



Cape Environmental Assessment Practitioners (Pty) Ltd

Reg. No. 2008/004627/07
VAT No 4720248386

Telephone: (044) 874 0365
Web: www.cape-eaprac.co.za

17 Progress Street, George
PO Box 2070, George 6530

COMMENTS & RESPONSES REPORT

SEEBEDERFIE S24G APPLICATION ON ERF 4735, GREAT BRAK RIVER, MOSSEL BAY

DEA&DP REFERENCE NUMBER	DEA&DP Case Officer
14/2/4/2/3/D6/17/0017/25	Shafeeq Mallick

TABLE OF CONTENTS

COMMENTS RECEIVED ON THE DRAFT S24G APPLICATION	2
Department of Forestry, Fisheries and the Environment (DFFE), 4 November 2025	2
DEA&DP (Biodiversity & Coastal Management), 16 September 2025	4
Western Cape Department of Agriculture (Land Use Management), 15 September 2025.....	8
CapeNature, 26 August 2025	9
Mossel Bay Municipality (Senior Town Planner: Spatial Planning), 22 August 2025.....	14
Mossel Bay Municipality (Senior Town Planner: Development Management), 19 August 2025	16
Breede-Olifants Catchment Management Agency (BOCMA), 19 August 2025	17
Garden Route District Municipality (GRDM), 05 August 2025	17
Registered Stakeholder # 1, 26 July 2025.....	18
Heritage Western Cape (HWC), 10 July 2025.....	20

COMMENTS RECEIVED ON THE DRAFT S24G APPLICATION	
Comment	Response
Department of Forestry, Fisheries and the Environment (DFFE), 4 November 2025	
1. See Section 12(1)(d) of the National Forests Act, (Act No. 84 of 1998) ("NFA") and Government Notice (GN) 4496, Government Gazette No. 50291 of 13 March 2024 for the list of protected tree species. Protected trees are known to occur in the vicinity of the site in question.	Noted. The botanical / biodiversity specialist has confirmed the presence of two protected tree species on Erf 4735, namely milkwood and cheesewood. In line with the rehabilitation phase, restoration will be undertaken using species characteristic of the Hartenbos Dune Thicket. The specialist has specifically recommended the inclusion of thicket-forming species, including milkwood, within the rehabilitation areas. The Applicant has already initiated rehabilitation by planting milkwood trees in Rehabilitation Area 2 and will continue with active measures as outlined in the Environmental Management Programme (EMPr), once approved.
2. Section 15(1) of the NFA states that no person may cut, disturb, damage or destroy any protected tree; or possess, collect, remove, transport, export, purchase, sell, donate or in any other manner acquire or dispose of any protected tree, or any forest product derived from a protected tree, except under a license granted by the Minister; or in terms of an exemption published by the Minister.	Kindly note that no protected tree species will be trimmed, disturbed, damaged, or destroyed during the proposed development of two (2) additional guestrooms, nor throughout the subsequent rehabilitation process.
3. Cutting or disturbing a protected tree without a valid Forest Act Licence is a criminal offence and a transgression of the National Forests Act, 1998 (Act No. 84 of 1998) and carries a fine or imprisonment or both.	Noted.
4. Section 62(2)(c) of the NFA states that any person who contravenes the prohibition on the cutting, disturbance, damage, destruction or removal of protected trees referred to in Section 15(1)(a) or the prohibition on the collection, removal, transport, export, purchase or sale of protected trees referred to in Section 15(1)(b), is guilty of a first category offence.	Noted.
5. The prohibition on protected trees applies to all trees, alive and dead. It also applies to all size classes of the species listed as protected.	Noted.

6. Protected trees with active bird nests or other significant biodiversity features may not be destroyed without a valid Fauna Permit from the provincial conservation authority, the Western Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (“DAERL”), if these would be affected.	No protected trees will be destroyed during the proposed development of two (2) additional guestrooms, nor throughout the subsequent rehabilitation process. The EMPr further stipulates that: • No protected trees may be cut, disturbed, damaged, or destroyed without a valid forestry license issued by the Department of Forestry, Fisheries and the Environment (DFFE). • No protected trees containing active bird nests may be destroyed without a valid fauna permit obtained from the relevant authority.
Upon site inspection the following was discovered: 7. During a routine site inspection, it was noticed that four protected Milkwood trees were disturbed, without having a valid licence under the NFA.	The Environmental Action outlined in the EMPr requires that the three (3) identified Rehabilitation Areas be restored through the replanting of Milkwood trees, along with other indigenous species, as recommended by the botanical/biodiversity specialist. The Applicant has already planted milkwood trees in Rehabilitation Area 2 and will continue with active restoration measures as per the EMPr once approved.
Forestry has the following comments: i. This letter serves as a final written warning.	Duly Noted.
ii. Forestry requests that all NFA procedures be adhered to in future.	Noted and included in the EMPr.
iii. Forestry supports that an Environmental Management Plan be drawn up in order to rehabilitate the area.	Noted. All recommendations / mitigation measures provided by the specialists and DFFE are included in the EMPr.
iv. Forestry request that 20 indigenous endemic species be planted on the proposed rehabilitation area towards the north- which should include species such as Milkwood, Dune Olive, Candlewood, Sea Guawrie, Camphorbush, Common Saffron, Climbing Saffron.	Noted and included in the EMPr.
Note: The Department reserves the right to revise the initial comment based on any additional information that may be received	Noted.

Should you wish to correspond further on this matter, quote Reference TRANSGRESSION-WC-GR-0016-2025-26. Enquiries may be directed to Ms. TF Gwala at TGwala@dfre.gov.za, Cell 066 374 7795.	Noted.
DEA&DP (Biodiversity & Coastal Management), 16 September 2025	
Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of final Basic Assessment Report for the above-mentioned application received via email on 19 August 2025, refers. 1. Context 1.1. The Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("NEM: ICMA") is a Specific Environmental Management Act under the umbrella of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The NEM: ICMA sets out to manage the nation's coastal resources, promote social equity and best economic use of coastal resources whilst protecting the natural environment. In terms of Section 38 of the NEM: ICMA, the Department of Environmental Affairs and Development Planning ('the Department') is the provincial lead agency for coastal management in the Western Cape as well as the competent authority for the administration of the "Management of public launch sites in the coastal zone (GN No. 497, 27 June 2014) "Public Launch Site Regulations."	Noted.
1.2. The Department, in pursuant of fulfilling its mandate, is implementing the Provincial Coastal Management Programme ("PCMP"). The Western Cape Provincial Coastal Management Programme ("WC: PCMP 2022-2027) is a five (5) year strategic document, and its purpose is to provide all departments and organisations with an integrated, coordinated and uniform approach to coastal management in the Province. This WC: PCMP 2022-2027 was adopted by the Provincial MEC for Local Government, Environmental Affairs and Development Planning on 19 May 2023 and available upon request.	Noted.
1.3. A key priority of the PCMP is the Estuary Management Programme, which is implemented in accordance with the NEM: ICMA and the National Estuarine Management Protocol ("NEMP"). Relevant guidelines, Estuarine Management Plans, Mouth Management Plans need to be considered when	Noted. No listed activity was triggered in the Estuarine Functional Zone.

any listed activities are triggered in the Estuarine Functional Zone. The Department is in the process of approving a series of Estuarine Management Plans of which over 20 Estuarine Management Plans have already been approved.	
1.4. The facilitation of public access to the coast is an objective of the NEM: ICMA as well as a Priority in the WC PCMP. The Department developed the Provincial Coastal Access Strategy and Plan, 2017 ("PCASP") and commissioned coastal access audits per municipal district to assist municipalities with identifying existing, historic, and desired public coastal access. These coastal access audits also identify hotspots or areas of conflict to assist the municipalities with facilitating public access in terms of Section 18 of the NEM: ICMA. The PCASP as well as the coastal access audits are available upon request.	Noted.
2. Comment 2.1. The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary: 2.1.1. Erf 4735 is a property that is approximately 9373.3m² (±0.9ha) in size, zoned Agriculture I and situated outside the urban edge and urban area of Mossel Bay, Western Cape. Originally, Erf 4735 had one (1) main dwelling used as a guesthouse known as "Seebederfie" (with two existing western guest rooms within), established between 2018 and 2019.	Noted, and as reflected in the S24G Application. The existing guest accommodation within the primary dwelling on Erf 4735 currently provides four (4) guestrooms. In terms of the primary rights under Agriculture I zoning, a further two (2) guestrooms may be added. Each guestroom accommodates two (2) guests, allowing for a maximum of twelve (12) guests on the property, in full compliance with the provisions of the zoning by-law.
2.1.2. An Outeniqua Sensitive Coastal Area (OSCA) permit was granted by Mossel Bay Municipality on 10 December 2018 for the removal of 650m ² vegetation for the establishment of a house and an access road. A pre-compliance notice (reference number: 14/1/1/E3/9/10/3/L1248/22) was issued on 29 September 2022 by the Department of Environmental Affairs & Development Planning (DEA&DP): Environmental Law Enforcement) to Mr John Peens of the John Trust (applicant).	Noted, and as reflected in the S24G Application.
2.1.3. The notice was issued due to the applicant having commenced with unlawful activities undertaken without prior Environmental Authorisation, which comprised: the clearance of Grootbrak Dune Strandveld	Kindly note that Activity 12 of the Listing Notice 3 was also triggered.

(endangered indigenous vegetation), levelling of the frontal dune, and movement of more than 5m³ of soil within 100m of the High-Water Mark (HWM) of the sea, triggering the following listed activities: Listing Notice 1 Activity 17(v)(e), Listing Notice 1 Activity 19(A)(ii) and Listing Notice 3 Activity (a)(i)(ii).	
2.1.4. In order to rectify the unlawful commencement of activities, an application for a Section 24G retrospective authorisation was lodged by the applicant to DEA&DP on 06 June 2025, with the intention to rectify the: i) development of six (6) parking areas within the property, ii) constructing two (2) additional guestrooms on the western section of the property adjoining the two (2) existing western guest rooms within the main dwelling, and; iii) constructing a wooden staircase and the bonfire area. All unlawful activities commenced within 100m of the HWM of the sea.	The Section 24G rectification process (retrospective assessment) is being undertaken to investigate and evaluate the listed activities that were triggered and the listed activities that will be triggered for the proposed addition of two (2) guestrooms. Please note that the Applicant intends to rectify and rehabilitate three (3) areas on the property: <u>Rehabilitation Area 1</u>: Portion previously cleared for an expanded parking area (located outside the 100m high-water mark of the sea). <u>Rehabilitation Area 2</u>: Portion previously cleared for three (3) separate guestrooms within a secondary dwelling situated inside the 100m high-water mark of the sea. <u>Rehabilitation Area 3</u>: Portion previously cleared for a bonfire area within the 100m high-water mark of the sea The existing primary dwelling, six (6) parking bays in front of the dwelling, as well as the existing wooden staircase and informal pedestrian access, will remain unchanged. In addition, the Applicant proposes to expand the primary dwelling by constructing two (2) additional guestrooms at ground level, adjoining the two existing western guestrooms within the primary dwelling. The two (2) additional guestrooms will be outside the 100m high-water mark of the sea and is within the primary right of the property.
2.2. Erf 4735 is located seaward of the Garden Route District Coastal Management Line ("CML"). The technical delineation of the CML was to ensure that development is regulated in a manner appropriate to risks and sensitivities in the coastal zone. The CML was informed by various layers of information including biodiversity, estuarine functionality, risk flooding, wave run-up modelling, inter alia and was delineated in conjunction with and supported by other organs of state including Local and District municipalities	Noted. The entirety of Erf 4735 falls within both the Coastal Management Line (CML) and the Coastal Protection Zone (CPZ). The EAP is of the view that the Section 24G Application is consistent with the objectives of the CML and CPZ, as the proposal involves the exercise of a primary right without encroaching upon the 100-meter high-water mark of the sea.

as well as CapeNature and all other organs of state represented on the steering committee for the Garden Route District CML project.	
2.3. The principal purpose of the CML is to protect coastal public property, private property, and public safety; to protect the coastal protection zone; and to preserve the aesthetic value of the coastal zone. The use of CMLs is of particular importance in response to the effects of climate change, as it involves both the quantification of risks and pro-active planning for future development.	
2.4. The Aquatic Biodiversity Compliance Statement (prepared by Confluent Environmental Pty Ltd, dated 16 January 2024) confirmed that no freshwater features occur within or adjacent to the property boundaries and no aquatic biodiversity were affected by the construction of the main dwelling or clearance of vegetation on the property. Therefore, the sensitivity of aquatic biodiversity is regarded as Low.	Noted, and as reflected in the Draft S24G Application.
2.5. The Terrestrial Biodiversity & Terrestrial Plant Species Report (prepared by Confluent Environmental Pty Ltd, updated 18 March 2025) confirmed that the remainder of the historically disturbed area, namely the large, cleared parking area north of the existing dwelling, and any additional open spaces will be rehabilitated.	Three (3) previously disturbed areas will be rehabilitated: 1. Area previously cleared for parking north of the existing dwelling. 2. Area previously cleared for three (3) guestrooms in a secondary dwelling. 3. Area previously cleared for a bonfire area. The botanical/biodiversity assessment revealed that the proposed development would result in a minor impact to the surrounding vegetation, provided that mitigation measures recommended be implemented. The two (2) additional guestrooms will have a negligible impact on thicket vegetation during construction.
2.6. The Animal Species Compliance Statement (prepared by Mr. W. Matthee and Professor J.A. Venter (Nelson Mandela University George Campus), updated 17 March 2025) confirmed that the addition of two (2) guest rooms and six (6) additional parking spaces (within the existing driveway) is unlikely to have an impact on animal species of conservation concern, and; the remainder of the property will also be rehabilitated with locally indigenous species.	Noted, and a reflected in the S24G Application.

2.7. The SD:CM is not opposed to the Section 24G Application for Erf 4735, Great Brak River Seebederfie Residential Home & Guesthouse as there is little to low disturbance from an aquatic, biodiversity and animal species perspective. The direct, indirect and cumulative impacts of expansion have a low probability of adversely impacting on the receiving natural environment in the short, medium and long-term over the lifetime of the project. Although located seaward of the CML, the activities did not impact the seaward property boundary and did not increase the risk to impacts from coastal processes or climate change.	Duly Noted.
2.8. The SD:CM advises that no further construction be allowed on this property and that informal pedestrian access to coastal public property through the vegetation be limited.	Construction activities will be confined to the property's primary rights, with no works proposed beyond the two (2) additional guestrooms specified in the Section 24G Application. Informal pedestrian access to coastal public land via the existing wooden staircase will remain restricted, continuing as a single-track pathway.
3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) NEMA, which, specifically states that: <i>"...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..."</i> together with Section 58 of the NEM:ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.	Noted. Duty of care requirements are acknowledged and incorporated into the EMPr.
4. The SD:CM reserves the right to revise its comments and request further information from you based on any information that may be received.	Noted.
Western Cape Department of Agriculture (Land Use Management), 15 September 2025	
The Western Cape Department of Agriculture has no objection to the S24G process.	Noted.
Please note: Kindly note that the abovementioned reference number in any future correspondence in respect of the application.	Noted.

The Department reserves the right to revise initial comments and request further information based on the information received.	
CapeNature, 26 August 2025	
CapeNature would like to thank you for the opportunity to review the above report. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. CapeNature wishes to make the following comments:	Noted.
According to the Western Cape Biodiversity Spatial Plan (CapeNature 2024) the property has Critical Biodiversity Areas (CBA 1: Terrestrial). The fine-scale vegetation map describes the vegetation as Hartenbos Primary Dune and Hartenbos Strandveld (Vlok and de Villiers 2007). According to the National Biodiversity Assessment (Skowno <i>et al.</i> 2018) the vegetation type is Hartenbos Dune Thicket which is listed as Endangered (NEM:BA, 2022). The property does not have any freshwater features (Van Deventer <i>et al.</i> 2019).	Kindly note that the unlawful activities and subsequent environmental process (investigations, studies) have been undertaken when the 2017 Western Cape Biodiversity Spatial Plan was the biodiversity informant (prior to the 13th of December 2024). According to the 2017 WCBSP, the property largely has Ecological Support Areas (ESA1) with fragments of Critical Biodiversity Areas (CBA1) along the boundaries of the Erf. The botanical/biodiversity specialist (Confluent Environmental) confirmed that the vegetation on the property is consistent with Hartenbos Dune Thicket (EN). The aquatic specialist (Confluent Environmental) confirmed that the property does not have any freshwater features. The development has not and will not impact on any freshwater biodiversity and the sensitivity of aquatic biodiversity is regarded as Low.
CapeNature has reviewed the application and has the following comments: 1. The unlawful activities would have been undertaken when the 2017 Western Cape Biodiversity Spatial Plan (Pool-Stanvliet <i>et.al.</i> 2017) was the biodiversity informant. The 2017 WC BSP has been replaced by the 2023 WC BSP which was developed in accordance with the Western Cape Biodiversity Act (Act 6 of 2021)7. The 2017 WC BSP categories which would have been impacted by the unlawful activities were fragments CBA 1: Terrestrial and Forest and the entire site (i.e., development footprint) ESA 1: Terrestrial.	Acknowledged. As reflected in the Section 24G Application and confirmed through the botanical/biodiversity specialist's assessment.
2. As mentioned above the site is designated as a CBA according to the 2023 WC BSP. The surrounding areas are still undeveloped, and this development	The botanical/biodiversity specialist confirmed that earthworks fragmented portions of the Hartenbos Dune Thicket and led to loss of ESA1 areas, with a moderate negative

has fragmented the CBA corridor, especially south towards the coastal processes.	impact score. These activities occurred during the period when the 2017 WC BSP was the guiding informant, prior to the site's designation as a full CBA in the 2023 WC BSP. Importantly, the southern Critical Biodiversity Area (CBA) corridor, functionally linked to coastal processes (refer to Figure 1 – blue oval), retains its integrity and remains intact.  Figure 1: CBA & ESA Map (2017 WC-BSP). Under the preferred alternative (expansion of the primary dwelling with rehabilitation of the remainder of the property) the impact score is confirmed to be minor negative, both with and without mitigation, and is considered acceptable from a biodiversity perspective.
3. The development was within a coastal corridor (corresponding with ESA mapping) by removing the natural dunes the site will be more vulnerable to erosion particularly during high-energy storm events, thereby compromising climate resilience for both the local environment and surrounding built infrastructure.	Although the property is within a coastal corridor, there still remains an approximate 50m strip of undisturbed foredune between the high-watermark of the sea and the subject property (state land) (Figure 2). This 50m strip acts as a buffer against sea-level rise, storm surges and high-energy storm events.

4. The development is below the Coastal Management Line (CML), which is unacceptable. The primary objective of CMLs is to preserve coastal ecosystems, prevent erosion, and buffer against climate change impacts such as sea-level rise and storm surges.



Figure 2: Elevation profile between the development and the estimated high water mark of the sea with an elevation difference of approx. 29m.

It is important to emphasize that the entirety of the property, and not merely the development area, lies below the Coastal Management Line (CML). Given that the site is a formally designated Erf, the Applicant retains a primary and lawful right to construct a dwelling on the property.

The S24G Application has duly considered the primary objectives of the Coastal Management Lines (CMLs) by incorporating measures to rehabilitate the areas previously cleared for parking, along with the two sections cleared closer to the coast for a bonfire area and previously proposed three (3) guestrooms (both of which was within 100m of the high-watermark of the sea).

The DEA&DP (Biodiversity & Coastal Management) is not opposed to the Section 24G Application for Erf 4735 as there is little to no disturbance from an aquatic, biodiversity and animal perspective. According to the DEA&DP, although seaward of the CML, the activities did not impact the seaward property boundary and did not increase the risk to impacts from coastal processes or climate.

5. As mentioned in the specialist report, Hartenbos Dune Thicket only occurs within the Western Cape, thus the clearance has resulted in the loss of not only this unique ecosystem but also its associated ecological process which cannot be recovered.

According to the specialist report and also the S24G Application, the Applicant acknowledge the sensitivity of the site and will therefore implement the recommended rehabilitation measures to mitigate the loss. While the clearance did affect the thicket vegetation, the report emphasise that:

- The site is now subject to a S24G Application, which ensures retrospective rehabilitation.
- Alien vegetation control and indigenous vegetation restoration (rehabilitation) will be implemented to re-establish ecological function on Erf 4735.

	• The surrounding thicket is still recoverable, as the invasion by Rooikrans (<i>Acacia cyclops</i>) can be controlled, and indigenous species such as milkwood (<i>Sideroxylon inerme</i>) and cheesewood (<i>Pittosporum viridiflorum</i>) can be reinstated. • The rehabilitation measures includes monitoring and maintenance, ensuring that ecological processes are not permanently lost but progressively restored. In other words, while the clearance did impact a sensitive ecosystem, the Applicant are actively committing to remedial action and ecological restoration. Thus, the development is not simply resulting in irreversible loss, it is coupled with rehabilitation measures that will restore ecological integrity and contribute positively to the long-term conservation of Hartenbos Dune Thicket. According to the botanical and biodiversity specialist, the most significant cumulative impacts on the Hartenbos Dune Thicket in the area stem from Rooikrans invasion observed during the site assessment (outside Erf 4735). On Seebederfie, alien vegetation clearing will necessarily be a long-term undertaking, but the application of operational phase mitigation measures will substantially reduce the ongoing pressure from invasive species.
6. The specialist report proposes various rehabilitation measures; however, it remains unclear who will be responsible for facilitating, funding, and overseeing the implementation of these rehabilitation measures.	The Applicant will be responsible for facilitating and funding. An appointed Environmental Control Officer (ECO) will be responsible for overseeing / monitoring the implementation of these mitigation & rehabilitation measures.
7. If a full Environmental Impact Assessment was undertaken the current development layout/ size may not have been authorised, as it would have considered the biodiversity red flags. The specialist has recommended practical and well-considered mitigation measures. However, mitigation is most effective when applied proactively, not retroactively. In this case, opportunities to avoid or minimise impacts were avoided, and rehabilitation cannot fully address the loss of habitat fragmentation, or the compromised status of the CBA.	It is acknowledged that conducting an EIA could have identified a more appropriate site within Erf 4735 for the development, helping to avoid biodiversity-sensitive areas and thereby reducing potential negative impacts. While it is agreed that mitigation is most effective when applied proactively, the Applicant remains committed to implementing the recommended mitigation measures to reduce residual impacts as far as possible. Rehabilitation efforts will contribute to ecological functioning and resilience in the long term. According to the botanical / biodiversity specialist all negative impacts associated with the development and the proposed two (2) guestrooms can be mitigated to a Negligible impact which is considered acceptable from a botanical / biodiversity perspective.

It must be emphasised that of the total 9373sqm of the property (Figure 3):

- $\pm 5318\text{sqm}$ (57%) remains undisturbed
- $\pm 1430\text{sqm}$ (15%) will be rehabilitated
- $\pm 2625\text{sqm}$ (28%) will cover the existing and future permanent footprint (development footprint & landscaped areas).

After the active rehabilitation phase, approximately 72% of the property will retain thicket vegetation.

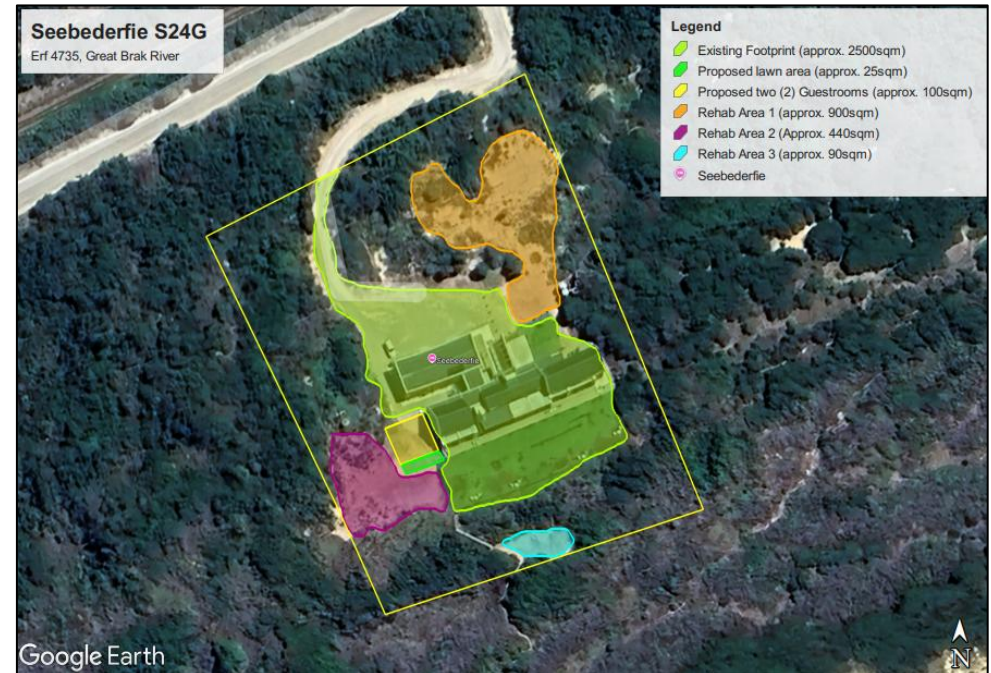


Figure 3: Rehab & Development Areas (sqm).

Please note that the unlawful activities took place within an Ecological Support Area I. According to the botanical/biodiversity specialist, this area can be rehabilitated through the implementation of the recommended mitigation measures, which have been incorporated into the EMP.

8. In conclusion, CapeNature does not support any further development for this property. The competent authority should also not authorise any further activity. Authorising unlawful activities under Section 24G, without imposing stringent consequences, risks setting a precedent that may encourage further non-compliance with environmental legislation.	From a Town Planning perspective, the Applicant retains the right to construct two (2) additional guestrooms on the property. Mossel Bay Municipality confirms that a guesthouse with up to six guestrooms is permitted as a primary right under “Agricultural Zone I” zoning. Should authorisation be granted for the Preferred Alternative, inclusive of the existing guestrooms and the two additional rooms, all potential impacts can be mitigated to low or negligible negative levels, as deemed acceptable by the Terrestrial Biodiversity Specialist. Importantly, the construction of the two guestrooms does not constitute a new listed activity. The only listed activity triggered relates to indigenous vegetation clearance exceeding 300m², which has already occurred and is addressed within this Section 24G Application. The guestrooms therefore form part of the rectification process linked to vegetation clearance, without introducing any additional listed activities beyond those already stipulated.
CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.	Noted.
Mossel Bay Municipality (Senior Town Planner: Spatial Planning), 22 August 2025	
My comment as follow: After careful review of the site and relevant spatial and ecological data, we regret to inform you that expansion is not supported for the following reasons:	Olga Le Roux, Senior Town Planner for Mossel Bay Municipality (Development Management), has confirmed that the proposed expansion is permitted as a primary right under the Agricultural I zoning provisions. The applicant has proactively ensured that the planned extension of the primary dwelling is consistent with sustainable development principles, including the implementation of mitigation measures designed to minimize ecological impacts. Furthermore, specialist assessment has confirmed that the addition of two guestrooms will have a negligible impact on botanical/biodiversity, thereby reinforcing the conclusion that the expansion is environmentally acceptable.
Environmental Sensitivity and Biodiversity Concerns 1. Critical Biodiversity Area (CBA) Designation The entire property falls within a Critical Biodiversity Area (CBA) as per the 2023 Western Cape Biodiversity Spatial Plan (WC-BSP).	1. Please note that the unlawful activities have been undertaken when the 2017 Western Cape Biodiversity Spatial Plan was the biodiversity informant. The 2017 WCBSP categories which would have been impacted by the activities

- Notably, the biodiversity status has escalated from Ecological Support Area 1 (ESA1) in the 2017 WC-BSP to full CBA in 2023.
 - This shift likely reflects significant transformation pressures, including urban expansion, which have compromised surrounding ecological integrity.
2. Vegetation Type and Conservation Status
- According to VegMap 2018, the site is classified as Hartenbos Dune Thicket, listed as Endangered.
 - The updated VegMap 2024 identifies the vegetation as Southeastern Strandveld. While threat activities are still under assessment, the extremely low conservation coverage (only 0.4 km² protected out of 119 km²) strongly suggests a status of Critically Endangered or Endangered.
3. Coastal Dune System
- The property is situated entirely within a coastal dune formation, a geomorphological feature of high ecological and hydrological importance, particularly in buffering coastal processes and supporting endemic biodiversity.

were mostly Ecological Support Areas (ESA1) and small fragments of Critical Biodiversity Areas (CBA1).

2. The botanical/biodiversity specialist confirms that the site consist of Hartenbos Dune Thicket. According to the specialist, the property has a medium Site Ecological Importance. Development activities of medium impact is acceptable followed by appropriate restoration activities.
3. Although the property is within a coastal corridor, there still remains an approximate 50m strip of undisturbed foredune between the high-watermark of the sea and the subject property (state land) (Figure 4). This 50m strip acts as a buffer against sea-level rise, storm surges and high-energy storm events.

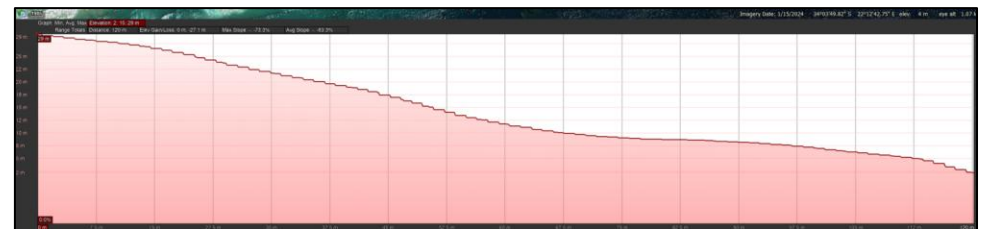


Figure 4: Elevation profile between the development and the estimated high water mark of the sea with an elevation difference of approx. 29m.

It is important to emphasize that the entirety of the property, and not merely the development area, lies below the Coastal Management Line (CML). Given that the site is a formally designated Erf, the Applicant retains a primary and lawful right to construct a dwelling on the property.

The S24G Application has duly considered the primary objectives of the Coastal Management Lines (CMLs) by incorporating measures to rehabilitate the areas previously cleared for parking, along with the two sections cleared closer to the coast for a bonfire area and previously proposed three (3) guestrooms (both of which was within 100m of the high-watermark of the sea).

The DEA&DP (Biodiversity & Coastal Management) is also not opposed to the Section 24G Application for Erf 4735 as there is little to no disturbance from an aquatic, biodiversity and animal perspective. According to DEA&DP, although seaward of the

	CML, the activities did not impact the seaward property boundary and did not increase the risk to impacts from coastal processes or climate.
Regulatory and Rehabilitation Requirements 1. Conservancy Membership The property must become a member of a local conservancy to ensure ongoing stewardship and alignment with regional conservation objectives. 2. OSCA Compliance and Environmental Reporting • The site falls within an OSCA (Outeniqua Sensitive Coastal Area) zone. • The original OSCA approval permitted development of 650 m², whereas the actual cleared area exceeds 4,000 m², including pathways and driveways. • A new OSCA application is required. The accompanying Environmental Impact Report (EIR) must: • Clearly map and quantify all listed activities undertaken (total area and volumes). • Identify and delineate proposed rehabilitation areas with appropriate ecological restoration plans.	1. Noted and communicated to the Applicant for consideration. 2. Upon further consultation with the Mossel Bay Municipality, Rudi Minni confirmed that the EA for the S24G will be sufficient and no OSCA application will be necessary.
We trust this response provides clarity on the environmental constraints and necessary steps forward. Please do not hesitate to reach out should you require further guidance or support in navigating the regulatory and ecological requirements.	Noted.
Mossel Bay Municipality (Senior Town Planner: Development Management), 19 August 2025	
From a Town Planning perspective, the Planning Statement submitted by Marlize de Bruyn Planning (Appendix H6) is confirmed. A guest house with maximum 6 bedrooms for paying guests and no more than 12 paying guests is permitted as a primary right in terms of the "Agricultural Zone I" zoning, subject to compliance with all other relevant legislative requirements and submission of building plans. The owner of the guest house must also reside on the property. 1 Parking bay per guest room and 2 parking bays for the owner/manager must be provided.	Noted.

Breede-Olifants Catchment Management Agency (BOCMA), 19 August 2025	
As per our letter dated 09/02/2024, the listed activities undertaken at the property are not regarded as water use activities in terms of the National Water Act thus there are no further comments.	We acknowledge receipt of your letter dated 09/02/2024 and note that the activities are not considered water use activities in terms of the NWA.
Garden Route District Municipality (GRDM), 05 August 2025	
The transformation of undeveloped land to residential/commercial may include the following construction activities: Site preparation (vegetation clearing, scraping road surfaces), excavations, tarring, building, and construction of bulk services (sewage and water, piping installations).	Noted.
The abovementioned activities may create a negative impact on human health such as stress, respiratory infections (asthma, coughing, wheezing, and lung irritations) and vector borne illnesses from increased waste.	Noted.
Recommendations: Management of all above mentioned activities to prevent and/or limit the negative health effects to humans through:	Noted.
• Proper storage and disposal of waste generated (general waste and construction waste) on site.	Noted and included in the EMPr.
• Managing dust emanating from site by means of the most practical option available.	Noted and included in the EMPr.
• Ensure proper toilet facilities for employees on site.	Noted and included in the EMPr. One (1) toilet per 15 people on-site.
The Environmental Health Practitioner responsible for the area in which the construction will take place will be responsible for monitoring effect to human health.	Noted.
For further information, please contact Ms N Britz at telephone number 044 693 0006.	Noted.

Registered Stakeholder # 1, 26 July 2025

Herewith please find my comments.

The blatant disregard of the law and disrespect for the environment is shocking. I suggest that the property owner / contractor (a) be fined the maximum amount possible for removing protected plants without permit; (b) be instructed to rehabilitate the surrounding area including car park where possible with appropriate indigenous plants and the help of a landscape architect; (c) be instructed to remove alien vegetation on the property as soon as possible. I suggest that the landowner involves the Great Brakriver Conservancy for help because they have an experienced team who is very knowledgeable and inexpensive; and (d) be instructed to remove the lawn on the southern side of the guesthouse with the exception of a narrow strip in front of the rooms and this also be rehabilitated. Lawn in general is environmentally questionable. It needs a lot of water and adds absolutely nothing to biodiversity.

Noted.

(a) In terms of Section 24G(4) of NEMA, payment of an administrative fine is mandatory. The quantum of the fine must be determined with reference to socio-economic impacts, biodiversity impacts, sense of place impacts, pollution impacts, as well as compliance history, previous convictions, and application history. The activity has not resulted in negative socio-economic impacts. Biodiversity impacts included the fragmentation of the Endangered Hartenbos Dune Thicket and potential disturbance to protected trees; however, specialists confirm that, with authorisation and mitigation, potential impacts can be minimised to low or negligible levels. The activity is consistent with surrounding residential and tourism land uses and does not negatively affect the area's sense of place or heritage.

(b) According to the botanical / biodiversity specialist all negative impacts associated with the development and the proposed two (2) guestrooms can be mitigated to a **Negligible** impact which is considered acceptable from a botanical / biodiversity perspective.

It must be emphasised that of the total 9373sqm of the property (Figure 5):

- ±5318sqm (57%) remains undisturbed
- ±1430sqm (15%) will be rehabilitated
- ±2625sqm (28%) will cover the existing and future permanent footprint (development footprint & landscaped areas).

After the active rehabilitation phase, approximately 72% of the property will retain thicket vegetation.



Figure 5: Rehab & Development Areas (sqm).

(c) Noted and included in the EMP.

(d) Kindly note that the lawn will remain as is. Please refer to the above three (3) rehabilitation areas.

Secondly, it appears that there is an access from the guesthouse to the beach through the dunes. As far as I know this requires municipal and/or environmental approval. Was it obtained? I assume that there is no approval and I herewith object to one being issued. The steps are to be removed and boards being put up informing the guests that there is no access to the beach, and erecting a fence to prevent people from ignoring it. The dunes are very vulnerable and Black African Oystercatchers breed there. This species was once threatened and we should try everything in our power to protect them. Moreover, guests may trample through the dunes in different directions, thus destroying necessary protection against erosion.

The existing pedestrian access and boardwalk are included in this Section 24G Application and are subject to review and approval by the Competent Authority (DEA&DP).

The DEA&DP: Biodiversity & Coastal Management has reviewed the application and stipulated that the informal pedestrian access through dune vegetation to coastal public property must be limited. This condition are included in the Environmental Management Plan to safeguard the ecological integrity of the dune system and to prevent erosion.

Heritage Western Cape (HWC), 10 July 2025

Please can you provide me with HWC reference number for me to provide you with a comment.

If there was no NID trigger, please note that HWC cannot comment on matters that do not form part of our mandate.

A NID was not submitted to HWC.

Perception Planning confirmed that the unauthorised and proposed activities did and will not trigger any development activities listed in terms of Section 38(1) of the National Heritage Resources Act, 1999 (Act 25 of 1999).

MOSSEL BAY ADVERTISER

En Suid-Kaap Son Nuus / Including Suid-Kaap Sun News - GESTIG 1870 est. Tel 044 690 7156

Friday, 19 January 2024



www.mosselbayadvertiser.com

R5.⁰⁰

Vrydag, 19 Januarie 2024

MOSSEL BAY ADVERTISER | 21



Cape Environmental Assessment Practitioners CALL FOR I&AP REGISTRATION

24G RECTIFICATION APPLICATION

Public Participation Process for the unlawful clearance of indigenous vegetation, flattening of the frontal dune and moving of more than 5m³ of soil within the 100m high watermark of the sea without pre-requisite Environmental Authorisation.

Notice is hereby given of a Public Participation Process in terms of the National Environmental Management Act (Act No 107 of 1998), as amended (NEMA)

DEA&DP Reference: 14/2/4/1/D6/17/0017/23 Pre-Compliance Notice Issued: 29 September 2022
Proponent: John Trust Environmental Consultant: Cape EAPrac
Exemptions: No Exemptions to the EIA Regulations applied for.

Location: Erf 4735, 15A Ottosrust, Great Brak River, Mossel Bay District Municipality. The property is located between Tergniet & Southern Cross, south of the R102.

24G Rectification Process: An application for a Section 24G rectification process (retrospective assessment) is being undertaken to investigate and assess 'listed activities' that commenced without prior Environmental Authorisation, in terms of Section 24F(1) & 24G of NEMA. The activity entails the development of a primary residence/guesthouse.

Listed Activities: Listing Notice 1 Activity 17 (v)(e) for the construction of a wooden staircase and planting of wooden poles within the 100m high watermark of the sea. Listing Notice 1 Activity 19A for the clearance of indigenous vegetation, partial flattening of the frontal dune and depositing/infilling of more than 5m³ of soil within the 100m high watermark of the sea to create a level lawn. Listing Notice 3 Activity 12 (a)(i)(ii) for the clearance of endangered indigenous vegetation for the construction of the wooden staircase, bonfire area and the intention to create a parking area and additional guestrooms.

Public Participation Process: A 20-day registration period is provided for Interested and Affected Parties (I&APs) to get their details captured on the Stakeholder Register. Individuals are requested to respond to this notice by submitting their contact details and/or any provisional comment to Cape EAPrac in writing (to address below) on or before **12 February 2024**.

Please note that correspondence throughout the remainder of the environmental process will only be distributed to I&APs that formally register and/or submit comment.

Cape EAPrac – Attention: Mariska Byleveld or Louise-Mari van Zyl
Email: mariska@cape-eaprac.co.za, PO Box 2070 George 6530, Telephone: 044 874 0365

Take Note: Ifo the POPIA legislation when registering as an I&AP a person consents to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). By registering/submitting comment a person agrees that his/her/their contact details will, where required by a public body, be reflected in regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making.

Date of Advertisement (Mossel Bay Advertiser): 19 January 2024



Cape Environmental Assessment Practitioners

CALL FOR I&AP REGISTRATION

24G RECTIFICATION APPLICATION

Public Participation Process for the unlawful clearance of indigenous vegetation, flattening of the frontal dune and moving of more than 5m³ of soil within the 100m high watermark of the sea without pre-requisite Environmental Authorisation.

Notice is hereby given of a Public Participation Process in terms of the National Environmental Management Act (Act No 107 of 1998), as amended (NEMA)

DEA&DP Reference: 14/2/4/1/D6/17/0017/23

Pre-Compliance Notice Issued: 29 September 2022

Proponent: John Trust

Environmental Consultant: Cape EAPrac

Exemptions: No Exemptions to the EIA Regulations applied for.

Location: Erf 4735, 15A Ottosrust, Great Brak River, Mossel Bay District Municipality. The property is located between Tergniet & Southern Cross, south of the R102.

24G Rectification Process: An application for a Section 24G rectification process (retrospective assessment) is being undertaken to investigate and assess 'listed activities' that commenced without prior Environmental Authorisation, in terms of Section 24F(1) & 24G of NEMA. The activity entails the development of a primary residence/guesthouse.

Listed Activities: Listing Notice 1 Activity 17 (v)(e) for the construction of a wooden staircase and planting of wooden poles within the 100m high watermark of the sea. Listing Notice 1 Activity 19A for the clearance of indigenous vegetation, partial flattening of the frontal dune and depositing/infilling of more than 5m³ of soil within the 100m high watermark of the sea to create a level lawn. Listing Notice 3 Activity 12 (a)(i)(ii) for the clearance of endangered indigenous vegetation for the construction of the wooden staircase, bonfire area and the intention to create a parking area and additional guestrooms.

Public Participation Process: A 20-day registration period is provided for Interested and Affected Parties (I&APs) to get their details captured on the Stakeholder Register. Individuals are requested to respond to this notice by submitting their contact details and/or any provisional comment to Cape EAPrac in writing (to address below) on or before **12 February 2024**.

Please note that correspondence throughout the remainder of the environmental process will only be distributed to I&APs that formally register and/or submit comment.

Cape EAPrac – Attention: Mariska Byleveld or Louise-Mari van Zyl

Email: mariska@cape-eaprac.co.za, PO Box 2070 George 6530, Telephone: 044 874 0365

Take Note: In terms of the POPIA legislation when registering as an I&AP a person consents to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). By registering/submitting comment a person agrees that his/her contact details will, where required by a public body, be reflected in regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making.

Friday, 19 January 2024
-34°3'48,126"S 22°12'26,316"E



Friday, 19 January 2024
-34°3'47,946"S 22°12'26,076"E



Friday, 19 January 2024
-34°3'48,024"S 22°12'26,076"E



Friday, 19 January 2024
-34°3'47,94"S 22°12'26,094"E



Friday, 19 January 2024
-34°3'48,138"S 22°12'25,662"E



Friday, 19 January 2024
-34°3'48,102"S 22°12'25,998"E



Friday, 19 January 2024
-34°3'48,06"S 22°12'26,454"E

SeeBederfie



Cape Environmental Assessment Practitioners

CALL FOR I&AP REGISTRATION

24G RECTIFICATION APPLICATION

Public Participation Process for the unlawful clearance of indigenous vegetation, flattening of the frontal dune and moving of more than 5m³ of soil within the 100m high watermark of the sea without pre-requisite Environmental Authorisation.

Notice is hereby given of a Public Participation Process in terms of the National Environmental Management Act (Act No 107 of 1998), as amended (NEMA).

DEADP Reference: 14/24/1/00/17/0017/03
Proponent: John Trust
Exemptions: No Exemptions to the EIA Regulations applied for.

Pre-Compliance Notice Issued: 29 September 2022
Environmental Consultant: Cape EAPrac

Location: Erf 4735, 15A Otterrust, Great Brak River, Mossel Bay District Municipality. The property is located between Tergnet & Southern Cross, south of the R102.

24G Rectification Process: An application for a Section 24G rectification process (prospective assessment) is being undertaken to investigate and assess 'listed activities' that commenced without prior Environmental Authorisation, in terms of Section 24G(1) & 24G of NEMA. The activity entails the development of a primary residence/guesthouse.

Listed Activities: Listing Notice 1 Activity 17 (v)(a) for the construction of a wooden staircase and planting of wooden poles within the 100m high watermark of the sea. Listing Notice 1 Activity 19a for the clearance of indigenous vegetation, partial flattening of the frontal dune and depositing/filling of more than 5m³ of soil within the 100m high watermark of the sea to create a level lawn. Listing Notice 3 Activity 12 (a)(iii) for the clearance of endangered indigenous vegetation for the construction of the wooden staircase, bonfire area and the intention to create a parking area and additional guestrooms.

Public Participation Process: A 20-day registration period is provided for Interested and Affected Parties (I&APs) to get their details captured on the Stakeholder Register. Individuals are requested to respond to this notice by submitting their contact details and/or any provisional comment to EAPrac in writing (to address below) on or before **12 February 2024**.

Please note that correspondence throughout the remainder of the environmental process will only be distributed to I&APs that formally register and/or submit comment.

Cape EAPrac – Attention: Mariska Byleveld or Louise-Mari van Zyl
Email: mariska@cape-eaprac.co.za, PO Box 2070 George 6530, Telephone: 044 874 0365

Take Note: In the PPIA legislation when registering as an I&AP a person consents to the disclosure of personal information for the intended purposes, as described by the provision of Personal Information Act, 2013 (Act No. 4 of 2013). By registering voluntarily a person agrees that such information will be disclosed to the general public, and that the registered person's details must be included and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making.

Friday, 19 January 2024
-34°3'47,988"S 22°12'26,298"E

Cape Environmental Assessment Practitioners (Pty) Ltd

Stakeholder Register for Project: Seebederfie S24G

Cape EAPrac Project No : 786

Name	Organisation	Registered
Carlo Abrahams	BOCMA (Previously BGCMA)	2024/01/19
Stephanie-Anne Barnardt	Heritage Western Cape	2024/01/19
Andrea Beierle		2025/07/16
leptieshaam Bekko	DEA&DP: Coastal Management	2024/01/19
Neo-Lay Britz		2026/07/02
Neo-Lay Britz		2026/07/02
Johan Compion	Garden Route District Municipality	2024/01/19
Jean Cox	Mossel Bay Municipality	2024/01/19
Anton Dellelijn	Mossel Bay Municipality	2024/01/19
Susan Human	Mossel Bay Municipality	2026/07/02
Nathan Jacobs	Department of Health: South Cape & Karoo Region	2024/01/19
Steve Kleinhans	Department of Environmental Affairs & Development Planning	2024/01/19
Melanie Koen	Department of Agriculture, Forestry & Fisheries	2024/01/19
Hennie Le Roux	HENLER Rekenmeesters	2024/01/24
Rudi Minnie	Mossel Bay Municipality	2026/07/02
Phumlani Mqondeki	BOCMA (Previously BGCMA)	2024/02/12
Dick Naidoo	Mossel Bay Municipality: Infrastructure Services	2024/01/19
Mossel Bay Municipality Registry	Mossel Bay Municipality	2024/01/29
Jaco Roux	Mossel Bay Municipality	2024/01/19
Evelyn Shogole	SACAA	2024/01/19
Megan Simons	Cape Nature	2024/01/19
Douw Steyn	Mossel Bay Municipality	2025/03/17
Cor Van der Walt	Department of Agriculture	2024/01/19
Nina Viljoen	Garden Route District Municipality	2024/01/19



Cape EAPrac

Cape Environmental Assessment Practitioners (Pty) Ltd

Reg. No. 2008/004627/07
VAT No 4720248386



Telephone: (044) 874 0365

Web: www.cape-eaprac.co.za

17 Progress Street, George
PO Box 2070, George 6530

19 January 2024

Our Ref: MOS786/04

DEA&DP Ref: 14/2/4/1/D6/17/0017/23

Attention: Potential Interested & Affected Party

VIA EMAIL

Notice is hereby given of a Public Participation Process in terms of the National Environmental Management Act (Act No 107 of 1998), as amended (NEMA)

Cape EAPrac has been appointed as independent environmental consultants responsible for facilitating the environmental investigation and Section 24G rectification process for Erf 4735, Great Brak River, Mossel Bay District Municipality (Figure 1).

Erf 4735 is located between Tergniet & Southern Cross, south of the R102 (Figure 1). The property is $\pm 9373.3\text{m}^2$ ($\pm 0.9\text{ha}$) in size, zoned Agriculture I and situated outside the urban edge and urban area of Mossel Bay. A main dwelling was constructed on the property and used as a guesthouse called "Seebederfie".



Figure 1: Locality Map of Erf 4735 (Red Outlined Area) (CapeFarmMapper, 2023).

With the intend to create additional guestrooms and parking spaces, the Applicant cleared endangered indigenous vegetation without prior Environmental Authorisation (Figure 2).



Figure 2: Clearance of indigenous vegetation for proposed guestrooms and parking area.

Inspectors from DEA&DP: Environmental Law Enforcement confirmed that the Applicant commenced with the unlawful clearance of endangered indigenous vegetation, flattening of the frontal dune, and moving of more than 5m³ of soil within 100m of the high-water mark of the sea, without prior Environmental Authorisation, triggering the following listed activities: Listing Notice 1 Activity 17(v)(e), Listing Notice 1 Activity 19(A) and Listing Notice 3 Activity (a)(i)(ii).

An application for a Section 24G rectification process (retrospective assessment) is being undertaken to investigate and assess the 'listed activities', in terms of Section 24F(1) & 24G of NEMA, and the proposal to develop **two (2) additional guestrooms** as a primary land use right. It is proposed to add these guest rooms on ground level abutting the two existing western guest rooms within the main dwelling.

A **20-day** registration period is provided for Interested and Affected Parties (I&APs) to have their details captured on the Stakeholder Register. Individuals are requested to respond to this notice by submitting their contact details and/or any provisional comment to Cape EAPrac in writing (to address below) on or before **12 February 2024**.

Please note that correspondence throughout the remainder of the environmental process will only be distributed to I&APs that formally register and/or submit comment. Should you have any queries about the proposal or process you are most welcome to contact the undersigned directly.

To register as an I&AP:

Cape EAPrac Attention: Mariska Byleveld / Louise-Mari van Zyl
 Email: mariska@cape-eaprac.co.za
 Postal Address: PO Box 2070, George, 6530
 Telephone: 044 874 0365



Cape EAPrac

Cape Environmental Assessment Practitioners (Pty) Ltd

Reg. No. 2008/004627/07
VAT No 4720248386



Telephone: (044) 874 0365

Web: www.cape-eaprac.co.za

17 Progress Street, George
PO Box 2070, George 6530

10 July 2025

Our Ref: MOS786/07

DEA&DP Ref: 14/2/4/2/3/D6/17/0017/25

Attention: Registered Interested & Affected Parties.

VIA EMAIL

**RE: NOTIFICATION OF THE SECTION 24G RECTIFICATION ASSESSMENT APPLICATION
PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT,
WESTERN CAPE PROVINCE**

Cape EAPrac has been appointed as independent environmental consultants responsible for facilitating the environmental investigation and Section 24G rectification process for Erf 4735, Great Brak River, Mossel Bay District Municipality (Figure 1).

Erf 4735 is located between Tergniet & Southern Cross, south of the R102 (Figure 1). The property is $\pm 9373.3\text{m}^2$ ($\pm 0.9\text{ha}$) in size, zoned Agriculture I and situated outside the urban edge and urban area of Mossel Bay. A main dwelling was constructed on the property and used as a guesthouse called "Seebederfie".



Figure 1: Locality Map of Erf 4735 (Red Outlined Area).

With the intend to create additional guestrooms and parking spaces, the Applicant cleared endangered indigenous vegetation without prior Environmental Authorisation (Figure 2).



Figure 2: Clearance of indigenous vegetation for proposed guestrooms and parking area.

Inspectors from DEA&DP: Environmental Law Enforcement confirmed that the Applicant commenced with the unlawful clearance of endangered indigenous vegetation, flattening of the frontal dune, and moving of more than 5m³ of soil within 100m of the high-water mark of the sea, without prior Environmental Authorisation, triggering the following listed activities: Listing Notice 1 Activity 17(v)(e), Listing Notice 1 Activity 19(A)(ii) and Listing Notice 3 Activity (a)(i)(ii).

An application for a Section 24G rectification process (retrospective assessment) is being undertaken to investigate and assess the 'listed activities', in terms of Section 24F(1) & 24G of NEMA, and the proposal to develop **two (2) additional guestrooms** as a primary land use right. It is proposed to add these guest rooms on ground level abutting the two existing western guest rooms within the main dwelling.

A 24G Application & Assessment Report is available for a 30-day commenting period, extending from **Friday, 11 July 2025 to Monday, 11 August 2025**. The reports can be accessed digitally via www.cape-eaprac.co.za / Active Projects. Alternative platforms / access to the reports can be arranged on request.

You are welcome to distribute this notification to anyone interested in the project or send us the contact details of stakeholders you may deem necessary for us to contact.

Stakeholders who would like to participate in the investigative processes, who would like to receive future correspondence and project information and/or who would like to submit comment throughout the remainder of the application process, must submit comments/registration notices, in writing, within the specified 30-day period (ending on 11 August 2025) directly to Cape EAPrac (please see below).

Cape EAPrac

Attention: Mariska Byleveld / Louise-Mari van Zyl

Email: mariska@cape-eaprac.co.za / louise@cape-eaprac.co.za

Postal Address : PO BOX 2070, George, 6530

Telephone: 044 874 0365

Kind regards,
Mariska Byleveld (Cand. EAP Reg. 2023/6593)
Cape EAPrac



BREED-OLIFANTS

CATCHMENT MANAGEMENT AGENCY

101 York Street 3rd Floor Rm 302 George 6530, P.O. Box 1205 George 6530

Enquiries: P Mqondeki Tel: 023 346 8000

Fax: 023 347 2012

E-mail: pmqondeki@bocma.co.za

Our reference: 4/10/3/K10F/ERF 4735, GREAT BRAK RIVER

Your reference: MOS786/04

Cape EAPrac
Po Box 2070
George
6530

By Email: mariska@cape-eaprac.co.za

Attention: Mariska Byleveld

RE:- NOTIFICATION OF THE PRELIMINARY ADVERTISEMENT: ERF 4735, SEEBEDERFIE, GREAT BRAAK RIVER, MOSSEL BAY DISTRICT MUNICIPALITY

1. The Breede-Olifants Catchment Management Agency (BOCMA) received the submission of the notification of a s24G Rectification Process undertaken in terms of the National Environmental Management Act, 1998 (Act no. 107 of 1998) as amended on 29/01/2024 prepared by Cape EAPrac.
2. This office has noted that the applicant commenced with unlawful clearance of endangered indigenous vegetation, partial flattening of the frontal dune, and moving of more than 5m³ of soil within 100m of the high-water mark of the sea without prior Environmental Authorisation.
3. Based on the submitted information and desktop inquiries, the BOCMA would like to provide the following preliminary comments:

- The activities commenced without Environmental Authorisation do not constitute a water use activity as defined in the National Water Act, 1998 (Act 36 of 1998) (NWA) and listed under section 21 of the NWA.
- BOCMA in principle supports the proposed s24G process to be followed and the complete s24G report including any additional information must be submitted to this office to provide further comments.

4. The following general conditions remain relevant for this application:

- All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.
- No pollution of surface water or groundwater resources may occur.
- Stormwater management must be addressed and applied both in terms of flooding and pollution potential.

5. This office reserves the right to revise initial comments and request further information based on any additional information that may be received.

6. The onus remains with the registered property owner to confirm adherence to any other relevant legislation that any activities might trigger and/or need authorization.

Yours faithfully



P.P

MR. JAN VAN STADEN

CHIEF EXECUTIVE OFFICER (ACTING)

DATE: ...09/02/2024.....

Comments & Response Report (20-day Pre-liminary Advertisement)	
Comment	Response
Neighbouring Landowner (Surrounding Area), 24 January 2024	
Verwys na die aangehegte kennisgewing in die plaaslike koerant.	Ek bevestig hiermee dat ek jou geregistreer het as 'n belanghebbende party vir Seebederfie S24G. U sal alle toekomstige dokumente rakende hierdie projek ontvang.
Ek is woonagtig in Suiderkruis en sal waardeer om gelys te word as 'n belanghebbende party en om meer inligting te ontvang rakende die aansoek asseblief.	
Heritage Western Cape, 24 January 2024	
Has a NID submitted for the unlawful clearance?	A NID was not submitted. <i>Perception Planning</i> confirmed that the unauthorised works do not trigger any of the development activities listed in terms of Section 38(1) of the National Heritage Resources Act, 1999 (Act 25 of 1999). Please find attached formal letter.
CapeNature, 23 January 2024	
CapeNature will provide comments once the S24G application is made available to the public.	Noted.
Department of Environmental Affairs & Development Planning (George), 23 January 2024	
The notification of the preliminary advertisement (Ref: MOS786/04) dated 19 January 2024 in respect of the Section 24G application received by the Directorate: Development Management (Region 3) ("this Directorate") on 19 January 2024, refers.	Noted. DEA&DP (George) will be notified on the availability of the draft S24G Report and the opportunity to provide comment within the 30-day public participation period.
Please be informed that the matter has been assigned to me. The case reference is 16/3/3/6/1/D6/17/0010/24.	
Your are kindly requested to include this Directorate as a relevant State Department, and inform the Directorate of the availability of documentation in respect of the matter.	
Any future correspondence in respect of the matter can be sent directly to me, with a copy to: DEADPEIAAdmin.George@westerncape.gov.za.	
Breede-Olifants Catchment Management Agency, 09 January 2024	
The Breede-Olifants Catchment Management Agency (BOCMA) received the submission of the notification of a s24G Rectification Process undertaken in terms of the National Environmental Management Act, 1998 (Act no. 107 of 1998) as amended on 29/01/2024 prepared by Cape EAPrac.	Noted.
This office has noted that the applicant commenced with unlawful clearance of endangered indigenous vegetation, partial flattening of the frontal dune, and moving of more than 5m³ of soil within 100m of the high-water mark of the sea without prior Environmental Authorisation.	Noted. As per the Pre-liminary Advertisement.
Based on the submitted information and desktop inquiries, the BOCMA would like to provide the following preliminary comments:	Noted.
The activities commenced without Environmental Authorisation do not constitute a water use activity as defined in the National Water Act, 1998 (Act 36 of 1998) (NWA) and listed under section 21 of the NWA.	Noted. According to the aquatic specialist (Confluent Environmental), in terms of legislation pertaining to the NWA, the property falls outside of the regulated area of any nearby watercourses (i.e., greater than 100m and

	500m away from a river/stream and natural wetland, respectively).
BOCMA in principle supports the proposed s24G process to be followed and the complete s24G report including any additional information must be submitted to this office to provide further comments.	Noted. The draft S24G Application will be submitted to BOCMA for further comments during the 30-day public participation period.
The following general conditions remain relevant for this application: • All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to. • No pollution of surface water or groundwater resources may occur. • Stormwater management must be addressed and applied both in terms of flooding and pollution potential.	Noted.
This office reserves the right to revise initial comments and request further information based on any additional information that may be received.	Noted.
The onus remains with the registered property owner to confirm adherence to any other relevant legislation that any activities might trigger and/or need authorization.	Noted.



forestry, fisheries & the environment

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

Demar Centre, Main Road, Knysna, WC, Contact Number: 066 374 7795
Enquiries: TF Gwala, E-mail: TGwala@dfpe.gov.za

TRANSGRESSION-WC-GR-0016-2025-26

RE: ILLEGAL DESTURBANCE OF PROTECTED MILKWOOD TREES ON ERF 4735 (SEEBEDERFIE), GROOTBRAKRIVIER, MOSSEL BAY

DATE: 4 November 2025

Mr. Peens
Email: jpbluebulls@gmail.com
Cell/ Tel: 083 626 2189

Dear Sir/ Madam

I refer to the site inspection conducted on 24 October 2025.

Please receive correspondence from the Branch: Forestry Management, Directorate: Forest Resource Protection in the Department of Forestry, Fisheries and the Environment (DFPE) on the above-mentioned transgression. Site inspection conducted on 24 October 2025.

The mandate of the Forestry Branch in the Department of Forestry, Fisheries and the Environment (DFPE) is to ensure the implementation and the enforcement of the National Forest Act (NFA), Act 84 of 1998 as amended and is responsible for all regulatory functions on State Land as well as Non State Land. The NFA provides the strongest and most comprehensive legislation and mandate for the protection of all natural forests as well as protected trees in South Africa.

1. See Section 12(1)(d) of the National Forests Act, (Act No. 84 of 1998) ("NFA") and Government Notice (GN) 4496, Government Gazette No. 50291 of 13 March 2024 for the list of protected tree species. Protected trees are known to occur in the vicinity of the site in question.
2. Section 15(1) of the NFA states that no person may cut, disturb, damage or destroy any protected tree; or possess, collect, remove, transport, export, purchase, sell, donate or in any other manner acquire or dispose of any protected tree, or any forest product derived from a protected tree, except under a license granted by the Minister; or in terms of an exemption published by the Minister.
3. Cutting or disturbing a protected tree without a valid Forest Act Licence is a criminal offence and a transgression of the National Forests Act, 1998 (Act No. 84 of 1998) and carries a fine or imprisonment or both.
4. Section 62(2)(c) of the NFA states that any person who contravenes the prohibition on the cutting, disturbance, damage, destruction or removal of protected trees referred to in Section 15(1)(a) or the prohibition on the collection, removal, transport, export, purchase or sale of protected trees referred to in Section 15(1)(b), is guilty of a first category offence.



The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

5. The prohibition on protected trees applies to all trees, alive and dead. It also applies to all size classes of the species listed as protected.

6. Protected trees with active bird nests or other significant biodiversity features may not be destroyed without a valid Fauna Permit from the provincial conservation authority, the Western Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform ("DAERL"), if these would be affected.

Upon site inspection the following was discovered:

7. During a routine site inspection, it was noticed that four protected Milkwood trees were disturbed, without having a valid licence under the NFA.

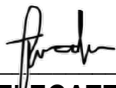
Forestry has the following comments:

- i. This letter serves as a final written warning.
- ii. Forestry requests that all NFA procedures be adhered to in future.
- iii. Forestry supports that an Environmental Management Plan be drawn up in order to rehabilitate the area
- iv. Forestry request that 20 indigenous endemic species be planted on the proposed rehabilitation area towards the north- which should include species such as Milkwood, Dune Olive, Candlewood, Sea Guawrie, Camphorbush, Common Saffron, Climbing Saffron,

Note: The Department reserves the right to revise the initial comment based on any additional information that may be received

Should you wish to correspond further on this matter, quote Reference TRANSGRESSION-WC-GR-0016-2025-26. Enquiries may be directed to Ms. TF Gwala at TGwala@dffe.gov.za, Cell 066 374 7795.

Yours Faithfully,



SIGNATURE OF DELEGATED AUTHORITY
Department of Forestry, Fisheries and the Environment
Letter signed by: Ms. TF Gwala
Designation: Deputy Director Forest Resource Protection
Branch: Forestry Management



Cape Environmental Assessment Practitioners (Pty) Ltd
P.O. Box 2070
George
6530

Attention: Ms. Mariska Byleveld

Tel: 044 874 0365
E-mail: mariska@cape-eaprac.co.za

Good day Madam

RE: REQUEST FOR COMMENT IN RESPONSE TO THE SECTION 24G APPLICATION FOR THE UNLAWFUL COMMENCEMENT OF LISTED ACTIVITIES IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998, ("NEMA"), FOR ERF 4735, BETWEEN TERGNIET & SOUTHERN CROSS SOUTH OF THE R102, SEEBEDERFIE RESIDENTIAL HOME & GUESTHOUSE, GREAT BRAK RIVER, MOSSEL BAY DISTRICT MUNICIPALITY, WESTERN CAPE PROVINCE.

Your request for comment from the Sub-directorate: Coastal Management pertaining to the notice of final Basic Assessment Report for the above-mentioned application received via email on 19 August 2025, refers.

1. CONTEXT

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

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

2 COMMENT

- 2.1 The sub-directorate: Coastal Management ("SD: CM") has reviewed the information as specified above and have the following commentary:
- a. Erf 4735 is a property that is approximately 9373.3m² (±0.9ha) in size, zoned Agriculture I and situated outside the urban edge and urban area of Mossel Bay, Western Cape. Originally, Erf 4735 had one (1) main dwelling used as a guesthouse known as "Seebederfie" (with two existing western guest rooms within), established between 2018 and 2019.
 - b. An Outeniqua Sensitive Coastal Area (OSCA) permit was granted by Mossel Bay Municipality on 10 December 2018 for the removal of 650m² vegetation for the establishment of a house and an access road. A pre-compliance notice (reference

number: 14/1/1/E3/9/10/3/L1248/22) was issued on 29 September 2022 by the Department of Environmental Affairs & Development Planning (DEA&DP): Environmental Law Enforcement) to Mr John Peens of the John Trust (applicant).

- c. The notice was issued due to the applicant having commenced with unlawful activities undertaken without prior Environmental Authorisation, which comprised: the clearance of Grootbrak Dune Strandveld (endangered indigenous vegetation), levelling of the frontal dune, and movement of more than 5m³ of soil within 100m of the High-Water Mark (HWM) of the sea, triggering the following listed activities: Listing Notice 1 Activity 17(v)(e), Listing Notice 1 Activity 19(A)(ii) and Listing Notice 3 Activity (a)(i)(ii).
 - d. In order to rectify the unlawful commencement of activities, an application for a Section 24G retrospective authorisation was lodged by the applicant to DEA&DP on 06 June 2025, with the intention to rectify the: i) development of six (6) parking areas within the property, ii) constructing two (2) additional guestrooms on the western section of the property adjoining the two (2) existing western guest rooms within the main dwelling, and; iii) constructing a wooden staircase and the bonfire area. All unlawful activities commenced within 100m of the HWM of the sea.
- 2.2. Erf 4735 is located seaward of the Garden Route District Coastal Management Line ("CML"). The technical delineation of the CML was to ensure that development is regulated in a manner appropriate to risks and sensitivities in the coastal zone. The CML was informed by various layers of information including biodiversity, estuarine functionality, risk flooding, wave run-up modelling, inter alia and was delineated in conjunction with and supported by other organs of state including Local and District municipalities as well as CapeNature and all other organs of state represented on the steering committee for the Garden Route District CML project.
- 2.3. The principal purpose of the CML is to protect coastal public property, private property, and public safety; to protect the coastal protection zone; and to preserve the aesthetic value of the coastal zone. The use of CMLs is of particular importance in response to the effects of climate change, as it involves both the quantification of risks and pro-active planning for future development.
- 2.4. The Aquatic Biodiversity Compliance Statement (prepared by Confluent Environmental Pty Ltd, dated 16 January 2024) confirmed that no freshwater features occur within or adjacent to the property boundaries and no aquatic biodiversity were affected by the construction of the main dwelling or clearance

of vegetation on the property. Therefore, the sensitivity of aquatic biodiversity is regarded as Low.

- 2.5. The Terrestrial Biodiversity & Terrestrial Plant Species Report (prepared by Confluent Environmental Pty Ltd, updated 18 March 2025) confirmed that the remainder of the historically disturbed area, namely the large, cleared parking area north of the existing dwelling, and any additional open spaces will be rehabilitated.
- 2.6. The Animal Species Compliance Statement (prepared by Mr. W. Matthee and Professor J.A. Venter (Nelson Mandela University George Campus), updated 17 March 2025) confirmed that the addition of two (2) guest rooms and six (6) additional parking spaces (within the existing driveway) is unlikely to have an impact on animal species of conservation concern, and; the remainder of the property will also be rehabilitated with locally indigenous species.
- 2.7. The SD:CM is not opposed to the Section 24G Application for Erf 4735, Great Brak River Seebederfie Residential Home & Guesthouse as there is little to low disturbance from an aquatic, biodiversity and animal species perspective. The direct, indirect and cumulative impacts of expansion have a low probability of adversely impacting on the receiving natural environment in the short, medium and long-term over the lifetime of the project. Although located seaward of the CML, the activities did not impact the seaward property boundary and did not increase the risk to impacts from coastal processes or climate change.
- 2.8. The SD:CM advises that no further construction be allowed on this property and that informal pedestrian access to coastal public property through the vegetation be limited.
3. The applicant must be reminded of their general duty of care and the remediation of environmental damage, in terms of Section 28(1) of NEMA, which, specifically states that: *"...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..."* together with Section 58 of the NEM: ICMA which refers to one's duty to avoid causing adverse effects on the coastal environment.

4. The SD: CM reserves the right to revise its comments and request further information from you based on any information that may be received.

Yours faithfully

leptieshaam Bekko
CONTROL ENVIRONMENTAL OFFICER
DIRECTORATE: BIODIVERSITY AND COASTAL MANAGEMENT
DATE: 16 September 2025



Erf 4735 in relation to CML (pink line)

physical 4th Floor, York Park Building,
York Street, George, 6530

website www.capenature.co.za

enquiries Megan Simons

telephone 087 087 3060

email msimons@capenature.co.za

Reference LE14/2/6/1/6/6/ERF 4735_S24G Residential_ Great Brak

date 26 August 2025

Cape Environmental Assessment Practitioners,
P.O.Box 2070,
George,
6530

Attention: Ms Mariska Byleveld
By email: mariska@cape-eaprac.co.za

Dear Ms Mariska Byleveld

THE SECTION 24 G APPLICATION FOR SEEBEDERFIE ON ERF 4735, GREAT BRAK RIVER, MOSSEL BAY LOCAL MUNICIPALITY, WESTERN CAPE.

DEA&DP reference: 14/2/4/1/D6/17/0017/23

CapeNature would like to thank you for the opportunity to review the above report. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application. CapeNature wishes to make the following comments:

According to the Western Cape Biodiversity Spatial Plan (CapeNature 2024)¹ the property has Critical Biodiversity Areas (CBA 1: Terrestrial). The fine-scale vegetation map describes the vegetation as Hartenbos Primary Dune and Hartenbos Strandveld (Vlok and de Villiers 2007)². According to the National Biodiversity Assessment (Skowno *et al.* 2018)³ the vegetation type is Hartenbos Dune Thicket which is listed as **Endangered** (NEM:BA, 2022)⁴. The property does not have any freshwater features (Van Deventer *et al.* 2019)⁵. CapeNature has reviewed the application and has the following comments:

- I. The unlawful activities would have been undertaken when the 2017 Western Cape Biodiversity Spatial Plan (Pool-Stanvliet *et al.* 2017)⁶ was the biodiversity informant. The 2017 WC BSP has been replaced by the 2023 WC BSP which was developed in

¹ CapeNature. 2024. 2023 Western Cape Biodiversity Spatial Plan and Guidelines. Unpublished Report

² Vlok JHJ, de Villiers R (2007) Vegetation Map for the Riversdale Domain. Unpublished 1:50 000 maps and report supported by CAPE FSP task team and CapeNature.

³ Skowno, A. L., Poole, C. J., Raimondo, D. C., Sink, K. J., Van Deventer, H., Van Niekerk, L., Harris, L. R., Smith-Adao, L. B., Tolley, K. A., Zengeya, T. A., Foden, W. B., Midgley, G. F. and Driver, A. 2019. National Biodiversity Assessment 2018: The status of South Africa's ecosystems and biodiversity. Synthesis Report. Pretoria, South Africa. 214 pp.

⁴ National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004). The Revised National List of Ecosystems that are Threatened and in need of protection. 2022. Government Gazette No. 47526

⁵ Van Deventer, H., van Niekerk, L., Adams, J., Dinala, M.K./ Gangat, R., Lamberth, S.J., Lötter, M., MacKay, F., Nel, J.L., Ramjukadh, C.J., Skowno, A., Weerts, S. 2019. National Wetland Map 5-An Improved Spatial Extent and representation of inland aquatic and estuarine ecosystems in South Africa.

⁶ Pool-Stanvliet, R., Duffell-Canham, A., Pence, G. & Smart, R. 2017. The Western Cape Biodiversity Spatial Plan Handbook. Stellenbosch: CapeNature.

accordance with the Western Cape Biodiversity Act (Act 6 of 2021)⁷. The 2017 WC BSP categories which would have been impacted by the unlawful activities were fragments CBA 1: Terrestrial and Forest and the entire site (i.e., development footprint) ESA 1: Terrestrial.

2. As mentioned above the site is designated as a CBA according to the 2023 WC BSP. The surrounding areas are still undeveloped, and this development has fragmented the CBA corridor, especially south towards the coastal processes.
3. The development was within a coastal corridor (corresponding with ESA mapping) by removing the natural dunes the site will be more vulnerable to erosion particularly during high-energy storm events, thereby compromising climate resilience for both the local environment and surrounding built infrastructure.
4. The development is below the Coastal Management Line (CML), which is unacceptable. The primary objective of CMLs is to preserve coastal ecosystems, prevent erosion, and buffer against climate change impacts such as sea-level rise and storm surges.
5. As mentioned in the specialist report, Hartenbos Dune Thicket only occurs within the Western Cape, thus the clearance has resulted in the loss of not only this unique ecosystem but also its associated ecological process which cannot be recovered.
6. The specialist report proposes various rehabilitation measures; however, it remains unclear who will be responsible for facilitating, funding, and overseeing the implementation of these rehabilitation measures.
7. If a full Environmental Impact Assessment was undertaken the current development layout/ size may not have been authorised, as it would have considered the biodiversity red flags. The specialist has recommended practical and well-considered mitigation measures. However, mitigation is most effective when applied proactively, not retroactively. In this case, opportunities to avoid or minimise impacts were avoided, and rehabilitation cannot fully address the loss of habitat fragmentation, or the compromised status of the CBA.

In conclusion, CapeNature does not support any further development for this property. The competent authority should also not authorise any further activity. Authorising unlawful activities under Section 24G, without imposing stringent consequences, risks setting a precedent that may encourage further non-compliance with environmental legislation.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely,



Megan Simons
For: Manager (Conservation Intelligence)

⁷ Western Cape Biodiversity Act, 2021 (Act No. 6 of 2021). Western Cape Provincial Gazette No. 8529.

The Western Cape Nature Conservation Board trading as **CapeNature**

Board Members: Ms Marguerite Loubser (Chairperson), Prof Gavin Maneveldt (Vice Chairperson), Mr Tom Blok, Ms Reyhana Gani, Dr Colin Johnson, Ms Ayanda Mvandaba, Prof Nicolaas Olivier, Ms Chwayita Shude-Mareka, Dr Razeena Omar

Mariska Byleveld

From: Le Roux, Olga <oleroux@mosselbay.gov.za>
Sent: Tuesday, 19 August 2025 15:39
To: Mariska Byleveld
Cc: Roux, Jaco
Subject: FW: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from oleroux@mosselbay.gov.za. [Learn why this is important](#)

Dear Mariska

From a Town Planning perspective, the Planning Statement submitted by Marlize de Bruyn Planning (Appendix H6) is confirmed. A guest house with maximum 6 bedrooms for paying guests and no more than 12 paying guests is permitted as a primary right in terms of the "Agricultural Zone I" zoning, subject to compliance with all other relevant legislative requirements and submission of building plans. The owner of the guest house must also reside on the property. 1 Parking bay per guest room and 2 parking bays for the owner/manager must be provided.

Kind Regards



Olga Le Roux

Snr Town Planner (Development Management)

101 Marsh Street, Mossel Bay

Email: oleroux@mosselbay.gov.za

Web: <https://www.mosselbay.gov.za>

Tel: +27 44 606-5074



MOSSEL BAY | HARTENBOS | GREAT BRAK RIVER | HERBERTSDALE

Anti-Fraud Hotline: 0800 333 466

From: Mariska Byleveld <mariska@cape-eaprac.co.za>
Sent: Tuesday, August 19, 2025 10:59 AM
To: Mariska Byleveld <mariska@cape-eaprac.co.za>
Subject: RE: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

*** [EXTERNAL]: This email originated from outside the organization. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Good morning,

I trust you are well!

RE: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

I'm just following up on my email dated 10 July 2025 (please see below).

The public participation period ended on 11 August 2025. However, you are welcome to send any comments you may have within this week.

Please do not hesitate to call if you have any questions.

Kind Regards/Vriendelike groete

Mariska Byleveld

Candidate EAP

MSc Geology (University of the Free State)

Candidate EAP Reg: 2023/6593

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530

Cape EAPrac



Please Note: When registering as an Interested and Affected Party (I&AP), you consent to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your information will be used for this project, including the initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making. Kindly view our [Privacy Statement](#) for more information.



Reduce Reuse Recycle

In the interest of resource conservation please reconsider printing this email.

This message and any attachments to it contains privileged and confidential information intended only for the use of the addressee. If you are not the addressee you are hereby notified that you may not disseminate, copy or take action in respect of its contents. If you have received this message in error please notify Cape EAPrac immediately and return it to the above address. The views expressed in this message are not necessarily the views of Cape EAPrac, its Directors or Staff and no liability is accepted as a result of the contents expressed herein.

From: Mariska Byleveld

Sent: Thursday, 10 July 2025 09:52

To: 'Carlo Abrahams' <cabrahams@bocma.co.za>; pmqondeki@bocma.co.za; leptieshaam Bekko <leptieshaam.bekko@westerncape.gov.za>; jcompion@gardenroute.gov.za; rekords@gardenroute.gov.za; Cox, Jean <jcox@mosselbay.gov.za>; adellemijn@mosselbay.gov.za; Nathan Jacobs <nathan.jacobs@westerncape.gov.za>; Steve Kleinhans <steve.kleinhans@westerncape.gov.za>; DEADP-EIAAdmin George <deadpeiaadmin.george@westerncape.gov.za>; Melanie Koen <mkoen@dffe.gov.za>; Naidoo, Dick <dnaidoo@mosselbay.gov.za>; admin <admin@mosselbay.gov.za>; Roux, Jaco <jroux@mosselbay.gov.za>; Evelyn Shogole <shogolee@caa.co.za>; Megan Simons <msimons@capenature.co.za>; dsteyn@mosselbay.gov.za; Cor Van der Walt <cor.vanderwalt@westerncape.gov.za>; Brandon Layman <brandon.layman@westerncape.gov.za>; nina@gardenroute.gov.za; Stephanie Barnardt <stephanie.barnardt@westerncape.gov.za>

Subject: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

Good day,

I trust you are well.

NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

Please find attached notification of the availability of the 24G Application & Assessment Report, in terms of Section 24O(2) and (3) NEMA, for the abovementioned application.

As a registered State Department / organs of state, you are hereby invited to review and submit comment on the NEMA 24G Application & Assessment Report for Seebederfie S24G on Erf 4735, Great Brak River.

The 24G Application & Assessment Report is available for a 30-day commenting period extending from **Friday, 10 July 2025 to Monday, 11 August 2025**.

The document is available on the *Cape EAPrac* website, www.cape-eaprac.co.za, under 'Active Projects' listed as 'Seebederfie S24G'. For additional convenience herewith please find direct links to the main report and various appendices, from where you can select the exact aspect you may be interested in reviewing, or commenting on. You can click on the corresponding underlined link, and it will take you to the report/appendix in question as is available via our website.

[S24G Application & Assessment Report - Main Report](#)

- [Appendix A: Locality Map](#)
- [Appendix B: Site Plan](#)
- [Appendix C: Previously Approved Building Plans](#)
- [Appendix D: Colour Photographs](#)
- [Appendix E: Biodiversity Overlay Maps](#)
- [Appendix F: OSCAE Permit](#)
- [Appendix G: Public Participation Process](#)
- [Appendix H1: Fauna Compliance Statement](#)
- [Appendix H2: Terrestrial Biodiversity & Botanical Impact Assessment](#)
- [Appendix H3: Aquatic Compliance Statement](#)
- [Appendix H4: Applicability of NHRA](#)
- [Appendix H5: Structural Engineer Statement](#)
- [Appendix H6: Planning Statement](#)
- [Appendix I: Draft Environmental Management Plan](#)
- [Appendix J: Pre-Compliance Notice](#)
- [Appendix M: Screening Tool Report](#)
- [Appendix O: Company Profile & EAP CV](#)
- [Appendix P: Site Sensitivity Verification Report](#)

You are welcome to distribute the information to anyone interested in the Project or send us the contact details of stakeholders you may deem necessary for us to contact.

Should you have any queries, please do not hesitate to contact me directly.

Kind Regards/Vriendelike groete

Mariska Byleveld

Candidate EAP

MSc Geology (University of the Free State)

Candidate EAP Reg: 2023/6593

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530

Cape EAPrac



Please Note: When registering as an Interested and Affected Party (I&AP), you consent to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your information will be used for this project, including the initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making. Kindly view our [Privacy Statement](#) for more information.



Reduce Reuse Recycle

In the interest of resource conservation please reconsider printing this email.

This message and any attachments to it contains privileged and confidential information intended only for the use of the addressee. If you are not the addressee you are hereby notified that you may not disseminate, copy or take action in respect of its contents. If you have received this message in error please notify Cape EAPrac immediately and return it to the above address. The views expressed in this message are not necessarily the views of Cape EAPrac, its Directors or Staff and no liability is accepted as a result of the contents expressed herein.

Mossel Bay Municipality email disclaimer:

http://www.mosselbay.gov.za/mbm_disclaimer.pdf

Mossel Bay Municipality,
101 Marsh Street,
Mossel Bay,
6506,
South Africa

Tel: +27 44 606 5000

www.mosselbay.gov.za

Mariska Byleveld

From: Minnie, Rudi <rminnie@mosselbay.gov.za>
Sent: Friday, 30 January 2026 15:25
To: Mariska Byleveld; Human, Susan
Cc: Abrahams, Mushfiqah; Nizibone Lubisi; Unathi Nakani; admin
Subject: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE (Erf 4735), GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT,

Follow Up Flag: Follow up
Flag Status: Flagged

Good day Ms Byleveld

The s24G and the EA (if received) will be sufficient in this case and no OSCA application will be necessary.

Kind regards



Rudi Minnie

Assistant Conservation Officer

101 Marsh Street, Mossel Bay

Email: rminnie@mosselbay.gov.za

Web: <https://www.mosselbay.gov.za>

Tel: +27 44 606-5163



MOSSEL BAY | HARTENBOS | GREAT BRAK RIVER | HERBERTSDALE

Anti-Fraud Hotline: 0800 333 466

From: Mariska Byleveld <mariska@cape-eaprac.co.za>
Sent: Friday, 30 January 2026 13:59
To: Human, Susan <shuman@mosselbay.gov.za>
Cc: Minnie, Rudi <rminnie@mosselbay.gov.za>
Subject: RE: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

*** [EXTERNAL]: This email originated from outside the organization. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Hi Susan & Rudi,

I hope you're both doing well and I wish you all the best for the year ahead!

Thank you for sharing your feedback on the S24G Assessment Application for Seebederfie.

I'd like to request some further clarity regarding the requirement for a new OSCA application. From my understanding, since the property is already undergoing the S24G process, an additional OSCA permit may not be necessary as the application falls under NEMA, with DEA&DP as the competent authority.

In George, Knysna and Plettenberg Bay, OSCA applications are generally not required when a property is subject to a full Environmental Application process under NEMA. If Mossel Bay Municipality follows a different approach, could you kindly advise whether the Applicant should apply for an OSCA permit before or after Environmental Authorisation has been obtained?

For instance, I know that with Planning Applications, the Municipality usually waits for Environmental Authorisation before approving building plans. I'd like to confirm whether the same principle applies to OSCA permits, specifically, whether they are only issued once an EA has been obtained.

I look forward to hearing from you.

Kind Regards/Vriendelike groete

Mariska Byleveld

Candidate EAP

MSc Geology (University of the Free State)

Candidate EAP Reg: 2023/6593

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530

Cape EAPrac



Please Note: When registering as an Interested and Affected Party (I&AP), you consent to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your information will be used for this project, including the initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making. Kindly view our [Privacy Statement](#) for more information.



Reduce Reuse Recycle

In the interest of resource conservation please reconsider printing this email.

This message and any attachments to it contains privileged and confidential information intended only for the use of the addressee. If you are not the addressee you are hereby notified that you may not disseminate, copy or take action in respect of its contents. If you have received this message in error please notify Cape EAPrac immediately and return it to the above address. The views expressed in this message are not necessarily the views of Cape EAPrac, its Directors or Staff and no liability is accepted as a result of the contents expressed herein.

From: Human, Susan <shuman@mosselbay.gov.za>

Sent: Friday, 22 August 2025 15:03

To: Mariska Byleveld <mariska@cape-eaprac.co.za>

Cc: Minnie, Rudi <rminnie@mosselbay.gov.za>

Subject: RE: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

You don't often get email from shuman@mosselbay.gov.za. [Learn why this is important](#)

Good day

My comment as follow:

After careful review of the site and relevant spatial and ecological data, we regret to inform you that **expansion is not supported** for the following reasons:

Environmental Sensitivity and Biodiversity Concerns

1. Critical Biodiversity Area (CBA) Designation

The entire property falls within a **Critical Biodiversity Area (CBA)** as per the **2023 Western Cape Biodiversity Spatial Plan (WC-BSP)**.

- Notably, the biodiversity status has escalated from **Ecological Support Area 1 (ESA1)** in the 2017 WC-BSP to full **CBA** in 2023.
- This shift likely reflects significant transformation pressures, including urban expansion, which have compromised surrounding ecological integrity.

2. Vegetation Type and Conservation Status

- According to **VegMap 2018**, the site is classified as **Hartenbos Dune Thicket**, listed as **Endangered**.
- The updated **VegMap 2024** identifies the vegetation as **Southeastern Strandveld**. While threat activities are still under assessment, the extremely low conservation coverage (only **0.4 km² protected out of 119 km²**) strongly suggests a status of **Critically Endangered or Endangered**.

3. Coastal Dune System

The property is situated entirely within a **coastal dune formation**, a geomorphological feature of high ecological and hydrological importance, particularly in buffering coastal processes and supporting endemic biodiversity.

Regulatory and Rehabilitation Requirements

1. Conservancy Membership

The property must become a member of a **local conservancy** to ensure ongoing stewardship and alignment with regional conservation objectives.

2. OSCA Compliance and Environmental Reporting

- The site falls within an **OSCA (Outeniqua Sensitive Coastal Area)** zone.
- The original OSCA approval permitted development of **650 m²**, whereas the actual cleared area exceeds **4,000 m²**, including pathways and driveways.
- A **new OSCA application** is required. The accompanying **Environmental Impact Report (EIR)** must:
 - Clearly **map and quantify** all listed activities undertaken (total area and volumes).
 - Identify and delineate **proposed rehabilitation areas** with appropriate ecological restoration plans.

We trust this response provides clarity on the environmental constraints and necessary steps forward. Please do not hesitate to reach out should you require further guidance or support in navigating the regulatory and ecological requirements.

Kind regards



Susan Human

Senior Town Planner: Spatial Planning

101 Marsh Street, Mossel Bay

Email: shuman@mosselbay.gov.za

Web: <https://www.mosselbay.gov.za>

Tel: +27 44 606-5070

Cell:



MOSSSEL BAY | HARTENBOS | GREAT BRAK RIVER | HERBERTSDALE

Anti-Fraud Hotline: 0800 333 466

From: Mariska Byleveld <mariska@cape-eaprac.co.za>

Sent: Tuesday, 19 August 2025 10:59

To: Mariska Byleveld <mariska@cape-eaprac.co.za>

Subject: RE: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

*** [EXTERNAL]: This email originated from outside the organization. Exercise caution when opening attachments or clicking links, especially from unknown senders. ***

Good morning,

I trust you are well!

RE: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

I'm just following up on my email dated 10 July 2025 (please see below).

The public participation period ended on 11 August 2025. However, you are welcome to send any comments you may have within this week.

Please do not hesitate to call if you have any questions.

Kind Regards/Vriendelike groete

Mariska Byleveld

Candidate EAP

MSc Geology (University of the Free State)

Candidate EAP Reg: 2023/6593

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530

Cape EAPrac



Please Note: When registering as an Interested and Affected Party (I&AP), you consent to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your information will be used for this project, including the initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making.
Kindly view our [Privacy Statement](#) for more information.



Reduce Reuse Recycle

In the interest of resource conservation please reconsider printing this email.

This message and any attachments to it contains privileged and confidential information intended only for the use of the addressee. If you are not the addressee you are hereby notified that you may not disseminate, copy or take action in respect of its contents. If you have received this message in error please notify Cape EAPrac immediately and return it to the above address. The views expressed in this message are not necessarily the views of Cape EAPrac, its Directors or Staff and no liability is accepted as a result of the contents expressed herein.

From: Mariska Byleveld

Sent: Thursday, 10 July 2025 09:52

To: 'Carlo Abrahams' <cabrahams@bocma.co.za>; pmqondeki@bocma.co.za; leptieshaam Bekko <leptieshaam.bekko@westerncape.gov.za>; jcompion@gardenroute.gov.za; rekords@gardenroute.gov.za; Cox, Jean <jcox@mosselbay.gov.za>; adellemijn@mosselbay.gov.za; Nathan Jacobs <nathan.jacobs@westerncape.gov.za>; Steve Kleinhans <steve.kleinhans@westerncape.gov.za>; DEADP-EIAAdmin George <deadpeiaadmin.george@westerncape.gov.za>; Melanie Koen <mkoen@dffe.gov.za>; Naidoo, Dick

<dnaidoo@mosselbay.gov.za>; admin <admin@mosselbay.gov.za>; Roux, Jaco <jroux@mosselbay.gov.za>; Evelyn Shogole <shogolee@caa.co.za>; Megan Simons <msimons@capenature.co.za>; dsteyn@mosselbay.gov.za; Cor Van der Walt <cor.vanderwalt@westerncape.gov.za>; Brandon Layman <brandon.layman@westerncape.gov.za>; nina@gardenroute.gov.za; Stephanie Barnardt <stephanie.barnardt@westerncape.gov.za>

Subject: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

Good day,

I trust you are well.

NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

Please find attached notification of the availability of the 24G Application & Assessment Report, in terms of Section 24O(2) and (3) NEMA, for the abovementioned application.

As a registered State Department / organs of state, you are hereby invited to review and submit comment on the NEMA 24G Application & Assessment Report for Seebederfie S24G on Erf 4735, Great Brak River.

The 24G Application & Assessment Report is available for a 30-day commenting period extending from **Friday, 10 July 2025 to Monday, 11 August 2025**.

The document is available on the *Cape EAPrac* website, www.cape-eaprac.co.za, under 'Active Projects' listed as 'Seebederfie S24G'. For additional convenience herewith please find direct links to the main report and various appendices, from where you can select the exact aspect you may be interested in reviewing, or commenting on. You can click on the corresponding underlined link, and it will take you to the report/appendix in question as is available via our website.

S24G Application & Assessment Report - Main Report

- [Appendix A: Locality Map](#)
- [Appendix B: Site Plan](#)
- [Appendix C: Previously Approved Building Plans](#)
- [Appendix D: Colour Photographs](#)
- [Appendix E: Biodiversity Overlay Maps](#)
- [Appendix F: OSCAE Permit](#)
- [Appendix G: Public Participation Process](#)
- [Appendix H1: Fauna Compliance Statement](#)
- [Appendix H2: Terrestrial Biodiversity & Botanical Impact Assessment](#)
- [Appendix H3: Aquatic Compliance Statement](#)
- [Appendix H4: Applicability of NHRA](#)
- [Appendix H5: Structural Engineer Statement](#)
- [Appendix H6: Planning Statement](#)
- [Appendix I: Draft Environmental Management Plan](#)
- [Appendix J: Pre-Compliance Notice](#)
- [Appendix M: Screening Tool Report](#)
- [Appendix O: Company Profile & EAP CV](#)
- [Appendix P: Site Sensitivity Verification Report](#)

You are welcome to distribute the information to anyone interested in the Project or send us the contact details of stakeholders you may deem necessary for us to contact.

Should you have any queries, please do not hesitate to contact me directly.

Kind Regards/Vriendelike groete

Mariska Byleveld

Candidate EAP

MSc Geology (University of the Free State)

Candidate EAP Reg: 2023/6593

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530

Cape EAPrac



Please Note: When registering as an Interested and Affected Party (I&AP), you consent to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your information will be used for this project, including the initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making. Kindly view our [Privacy Statement](#) for more information.



Reduce Reuse Recycle

In the interest of resource conservation please reconsider printing this email.

This message and any attachments to it contains privileged and confidential information intended only for the use of the addressee. If you are not the addressee you are hereby notified that you may not disseminate, copy or take action in respect of its contents. If you have received this message in error please notify Cape EAPrac immediately and return it to the above address. The views expressed in this message are not necessarily the views of Cape EAPrac, its Directors or Staff and no liability is accepted as a result of the contents expressed herein.

Mossel Bay Municipality email disclaimer:

http://www.mosselbay.gov.za/mbm_disclaimer.pdf

Mossel Bay Municipality,
101 Marsh Street,
Mossel Bay,
6506,
South Africa

Tel: +27 44 606 5000

www.mosselbay.gov.za

Mossel Bay Municipality email disclaimer:
http://www.mosselbay.gov.za/mbm_disclaimer.pdf

Mossel Bay Municipality,
101 Marsh Street,
Mossel Bay,
6506,
South Africa

Tel: +27 44 606 5000

www.mosselbay.gov.za



54 York Street,
George
Western Cape
6529

PO Box 12,
George,
Western Cape
6530

Tel: 044 803 1300
Fax: 086 555 6303
E-mail: info@gardenroute.gov.za
www.gardenroute.gov.za

OFFICE OF THE MUNICIPAL MANAGER

Enquiries: N Britz
Reference: 18/3/4/4
Date: 05 August 2025

Ms M Byleveld
Cape EAPrac
P.O. Box 2070
GEORGE
6530

mariska@cape-eaprac.co.za

Dear Madam

RECTIFICATION ASSESMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY:

With reference to the abovementioned application, the following is for your attention:

The transformation of undeveloped land to residential/ commercial may include the following construction activities: Site preparation (vegetation clearing, scraping road surfaces), excavations, tarring, building, and construction of bulk services (sewage and water, piping installations).

The abovementioned activities may create a negative impact on human health such as stress, respiratory infections (asthma, coughing, wheezing, and lung irritations) and vector borne illnesses from increased waste.

Recommendations:

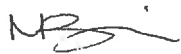
Management of all above mentioned activities to prevent and/or limit the negative health effects to humans through:

- Proper storage and disposal of waste generated (general waste and construction waste) on site.
- Managing dust emanating from site by means of the most practical option available.
- Ensure proper toilet facilities for employees on site.

The Environmental Health Practitioner responsible for the area in which the construction will take place will be responsible for monitoring effect to human health.

For further information, please contact Ms N Britz at telephone number 044 693 0006.

Yours faithfully



NEO-LAY BRITZ
ENVIRONMENTAL HEALTH PRACTITIONER



PP: MONDE STRATU
MUNICIPAL MANAGER

Y:\Neolay Britz\Work 2025\EIA'S\EIA Seebederfie Great Brak River.docx

DATE: 5/8/2025

Mariska Byleveld

From: Stephanie Barnardt <Stephanie.Barnardt@westerncape.gov.za>
Sent: Thursday, 10 July 2025 10:59
To: Mariska Byleveld
Subject: RE: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

Follow Up Flag: Follow up
Flag Status: Flagged

Good day Mariska

Please can you provide me with HWC reference number for me to provide you with a comment.

If there was no NID trigger, please note that HWC cannot comment on matters that do not form part of our mandate.

Please include your HWC reference number in future correspondence to assist in responding to your query promptly.

Kindly note: Due to volume of queries I receive I may not be able to respond to you immediately, if you have not received a reply from within ten working days, please resend your query

Kind regards,

Application forms 2024:

[Applications Link](#)

[Notice](#)

Stephanie-Anne Barnardt-Delport

Specialist Heritage Officer (Archaeologist)(Professional ASAPA Member: 745)

Heritage Western CapeTel: (+27) 021 829 3315

Heritage Resource Management Services
Protea Assurance Building Greenmarket Square, Cape Town

Website: www.hwc.org.za / www.westerncape.gov.za



From: Mariska Byleveld <mariska@cape-eaprac.co.za>

Sent: Thursday, July 10, 2025 9:52 AM

To: 'Carlo Abrahams' <cabrahams@bocma.co.za>; pmqondeki@bocma.co.za; leptieshaam Bekko <leptieshaam.Bekko@westerncape.gov.za>; jcompion@gardenroute.gov.za; rekords@gardenroute.gov.za; Cox, Jean <jcox@mosselbay.gov.za>; adellemijn@mosselbay.gov.za; Nathan Jacobs <Nathan.Jacobs@westerncape.gov.za>; Steve Kleinhans <Steve.Kleinhans@westerncape.gov.za>; DEADP-EIAAdmin George <DEADPEIAAdmin.George@westerncape.gov.za>; Melanie Koen <mkoen@dffe.gov.za>; Naidoo, Dick <dnaidoo@mosselbay.gov.za>; admin <admin@mosselbay.gov.za>; Roux, Jaco <jroux@mosselbay.gov.za>; Evelyn Shogole <shogolee@caa.co.za>; Megan Simons <msimons@capenature.co.za>; dsteyn@mosselbay.gov.za; Cor Van der Walt <Cor.VanderWalt@westerncape.gov.za>; Brandon Layman <Brandon.Layman@westerncape.gov.za>; nina@gardenroute.gov.za; Stephanie Barnardt <Stephanie.Barnardt@westerncape.gov.za>

Subject: NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

Good day,

I trust you are well.

NOTIFICATION OF SECTION 24G RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G, GREAT BRAK RIVER, MOSSEL BAY MUNICIPAL DISTRICT, WESTERN CAPE PROVINCE

Please find attached notification of the availability of the 24G Application & Assessment Report, in terms of Section 24O(2) and (3) NEMA, for the abovementioned application.

As a registered State Department / organs of state, you are hereby invited to review and submit comment on the NEMA 24G Application & Assessment Report for Seebederfie S24G on Erf 4735, Great Brak River.

The 24G Application & Assessment Report is available for a 30-day commenting period extending from **Friday, 10 July 2025 to Monday, 11 August 2025**.

The document is available on the *Cape EAPrac* website, www.cape-eaprac.co.za, under 'Active Projects' listed as 'Seebederfie S24G'. For additional convenience herewith please find direct links to the main report and various appendices, from where you can select the exact aspect you may be interested in reviewing, or commenting on. You can click on the corresponding underlined link, and it will take you to the report/appendix in question as is available via our website.

S24G Application & Assessment Report - Main Report

- [Appendix A: Locality Map](#)
- [Appendix B: Site Plan](#)
- [Appendix C: Previously Approved Building Plans](#)
- [Appendix D: Colour Photographs](#)
- [Appendix E: Biodiversity Overlay Maps](#)
- [Appendix F: OSCAE Permit](#)
- [Appendix G: Public Participation Process](#)
- [Appendix H1: Fauna Compliance Statement](#)
- [Appendix H2: Terrestrial Biodiversity & Botanical Impact Assessment](#)
- [Appendix H3: Aquatic Compliance Statement](#)
- [Appendix H4: Applicability of NHRA](#)

- [Appendix H5: Structural Engineer Statement](#)
- [Appendix H6: Planning Statement](#)
- [Appendix I: Draft Environmental Management Plan](#)
- [Appendix J: Pre-Compliance Notice](#)
- [Appendix M: Screening Tool Report](#)
- [Appendix O: Company Profile & EAP CV](#)
- [Appendix P: Site Sensitivity Verification Report](#)

You are welcome to distribute the information to anyone interested in the Project or send us the contact details of stakeholders you may deem necessary for us to contact.

Should you have any queries, please do not hesitate to contact me directly.

Kind Regards/Vriendelike groete

Mariska Byleveld

Candidate EAP

MSc Geology (University of the Free State)

Candidate EAP Reg: 2023/6593

T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530



Please Note: When registering as an Interested and Affected Party (I&AP), you consent to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your information will be used for this project, including the initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making.

Kindly view our [Privacy Statement](#) for more information.



Reduce Reuse Recycle

In the interest of resource conservation please reconsider printing this email.

This message and any attachments to it contains privileged and confidential information intended only for the use of the addressee. If you are not the addressee you are hereby notified that you may not disseminate, copy or take action in respect of its contents. If you have received this message in error please notify Cape EAPrac immediately and return it to the above address. The views expressed in this message are not necessarily the views of Cape EAPrac, its Directors or Staff and no liability is accepted as a result of the contents expressed herein.

"All views or opinions expressed in this electronic message and its attachments are the view of the sender and do not necessarily reflect the views and opinions of the Western Cape Government (the WCG). No employee of the WCG is entitled to conclude a binding contract on behalf of the WCG unless he/she is an accounting officer of the WCG, or his or her authorised representative. The information contained in this message and its attachments may be confidential or privileged and is for the use of the named recipient only, except where the sender specifically states otherwise.

If you are not the intended recipient you may not copy or deliver this message to anyone."



OUR REFERENCE : 20/9/2/4/7/405
YOUR REFERENCE : MOS786/07
ENQUIRIES : Cor van der Walt

Cape EAPrac
PO Box 2070
GEORGE
6530

Att: Mariska Byleveld

**RECTIFICATION ASSESSMENT APPLICATION PROCESS FOR SEEBEDERFIE S24G:
DIVISION MOSSEL BAY
ERF NO 4735**

Your application of 10 July 2025 has reference.

The Western Cape Department of Agriculture has no objection to the S24G process.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely

Mr. CJ van der Walt

<u>Copies:</u>	
Department of Environmental Affairs & Development Planning	Mossel Bay Municipality
Private Bag X6509	Private Bag X29
GEORGE	MOSSEL BAY
6530	6500

LANDUSE MANAGER: LANDUSE MANAGEMENT
2025-09-15