

MOSSEL BAY ADVERTISER

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Friday, 19 January 2024



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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



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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.

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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.

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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

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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: 14/24/1/00617/0017/03
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 Otterust, 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.

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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 absence of a person registered as an I&AP in terms of the National Environmental Management Act, 2014 (Act No. 107 of 2014), the registered authority for the consideration and decision-making.

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



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.....

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
leptieshaam Bekko	DEA&DP: Coastal Management	2024/01/19
Johan Compion	Garden Route District Municipality	2024/01/19
Jean Cox	Mossel Bay Municipality	2024/01/19
Anton Dellemijn	Mossel Bay Municipality	2024/01/19
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
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

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.
<p>The following general conditions remain relevant for this application:</p> <ul style="list-style-type: none"> • 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.