 36 of 1998 Water use license in terms of Section 21(c) of the for Impeding or diverting the flow of water in a watercourse and Section 21(i) for altering the bed, banks, course or characteristics of a watercourse.	Department of Water and Sanitation	Yes	Pending
Road and Ribbon Development Act, 1940, Act 21 of 1940 Application for development of the site (construction of the house) by the controlling authority in terms of the title deed restrictions.	Stellenbosch Municipality	Yes	Approved (29 April 2021)
National Building Regulations and Standards Act, 1977, Act 103 of 1977 Building plan approval.	Stellenbosch Municipality	Yes	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. THE GEOLOGICAL FORMATIONS UNDERLYING THE SITE (Tick the appropriate box)

GRANITE		QUARTZITE	
SHALE		DOLOMITE	
SANDSTONE	X	DOLERITE	
OTHER (specify)			

2. GRADIENT OF THE SITE

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

Flat	Flatter than 1:10	1:10 – 1:5	Steeper than 1:5
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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
If other, please describe									

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

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

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

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)?

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

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

6. VEGETATION AND/OR GROUNDCOVER

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

6.1 VEGETATION AND/OR GROUNDCOVER (PRE-COMMENCEMENT)

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

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

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

Systematic Biodiversity Planning Category				If CBA or ESA, indicate the reason(s) for its selection in biodiversity plan
Critical Biodiversity Area (CBA)	Ecological Support Area (ESA)	Other Natural Area (ONA)	No Natural Area Remaining (NNR)	The activity on the site does not affect the CBA or ESA.

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

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
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Natural	0%	
Near Natural (includes areas with low to moderate level of alien invasive plants)	10%	The river boundary was and still is populated with natural vegetation.
Degraded (includes areas heavily invaded by alien plants)	0%	
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	90%	The construction site has been transformed and used for horse paddocks and cultivated grazing since at least 2004.

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

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

- (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)

Aquatic ecosystem after Enviroswift Detailed Freshwater Ecological Assessment: Single Residential Development of Farm 1620 Stellenbosch, Western Cape, October 2025. Available databases indicating the presence of watercourses (NGI Rivers and NWM5) are aligned insofar as these indicate the lack of any wetlands within the NWA Regulated Area (i.e. 500m). The NGI Rivers database indicates that the Eerste River forms the south western boundary of the site and is indicated as a perennial river. In addition, a non-perennial drainage line is mapped to run along the north western boundary and discharges into the Eerste River at the extreme western end of the property. A review of the WCBSP (2023) indicates that narrow bands of terrestrial CBAs occur along the north western and south eastern property boundaries and that the entire portion of the Eerste River and its associated riparian zone comprises an Aquatic CBA. The reach of the Eerste River adjacent to the site comprises an upper foothills river with an alluvial channel characterised by an undulating bed that defines a sequence of coarse bars (cobbles or gravel) (riffles) and scour pools. Immediately adjacent to the site the scour pools are flanked by isolated stands of <i>Prionium serratum</i> (palmiet). The riparian zone adjacent to the site comprises a moderate to low density indigenous and alien macrophytes such as <i>Olea capensis</i> (wild olive) <i>Salix mucronata</i> (willow), <i>Virgilia</i> sp. (keurboom) <i>Quercus</i> sp. (oak), <i>Acacia mearnsii</i> (black wattle) with the latter being a Category 1 listed alien invasive species. The right-hand bank of the river adjacent to the location of the residential dwelling has been impacted both as a result of historical anthropogenic influences (mostly associated with the agricultural use of the property over many decades) and the development of the residential dwelling. At the properties extreme western boundary, a non-perennial drainage line meets the river just within the property boundary. At this point a stand of mature <i>Phragmites australis</i> (common reed) were evident suggesting the presence of a wetland. Other plant species encountered in this area included <i>Carpha glomerata</i> (vlei sedge), <i>Juncus</i> sp., <i>Zantedeschia aethiopica</i> (arum lily) and <i>Tropaeolum</i> sp. (nasturtium), all associated with above-normal levels of soil saturation indicating the likely presence of a wetland. Vegetation type: The applicable terrestrial ecosystem type is Boland Granite Fynbos (Endangered) and the applicable wetland vegetation type is Southwest Granite Fynbos (Critically Endangered).
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6.2 VEGETATION AND/OR GROUND COVER (POST-COMMENCEMENT)

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

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

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

Habitat Condition	Percentage of habitat condition class (adding up to 100%)	Description and additional Comments and Observations (including additional insight into condition, e.g. poor land management practises, presence of quarries, grazing/harvesting regimes etc).
Natural	0%	
Near Natural (includes areas with low to moderate level of alien invasive plants)	10%	The river boundary was and still is populated with natural vegetation.
Degraded (includes areas heavily invaded by alien plants)	0%	
Transformed (includes cultivation, dams, urban, plantation, roads, etc)	90%	The construction site has been partially transformed from horse paddocks and cultivated grazing to building and landscaped garden.

(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)?

Aquatic ecosystem after Enviroswiff Detailed Freshwater Ecological Assessment: Single Residential Development of Farm 1620 Stellenbosch, Western Cape, October 2025. The construction of the residential dwelling is likely to have caused the following significant impacts on freshwater ecosystems: ☐ The operation of construction vehicles and machinery, stockpiling of construction materials and also the presence of construction workers within or in close proximity to aquatic habitat would have caused disturbance to riparian habitat associated with the river. ☐ The use of cementitious materials when constructing the fire pit on the riverbank would have resulted in water quality impairment of the river. ☐ When clearing the site of vegetation and preparing the levelled building platform soil would have been exposed. During periods of rainfall the exposed areas would have been prone to erosion and where this occurred would have contributed to sediment loading of the river.

6.3 VEGETATION / GROUNDCOVER MANAGEMENT

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

No mitigation measures were adopted. The site was cultivated with pasture / grass and contained paddocks for horses and farm animals. The impacts associated with the agricultural activity prior to commencement of the house construction cause the construction impacts to be minor/low with regard to vegetation cover. The prior riverine environment was managed by removal of invasive alien vegetation and tree clearing to maintain an open river bank for accessibility and aesthetic purposes, which practice continues.

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):				

(a) Please provide a description.

Freshwater Assessment for the Proposed Construction of a Sewer Line on Jonkersdrift Farms 1440, 1441 & 334/17, March 2010. The condition of the river is good in the upper section of the site. However, the habitat is largely transformed, with a high degree of alien tree infestation in the lower portion of the river. Ekologik Freshwater Ecological Assessment: Jonkershoek River, Stellenbosch, Western Cape Province, March 2024. Watercourse assessments were carried out during field investigations in August and September 2023 and again in March and April 2024. The assessments confirmed the riparian boundaries and channel of the mapped perennial Jonkershoek tributary. The assessments indicated anthropogenic actions and processes have created various altered sections within the river banks, riparian areas and marginal areas. These and continued human and flooding impacts continue to degrade the river system. At desktop level, the perennial Jonkershoek river was assigned a Present Ecological State of C in 2010 (while this state of the lower valley bottom sections changed to E/F in 2022) the section under assessment have been assessed to largely still have a PES category of C. The Ecological Importance of Moderate to Low is the latest rating (Jeffery, 2022). The sensitivity of the river system is however High to Moderate and has been since its first assessment.

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

Cross out ("X") 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 ("X") 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.

The land was used for agricultural purposes, containing a primary dwelling, farm shed, and outbuildings associated with agriculture, vineyards, and paddocks for keeping animals. It thus employed farm labourers and provided accommodation for the farm owner, while being used for commercial farming purposes.

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.

The land is used for agricultural purposes, containing a primary and secondary dwelling (as primary uses in terms of the zoning), a farm shed, and outbuildings associated with agriculture, vineyards, and paddocks for keeping animals. It employs farm labourers and provides accommodation for the farm owners, while still being used for commercial farming purposes.

11. HISTORICAL AND CULTURAL ASPECTS

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

Please be further advised that if section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), is applicable to your application, then you are requested to furnish this Department with written comment from Heritage Western Cape as part of your

public participation process. Section 38 of the Act states as follows: "38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-

- (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50m in length;
- (c) any development or other activity which will change the character of a site-
 - (i) exceeding 5 000 m² in extent; or
 - (ii) involving three or more existing erven or subdivisions thereof; or
 - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
 - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority;
- (d) the re-zoning of a site exceeding 10 000 m² in extent; or
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development."

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

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

Is section 38 of the National Heritage Resources Act, 1999, applicable to the development?		YES	NO
		UNCERTAIN	
If YES, explain:			
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
Yes, the zoning permits a primary and secondary dwelling per farm / land unit.			
Will the activity be in line with the following?			
Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			
Urban edge / Edge of Built environment for the area	YES	NO	Please explain
It is outside of the urban area on a farm.			
Integrated Development Plan of the Local Municipality	YES	NO	Please explain
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			
Spatial Development Framework of the Local Municipality	YES	NO	Please explain
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			
Approved Structure Plan of the Municipality	YES	NO	Please explain
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			
An Environmental Management Framework (EMF) adopted by the Department	YES	NO	Please explain
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			
Any other Plans (Western Cape Rural Development Guidelines)	YES	NO	Please explain
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			

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
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			
2. Was the activity in line with the following?			
(a) Provincial Spatial Development Framework (PSDF)	YES	NO	Please explain
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			
(b) Urban edge / Edge of Built environment for the area	YES	NO	Please explain
It is outside of the urban area on a farm.			
(c) Integrated Development Plan and Spatial Development Framework of the Local Municipality (e.g. would the approval of this application have	YES	NO	Please explain

compromised the integrity of the existing approved and credible municipal IDP and SDF?).			
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			
(d) Approved Structure Plan of the Municipality	YES	NO	Please explain
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			
(e) An Environmental Management Framework (EMF) adopted by the Department (e.g. Would the approval of this application have compromised the integrity of the existing environmental management priorities for the area and if so, can it be justified in terms of sustainability considerations?)	YES	NO	Please explain
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			
(f) Any other Plans (e.g. Guide Plan)	YES	NO	Please explain
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			

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
A farm dwelling is in keeping with the zoning and use of the property and forms part of the desired rural character.			

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
A farm / agricultural use in keeping with the zoning forms part of the desired rural character as per the SDF.			

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
A farm / agricultural use in keeping with the zoning forms part of the desired rural character as per the SDF.			

6. Were the necessary services with adequate capacity available (at the time of commencement), or was additional capacity created to cater for the development? (Confirmation by the relevant Municipality in this regard must be attached to the Application Form / additional information as an appendix , where applicable.)	YES	NO	Please explain
A sewer pipeline was installed for the farm in 2011 following environmental authorisation.			

7. Is/was this development provided for in the infrastructure planning of the municipality, and if not what was/will the implication be on the infrastructure planning of the municipality (priority and placement of services and opportunity costs)? (Comment by the relevant Municipality in this regard must be attached to the Application Form / additional information as an appendix , where applicable.)	YES	NO	Please explain
A sewer pipeline was installed for the farm in 2011 following municipal authorisation.			

8. Was this project part of a national programme to address an issue of national concern or importance?	YES	NO	Please explain
It is a farm dwelling in keeping with the zoning and use of the property.			

9. Did location factors favour this land use (associated with the activity applied for) at this place? (This relates to the contextualisation of the land use on this site within its broader context.)	YES	NO	Please explain
The site was primarily used for paddocks and keeping of horses on the farm and not used for commercial production.			

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
It does not affect any built environment and the construction of a house on the farm, approximately 150m upstream, was approved by the Municipality. The activity, if outside of the 32m river buffer, would not have had any negative effect.			

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
No effect. It is a farm dwelling as permitted on the land.			

12. Did/does the proposed activity or the land use associated with the activity applied for, result in unacceptable opportunity costs?	YES	NO	Please explain
No cost effect. It is a farm dwelling as permitted on the land.			

13. What were the cumulative impacts (positive and negative) of the land use associated with the activity applied for?	YES	NO	Please explain
The additional dwelling on the farm increases the value of the property and hence the revenues derived by the Municipality, while requiring minimal additional services. It creates additional employment opportunities while not reducing the opportunities on the farm. The proximity to the riverine environment creates more anthropogenic pressure on the riverine system and as reported in the specialist freshwater assessment, has some potential negative effects on the system.			

14. Is/was the development the best practicable environmental option for this land/site?	YES	NO	Please explain
A position slightly further downstream and smaller farm yard angled parallel to the river would have caused the house and outbuildings not to encroach on the 32m buffer.			

15. What are/were the benefits to society in general and to the local communities?	Please explain
As reported in 13 above.	

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:
At the time of commencement of the activity, the general objectives of NEMA were not considered by the applicant. The house was constructed under professional guidance of the project team, and the applicant was not aware of the potential transgression. Once alerted to the potential transgression by the Municipality's environmental manager, the applicant immediately engaged an EAP and with the competent authority to undertake the required remedial action. The application seeks to identify, predict and evaluate the potential negative effects and impacts associated with the activity. Specialists have been appointed to identify and assess potential impacts and have provided input in this regard. The potential negative effects of the activity on the environment will receive adequate consideration to ensure that environmental management measures best suited to ensuring minimal on-going impact are pursued in accordance with the principles of environmental management set out in section 2 of NEMA. Adequate and appropriate opportunity for public participation will be provided in terms of the NEMA EI Regulations and relevant guidelines.

18. Please describe how the principles of environmental management as set out in section 2 of NEMA were taken into account:
The principles of environmental management as set out in section 2 of NEMA have been taken into account. The principles pertinent to the activity include: People and their needs will be placed at the forefront while serving their physical, psychological, developmental, cultural and social interests. The activity is in keeping with the permitted use of the land and does not diminish employment or economic development opportunities. The development is assessed to be socially, environmentally and economically sustainable. The impacts that the activity could potentially have will be considered, and mitigation measures implemented through an OEMP to seek improvement of the environment which was in any event degraded through farming practices as reported above. Where waste cannot be avoided, it will be minimised. The potential negative impacts on the environment and on people's environmental rights will be minimised and remedied through implementation of an OEMP. The interests, needs and values of all interested and affected parties will be taken into account through the Public Participation Process. The social, economic and environmental impacts of the activity will be considered, assessed and evaluated, including the disadvantages and benefits. The effects of decisions on all aspects of the environment and all people in the environment will be taken into account, by pursuing what is considered the post-facto best practicable environmental option.

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:

The applicant is a co-owner / shareholder and director of the property and therefore a site alternative on the farm / property is the only possible location alternative. The farm is fully developed with vineyards and orchards and only the lower-lying portion along the river was and is not intensively used / cultivated. Therefore, the lower-lying area below the vineyards was selected as the only feasible area for the construction of a house. At first the house was proposed and approved (by the Municipality) upstream, adjacent to the farm shed, below the dam, but the house could not be safely located in this position due to geotechnical conditions and the proximity of the dam wall on one side and the existing sewer line on the other.

The only alternative site was the horse paddocks on the western side of the access road, downstream from the approved site, where the house has been built.

(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:

There is no activity alternative, as the owner needs a house on the farm and it is a primary land use right.

(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:

The house could have been moved further downstream and the yard and buildings oriented parallel to the river, which would have prevented it encroaching into the 32m buffer.

(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:

None applicable.

(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:

Cessation of gardening and rehabilitation of the land back to horse paddocks and cultivated grazing will not improve the situation or reduce any potential negative effects. Anthropogenic effects on the riverine system will remain.

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

As under (e).

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

None considered.

(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.

The only potential alternative considered was the location of the house upstream, below the dam. In this position its effect on the riverine system would have been the same. Even though the Municipality approved of the building plan in this position, it too is within the 32m river buffer.

The No-Go alternative is not considered, as the owner has the right to establish a second dwelling on the farm and it is only the location of the house in the river buffer that is a concern.

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:

No negative impact. The land was used for cultivated grazing and animal husbandry, while vegetation along the river bank was regularly cleared of alien vegetation and dense growth to increase accessibility to the river.

(b) Biological aspects:

Has the development impacted on critical biodiversity areas (CBAs) or ecological support areas (ESAs)?	YES	NO
If yes, please describe:		
The site was (pre-2021) and is not (2023) shown as a CBA or ESA.		
Has the development impacted on terrestrial vegetation, or aquatic ecosystems (wetlands, estuaries or the coastline)?	YES	NO
If yes, please describe:		

Aquatic ecosystem after Enviroswift Detailed Freshwater Ecological Assessment: Single Residential Development of Farm 1620 Stellenbosch, Western Cape, October 2025.

The construction of the residential dwelling is likely to have caused the following significant impacts on freshwater ecosystems:

- ☐ The operation of construction vehicles and machinery, stockpiling of construction materials and also the presence of construction workers within or in close proximity to aquatic habitat would have caused disturbance to riparian habitat associated with the river.
- ☐ The use of cementitious materials when constructing the fire pit on the riverbank would have resulted in water quality impairment of the river.
- ☐ When clearing the site of vegetation and preparing the levelled building platform soil would have been exposed. During periods of rainfall the exposed areas would have been prone to erosion and where this occurred would have contributed to sediment loading of the river.

Potential impacts associated with the ongoing residential land use of the site would be as follows:

- ? Alteration of flow regime affecting the river as a result of increased run-off from hard surfaces (primarily roofs and paved areas) which in turn increases peak flow in the river.
- ? Riparian habitat would endure ongoing, long term habitat disturbance and edge effects due to the fact that part of the residential dwelling is not sufficiently setback from the edge of the riparian area.

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:		
The impacts as reported by the freshwater specialist were of temporary nature. On-going impacts do not differ from what would have occurred if the site had been used continuously for animal husbandry and cultivated grazing.		

(c) Socio-Economic aspects:

What was the capital value of the activity on completion?	R25 million
What is the (expected) yearly income or contribution to the economy that is/will be generated by or as a result of the activity?	R27 450,00
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?	Passed event (42)
What was the value of the employment opportunities during the construction phase?	R205 000,00/month x 11 months
What percentage of this accrued to previously disadvantaged individuals?	100%
How was this ensured and monitored (please explain):	
Construction contract with local builder.	
How many permanent new employment opportunities were/will be created during the operational phase of the activity?	2
What is the current/expected value of the employment opportunities during the first 10 years?	R1 840 000,00
What percentage of this accrued/will accrue to previously disadvantaged individuals?	100%
How was/will this be ensured and monitored (please explain):	
Minimum wage and labour contracts for farm workers.	
Any other information related to the manner in which the socio-economic aspects was/will be impacted:	
None.	

(d) Cultural and historic aspects:

No negative effect, considering that the competent authority (Stellenbosch Municipality), approved the building plan 150m upstream on the same farm.
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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?	80m ³	
Construction waste was collected in skips and disposed of to licensed landfill sites by private contractors during the construction phase.		

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?	Estimated at 110kg / month, i.e. 0,01m ³	
Normal domestic / household waste.		

Where and how was/will the waste be treated / disposed of (describe)?		
Waste is removed by the Municipality to the Stellenbosch landfill. Recycled material is removed by the appointed contractors according to the Municipality's system.		
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:
Waste on the farm is sorted on-site and recyclables separated from household (dry) waste. Appropriate wet waste is added to the farm waste for composting purposes.

(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
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If water was extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that was extracted per month:	750m ³
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Please provide proof of assurance of water supply (e.g. Letter of confirmation from municipality / water user associations, yield of borehole)		
Did/does the activity require a water use permit / license from DWA?	YES	NO
If yes, please submit a certified copy of the water use permit/license or submit the necessary application to Department of Water Affairs and attach proof thereof to this application, whichever is applicable.		
Describe the measures that were/ will be taken to reduce water demand, and measures to reuse or recycle water:		
Dual flush toilet systems in use. Irrigation is limited to use of permitted irrigation water. Water savings devices as per SANS 3088.		

4. POWER SUPPLY

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

Eskom and on-site renewable for own use.
--

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

Farm has an existing connection to which the house is connected.

5. ENERGY EFFICIENCY

Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:

The house was designed in keeping with the **SANS 10400-XA** energy performance standards. These include the use of insulation, controlling heat flow, managing air leakage, and ensuring at least 50% of hot water is not heated by electrical resistance.

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

Rooftop solar PV systems are used for energy saving on the farm.

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:	None
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)	

Impact on biological aspects:	
Nature of impact:	Habitat disturbance and edge effect
Extent and duration of impact:	Local
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Fully reversible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	High
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	High
Degree to which the impact can be mitigated:	Impact has already occurred and can therefore not be mitigated
Proposed mitigation:	Mitigation not possible as impact already occurred
Cumulative impact post mitigation:	Low
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Low

Impacts on socio-economic aspects:	
Nature of impact:	None
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)	

Impacts on cultural-historical aspects:	
Nature of impact:	None
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

Noise impacts:	
Nature of impact:	None
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)	

Visual impacts / Sense of Place:	
Nature of impact:	None
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

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

Impacts on the geographical and physical aspects:	
Nature of impact:	None
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)	

Impact on biological aspects:	
Nature of impact:	Riparian habitat disturbance
Extent and duration of impact:	Regional
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Reversible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	High
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Medium
Degree to which the impact can be mitigated:	Medium
Proposed mitigation:	☐ Ensure that the dumping of any form of waste into the river does not take place; ☐ Decommission the landscaped flower bed and replant the area with a suitable groundcover that results in no areas of exposed soil; ☐ Inspect the riparian zone for the presence of invasive alien plants and remove with immediate effect. For effective best practise methods for invasive alien vegetation removal consult Martens et al. (2021).
Cumulative impact post mitigation:	High
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Very Low

Impacts on the socio-economic aspects:	
Nature of impact:	None
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)	

Impacts on the cultural-historical aspects:	
Nature of impact:	None
Extent and duration of impact:	

Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

Noise impacts:	
Nature of impact:	None
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)	

Visual impacts / Sense of Place:	
Nature of impact:	None
Extent and duration of impact:	
Probability of occurrence:	
Degree to which the impact can be reversed:	
Degree to which the impact may cause irreplaceable loss of resources:	
Cumulative impact prior to mitigation:	
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	
Degree to which the impact can be mitigated:	
Proposed mitigation:	
Cumulative impact post mitigation:	
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	

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

Potential impacts on the geographical and physical aspects:	
Nature of impact:	None
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)	
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Potential impact on biological aspects:	
Nature of impact:	Riparian habitat disturbance
Extent and duration of impact:	Local
Probability of occurrence:	Probable
Degree to which the impact can be reversed:	Reversible
Degree to which the impact may cause irreplaceable loss of resources:	Low
Cumulative impact prior to mitigation:	High
Significance rating of impact prior to mitigation (Low, Medium, Medium-High, High, or Very-High)	Low
Degree to which the impact can be mitigated:	Medium
Proposed mitigation:	The residential dwelling has already been developed so demolishing the dwelling would be associated with a suite of freshwater ecological impacts, not dissimilar to the impacts identified and assessed as being associated with the construction of the dwelling. The potential impacts associated with the decommissioning of the dwelling are considered to be associated with an overall Medium (-ve) impact significance rating without mitigation. The decommissioning would be subject to a Remediation Plan which in all likelihood would minimise the significance of these impacts to an overall Low (-ve) rating but the implementation of such a plan would come at a considerable cost, particularly given the fact that the owner would have incurred significant costs for demolition and the lost-opportunity cost of not being able to develop the site.
Cumulative impact post mitigation:	High
Significance rating of impact after mitigation (Low, Medium, Medium-High, High, or Very-High)	Very Low

Potential impacts on the socio-economic aspects:	
Nature of impact:	None
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 impacts on the cultural-historical aspects:	
Nature of impact:	None
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)	
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Potential noise impacts:	
Nature of impact:	None
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:	None
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:	None
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:

Aquatic ecosystem: Enviroswift Detailed Freshwater Ecological Assessment: Single Residential Development of Farm 1620 Stellenbosch, Western Cape, October 2025.
River hydrology: Farm 1620, Stellenbosch – House Richter – Technical Confirmation of no Impact on Floodline or Flood Capacity within the 32m Buffer and 1:100-Year Floodline of the Eerste River, BSI Consult, October 2025

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):
The only impacts are as detailed in the Detailed Freshwater Ecological Assessment: Single Residential Development of Farm 1620 Stellenbosch, Western Cape, October 2025, Enviroswift: Biological (freshwater environment) / habitat disturbance	Very low

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

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

Summary:

The development has been assessed to contribute to a low level of riparian habitat disturbance and relatively minor direct impacts such as altered flow regime, erosion and sediment loading and water quality impairment. Given that the affected aquatic ecosystem, an upper foothills reach of the Eerste River, has been identified as an Aquatic CBA, measures should be implemented to minimise further ecological degradation. Such measures have been recommended in the Detailed Freshwater Ecological Assessment report and should be implemented to minimise ongoing ecological degradation caused by the development and also the historical, highly significant, cumulative impact in the ecoregion. With the successful implementation of these mitigation measures the proportionate contribution that the residential development has on the highly significant cumulative impact of urban development and agriculture in the ecoregion will be negligible.

Table presenting a Summary of Impact Significance Ratings for identified Direct Impacts.

Impact	Without mitigation	With mitigation
Construction phase:		
Disturbance of riparian habitat	Low	N/A
Alteration of Flow Regime	Low	N/A
Increased erosion & sedimentation	Low	N/A
Water quality impairment	Low	N/A
Operational phase:		
Alteration of flow regime	Medium	Very low
Disturbance of riparian habitat	Medium	Very low

Essential measures to mitigate operational phase alteration of flow regime:

- ☐ Install rainwater harvesting tanks with sufficient capacity to contain roof run-off for a significant proportion of the winter rainy season.
- ☐ Utilise the stored water in the dry summer season for garden / landscaping irrigation or alternatively use the water for domestic consumption (e.g. as grey water for ablutions etc).

Essential measures to mitigate operational phase riparian habitat disturbance and edge effects:

- ☐ Ensure that the dumping of any form of waste into the river does not take place;
- ☐ Decommission the landscaped flower bed and replant the area with a suitable groundcover that results in no areas of exposed soil;
- ☐ Inspect the riparian zone for the presence of invasive alien plants and remove with immediate effect. For effective best practise methods for invasive alien vegetation removal consult Martens et al. (2021).

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.

Implementation of the MMP as adopted under Reference: 16/3/3/6/3/B4/45/1584/24 on 04 June 2025; and The accepted Environmental Management Programme for Agricultural Land Protection Works on Jonkersdrift Farm, March 2011 as considered in the authorisation Reference E12/2/3/1-84/37-0912/09.

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

The applicant as well as the land owner are committed to the maintenance of the riverine environment and freshwater ecosystem. To this end the above-referred MMP and EMP will serve as the OEMP for the activity.

Please note: A draft **ENVIRONMENTAL MANAGEMENT PROGRAMME** must be attached to this application as **Appendix I**.

SECTION G: ASSESSMENT METHODOLOGIES AND CRITERIA, GAPS IN KNOWLEDGE, UNDERLYING ASSUMPTIONS AND UNCERTAINTIES

(a) Please describe adequacy of the assessment methods used.

The methods used in the freshwater specialist study, and which are deemed sufficient and appropriate for assessing the effects of the activity entailed the following:

- ☐ A desktop assessment to determine the ecological context of the affected watercourse;
- ☐ Site assessment to describe the site's watercourse(s) and delineate their extent;
- ☐ An assessment of the Present Ecological Status (PES) and Ecological Importance and Sensitivity (EIS) of the directly affected watercourses using recognised classification systems and indices based on the information collected during the desktop assessment and site assessment;
- ☐ An impact assessment where the impacts caused by the future construction and operation of the residential development are identified (based on historical aerial imagery and the site assessment) assessed and mitigation and/or management measures are recommended to minimise the potentially significant negative impacts and enhance potential benefits; and
- ☐ A Risk Assessment as prescribed in terms of Notice Number 4167 of the Government Gazette 49833 to determine whether the residential development qualifies for a GA or a WULA.

(b) Please describe the assessment criteria used.

See Appendix 1 – Impact Assessment Methodology; to the Detailed Freshwater Ecological Assessment: Single Residential Development of Farm 1620 Stellenbosch, Western Cape, October 2025, Enviroswift.

The methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risk associated with the activity is an accepted methodology of impact and issue identification and assessment. Identification and assessment of environmental impacts is a process during which quantitative and qualitative techniques and evaluations are applied. The application of scientific measurements and / or professional judgement leads to the determination of the significance of the probable environmental impacts associated with the proposal. Identified impacts and issues are described in terms of the nature, extent, duration, consequence, and probability, with reversibility and possibility of avoidance or mitigation also considered.

(c) Please describe the gaps in knowledge.

None.

(d) Please describe the underlying assumptions.

- It is assumed that:
- The information on which the report is based (i.e. specialist studies and project information) are correct.
 - Management of the site and the riverine environment are essential and that consequently the MMP and EMP as already applicable to the farm (with or without amendments) will be implemented as conditions of authorisation of the activity.

(e) Please describe the uncertainties.

The pre-existing condition of the site is an uncertainty as reported in the Freshwater Ecological Assessment. It is not possible to determine whether or not it entailed a wetland, given the history of transformation of the land, even prior to the commencement of construction of the house.

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		
The house was located in the lower-lying section of the farm to avoid any negative effect on the farm's productivity, given its relatively small size. Apparently the project team misconstrued the buffer distance as being aligned to the 1:50 year flood line and accordingly advised the applicant wrongly about the possible positioning thereof. Consultation with the architect confirmed same, in view of the approval of the house upstream with no reference to the 32m buffer and within 29m of the edge of the river (toe of the bank). As confirmed by the hydrological assessment, the house and the buildings do not pose a threat to the fluvial characteristics of the river. It is only the biological environment that could be potentially affected. The freshwater specialist however indicated that the risk of the negative effects occurring is sufficiently low to allow the house to remain, but subject to the implementation of management measures to avoid any indirect or consequential effects. 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. The following conditions should be included in an authorisation: That the MMP as adopted under Reference: 16/3/3/6/3/B4/45/1584/24 on 04 June 2025 be amended to include the recommendations of the freshwater specialist; That the MMP serve as management plan for the farm and be implemented and monitored annually by an independent EAP; and That the land between the farmyard wall and the river be retained in a managed natural state and that no lawn or alien garden vegetation be permitted in this area..		

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.

Please note:

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

SECTION J: PUBLIC PARTICIPATION

1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED

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

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

"The applicant must place a preliminary advertisement in-
(1) A local newspaper in circulation in the area in which the activity was, or activities were, commenced; and on the applicant's website, if any.
(2) This advertisement must comply with the requirements set out in Annexure A, Section D of the Section 24G Fine Regulations, 2017.
(3) The applicant must open and maintain of a register of interested and affected parties.
(4) The register must be attached to the application form and included in the report , or form part of the information submitted in terms of section 24G(1) of the Act, which the register must, as a minimum, contain the names, contact details and addresses of- (a) all persons who, as a consequence of the public participation process conducted in respect of the application, have submitted written comments or attended meetings with the applicant or any environmental assessment practitioner or other specialist appointed by the applicant to assist with the application; (b) all persons who have requested the applicant, in writing, to place their names on the register; and (c) all organs of state that have jurisdiction in respect of the activity to which application relates."

Please provide a summary of the steps followed where public participation was undertaken in accordance with Regulation 8 prior to submission of this Application Form. Ensure that proof of compliance with Regulation 8 is submitted with this Application Form, including, <i>inter alia</i> , proof of preliminary advertisement in a local newspaper.		
To be undertaken		
Public participation consists primarily of sending notices with links to the relevant documents / reports by email to those interested and affected parties (I&As) whose contact details can be obtained.		
Authorities received notices and electronic copies of reports, and digital or hard copies if requested.		
All I&As remain on the register for later confirmation of any decision.		
When notices are sent to the I&As, the application is advertised in the local newspaper and site notices are placed at the entrance to the farm to alert passing potential I&As of the opportunity to participate in the process.		
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 has been / will be consulted:		
List of State Depts.	Comment obtained (YES/NO)	If not, provide reasons
Western Cape Dept Agriculture (land use management)		
Department of Agriculture, Land Reform and Rural Development		
Stellenbosch Municipality (Environmental Management)		
Department of Water and Sanitation		
Cape Nature		
Western Cape Government Department Infrastructure (Roads Management)		

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.)
To be completed

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.
To be completed

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.

3. LIST OF STATE DEPARTMENTS

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

Provide a list of all the State departments that will be/have been consulted, including the name and contact details of the relevant official.			
State Department	Name of person	Contact details	
Western Cape Dept Agriculture (land use management)	Cor Van der Walt	Tel	021 808 5093
		E-mail	Cor.VanderWalt@westerncape.gov.za
Stellenbosch Municipality (Environmental Management)	Schalk van der Merwe	Tel	021 808 8679
		E-mail	Schalk.VanderMerwe@stellenbosch.gov.za
Cape Nature	Alana Duffel-Canham	Tel	(021) 866-8000
		E-mail	aduffell-canham@capenature.co.za
Department of Water and Sanitation	Derril Daniels	Tel	021 941 6189
		E-mail	DanielsD@dws.gov.za
Department of Agriculture, Land Reform and Rural Development	Serah Muobeleni	Tel	012 319 7634/7571
		E-mail	SerahMu@Dalrdd.gov.za
Western Cape Department of Infrastructure (Roads Management)	Vanessa Stoffels	Tel	021 483 4669
		E-mail	applications@westerncaperoadsinfrastructure.org.za

Please note:

A State department consulted in terms of Section 24O(2) of NEMA and Regulations 3(4) and 43(2) must within 30 days from the date of the Department/EAP's request for comment, submit such comment in writing to the Department. The applicant/EAP is therefore required to inform this Department in writing when the application/relevant information is submitted to the relevant State Departments. Upon receipt of this confirmation, this Department will in accordance with Section 24O (2) & (3) of the NEMA inform the relevant State Departments of the commencement date of the 30-day commenting period.

PART 2 – ANNEXURE A TO THE SECTION 24G APPLICATION FORM

SECTION A: DIRECTIVES

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

i	<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:

Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that <u>is not subject to this application</u> and in any province in the Republic?	YES _____	NO _____	UNCERTAIN _____
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
N/a			
Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is <u>not subject to this application</u> and in any province in the Republic?	YES _____	NO _____	UNCERTAIN _____
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
N/a			
Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA <u>in terms of which this application directly relates</u> ?	YES _____	NO _____	UNCERTAIN _____
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
N/a			

If you have answered yes or uncertain to any of the above questions, you are hereby provided with an opportunity to make representations as to why the Minister, Minister responsible for mineral resources or MEC, as the case may be, should not defer the application as he or she is entitled to do under section 24G(7).

SECTION C: QUANTUM OF THE SECTION 24G FINE

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant an *ex post facto* environmental authorisation or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded with an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies, copies of which must be submitted with this completed application form.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefor.

PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES

Index	Socio Economic Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	X
	The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	
	The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
	The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.	
Motivation: It is a farm house built on a farm as a primary right but located too close to a river.		

Index	Biodiversity Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is not giving, has not given and will not give rise to any impacts on biodiversity	
	The activity is giving, has given or could give rise to localised biodiversity impacts	X
	The activity is giving, has given or could give rise to significant biodiversity impacts	
	The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	
Motivation: As per the freshwater specialist report, the location of the house has some localised effects.		

Index	Sense of Place Impact and / or Heritage Impact	Place an "x" in the appropriate box
	Description of variable	
	The activity is in keeping with the surrounding environment and / or does not negatively impact on the affected area's sense of place and /or heritage	X
	The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage	

The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
Motivation: It is a farm house built on a farm as a primary right but located too close to a river.	

Index	Pollution Impact	Place an "x" in the appropriate box
Description of variable		
	The activity is not giving, has not given and will not give rise to any pollution	X
	The activity is giving, has given or could give rise to pollution with low impacts.	
	The activity is giving, has given or could give rise to pollution with moderate impacts.	
	The activity is giving, has given or could give rise to pollution with high impacts.	
	The activity is giving, has given or could give rise to pollution with major impacts.	
Motivation: The house is built too close to the river and accordingly it could, if not managed, cause pollution to the river.		

PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT

Index	Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
Description of variable		
	Administrative action was previously taken against the applicant in respect of the abovementioned provisions.	
	No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	X
	Administrative action was not previously taken against the applicant in respect of the abovementioned provisions.	
Explanation of all previous administrative action taken in respect of the above: One of the other directors of Stoney Meadows Investments, but on another farm owned by the same company, contravened the NEMA EIA Regulations and was fined accordingly.		

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

Index	Number of section 24G applications previously submitted by the applicant	
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Description of variable	Place an "x" in the appropriate box
Previous applications in terms of section 24G of NEMA were submitted by the applicant.	
No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	X
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: The director has not submitted any applications, but as recorded above, the land owner company, Stoney Meadows Investments 11 has, albeit on another adjacent property.	

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.	X
	The applicant is a firm.	
	Describe the firm:	

Index	Any other relevant information that the applicant would like to be considered.
	Motivate and explain fully: The applicant immediately upon learning of the error in the setting out of the house and the failure to comply with the minimum buffer distance, appointed an independent EAP to assess the situation and proceed with the required process to remedy it.

NOTE: An explanation as to why the applicant did not obtain an environmental authorisation and/or waste management licence must be attached to this application.

SECTION D: PRELIMINARY ADVERTISEMENT

When submitting this application form, the applicant must attach proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, and on the applicant's website, if any.

The advertisement must state that the applicant commenced a listed or specified activity or activities or waste management activity or activities without the necessary environmental authorisation and/or waste management licence and is now applying for *ex post facto* approval. It must include the following:

- the date;
- the location;
- the applicable legislative provision contravened; and
- the activity or activities commenced with without the required authorisation.

Interested and affected parties must be provided with the details of where they can register as an interested and affected party and / or submit their comment. At least 20 days must be provided in which to do so.

This advertisement shall be considered as a preliminary notification and the competent authority may direct the applicant to undertake further public participation and advertising after receipt of this application form.

NOTE: Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. This application must be attached to any documentation or information submitted by an applicant further to section 24G(1).

PART 3 -

APPENDICES

The following appendices must, where applicable, be attached to this form:

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

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)	
Other	(please list accordingly)	

DECLARATIONS

DECLARATION OF THE APPLICANT

Note: Duplicate this section where there is more than one Applicant.

I Johann Heinrich Richter, ID number 710522 5223 08 0 in my personal capacity or duly authorised thereto hereby declare/affirm that all the information submitted or to be submitted as part of this application form is true and correct, and that:

- I am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment ("EIA") Regulations, and any relevant Specific Environmental Management Act and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- I am aware of my general duty of care in terms of Section 28 of the NEMA;
- I am aware that it is an offence in terms of Section 24F of the NEMA should I commence with a listed activity prior to obtaining an Environmental Authorisation;
- I appointed the Environmental Assessment Practitioner ("EAP") (if not exempted from this requirement) which:
 - meets all the requirements in terms of Regulation 13 of the NEMA EIA Regulations; or
 - meets all the requirements other than the requirement to be independent in terms of Regulation 13 of the NEMA EIA Regulations, but a review EAP has been appointed who does meet all the requirements of Regulation 13 of the NEMA EIA Regulations;
- I will provide the EAP and any specialist, where applicable, and the Competent Authority with access to all information at my disposal that is relevant to the application;
- I will be responsible for the costs incurred in complying with the NEMA EIA Regulations and other environmental legislation including but not limited to –
 - costs incurred for the appointment of the EAP or any legitimately person contracted by the EAP;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the NEMA EIA Regulations;
 - Legitimate costs in respect of specialist(s) reviews; and
 - the provision of security to ensure compliance with applicable management and mitigation measures;
- I am responsible for complying with conditions that may be attached to any decision(s) issued by the Competent Authority, hereby indemnify, the government of the Republic, the Competent Authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which I or the EAP is responsible in terms of the NEMA EIA Regulations and any Specific Environmental Management Act.

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



30/10/2025

Signature of the Applicant:

Date:

Stoney Meadows Investments 11 (Pty) Ltd

Name of Firm (close corporation/company/trust etc.) (if applicable):

DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER ("EAP")

I Dupré Lombaard, EAPASA Registration number 2019/304 as the appointed EAP hereby declare/affirm the correctness of the information provided or to be provided as part of this application, and that:

- in terms of the general requirement to be independent:
 - other than fair remuneration for work performed/to be performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
 - am not independent, but another EAP that meets the general requirements set out in Regulation 13 of NEMA EIA Regulations has been appointed to review my work (Note: a declaration by the review EAP must be submitted);
- in terms of the remainder of the general requirements for an EAP, am fully aware of and meet all of the requirements and that failure to comply with any the requirements may result in disqualification;
- I have disclosed/will disclose, to the Applicant, the specialist (if any), the Competent Authority and registered interested and affected parties, all material information that have or may have the potential to influence the decision of the Competent Authority or the objectivity of any report, plan or document prepared or to be prepared as part of this application;
- I have ensured/will ensure that information containing all relevant facts in respect of the application was/will be distributed or was/will be made available to registered interested and affected parties and that participation will be facilitated in such a manner that all interested and affected parties were/will be provided with a reasonable opportunity to participate and to provide comments;
- I have ensured/will ensure that the comments of all interested and affected parties were/will be considered, recorded, responded to and submitted to the Competent Authority in respect of this application;
- I have ensured/will ensure the inclusion of inputs and recommendations from the specialist reports in respect of the application, where relevant;
- I have kept/will keep a register of all interested and affected parties that participated in the public participation process;
- I am aware that a false declaration is an offence in terms of Regulation 48 of the NEMA EIA Regulations;



17 October 2025

Signature of the EAP:

Date:

Name of company (if applicable):