



Eco Route

ENVIRONMENTAL CONSULTANCY
REGISTRATION NO. 1998/031976/23

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DRAFT BASIC ASSESSMENT REPORT

FOR

The Proposed Construction of a Single Residential Dwelling on Erf 1216 Sea Vista, St Francis Bay, Kouga Municipality, Eastern Cape

In terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and the Environmental Impact Assessment Regulations, 2014 (as amended).



PREPARED FOR:	BIRDMAN INVESTMENTS (PTY) LTD
PREPARED BY:	ECO ROUTE ENVIRONMENTAL CONSULTANCY
DEPARTMENT REF:	EC08/C/LN1&3/M/01-2025
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DATE:	23/01/2025

ECO-ROUTE ENVIRONMENTAL CONSULTANCY



REGISTRATION NO. 1998/031976/23

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STATEMENT OF INDEPENDENCE

I, **Joclyn Marshall**, of Eco Route Environmental Consultancy, in terms of section 33 of the NEMA, 1998 (Act No. 107 of 1998), as amended, hereby declare that I provide services as an independent Environmental Assessment Practitioner (EAPASA Reg: **2022/5006**) and receive remuneration for services rendered for undertaking tasks required in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and the Environmental Impact Assessment Regulations, 2014 (as amended). I have no financial or other vested interest in the project.

EAP SIGNATURE: _____

BASIC ASSESSMENT REPORT

(For official use only)

File Reference Number:

NEAS Number:

Date Received:

Basic assessment report in terms of the Environmental Impact Assessment Regulations, 2014 as amended, promulgated in terms of the National Environmental Management Act, 1998(Act No. 107 of 1998), as amended.

Kindly note that:

1. This **basic assessment report** is a standard report that may be required by a competent authority in terms of the EIA Regulations, 2014 as amended and is meant to streamline applications. Please make sure that it is the report used by the particular competent authority for the activity that is being applied for. This report is current as of **1 OCTOBER 2022**. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority
2. The report must be typed within the spaces provided in the form. The size of the spaces provided is not necessarily indicative of the amount of information to be provided. The report is in the form of a table that can extend itself as each space is filled with typing.
3. Where applicable **tick** the boxes that are applicable or **black out** the boxes that are not applicable in the report.
4. An incomplete report may be returned to the applicant for revision.
5. The use of "not applicable" in the report must be done with circumspection because if it is used in respect of material information that is required by the competent authority for assessing the application, it may result in the rejection of the application as provided for in the regulations.
6. This report must be handed in at offices of the relevant competent authority as determined by each authority **unless indicated otherwise by the Department**.
7. No faxed or e-mailed reports will be accepted **unless indicated otherwise by the Department**.
8. The report must be compiled by an independent environmental assessment practitioner (EAP). The EAP must satisfy conditions 11 below.

9. Unless protected by law, all information in the report will become public information on receipt by the competent authority. Any interested and affected party should be provided with the information contained in this report on request, during any stage of the application process.
10. A competent authority may require that for specified types of activities in defined situations only parts of this report need to be completed.
- 11.1 The Environmental Assessment Practitioner (EAP) must be registered in terms of S24H Regulations with the Registration Authority EAPASA as from 8 August 2022.
- 11.2. S24H (14) states that "only a person registered as an Environmental Assessment practitioner may perform tasks in connection with an application for an environmental authorisation contemplated in
 (a) Chapter 5 of the Act read with the Environmental Impact Assessment Regulations.
 (b) Section 24G of the Act
 (c) Chapter 5 of the National Environmental Management Waste Act 2008 (Act No 59 of 2008) read with the Environmental Impact Assessment Regulations
- 11.3. Tasks in regulation 14 may only be conducted by an EAP that is registered
- 11.4. Regulations 20 of S24H indicates the offences and penalties as indicated below:
- "20. Offences and penalties*
 (1) *A person is guilty of an offence if that person-*
 (a) *contravenes regulation 14 of the Regulations; or*
 (b) *pretends to be a registered environmental assessment practitioner or registered candidate environmental assessment practitioner.*
- (2) *A person convicted of an offence in terms of subregulation (1) is liable to the penalties contemplated in section 49B(3) of the Act."*
 Section 49B(3) of the Act states:
"A person convicted of an offence in terms of section 49A(1)(h), (l), (m), (n), (o) or (p) is liable to a fine or to imprisonment for a period not exceeding one year, or to both a fine and such imprisonment."

SECTION A: ACTIVITY INFORMATION

Has a specialist been consulted to assist with the completion of this section?

YES

NO ✓

If YES, please complete form XX for each specialist thus appointed:

Any specialist reports must be contained in Appendix D.

1. ACTIVITY DESCRIPTION

Describe the activity, which is being applied for, in detail

The Proposed Construction of a Single Residential Dwelling on Erf 1216 Sea Vista, St Francis Bay, Kouga Municipality, Eastern Cape

Erf 1216 is located in Sea Vista in the Kouga Municipality, in the Eastern Cape. The property covers an area of approximately 985 m² and is located in a coastal dune landscape. Most properties in the area have been developed for residential dwellings, but some properties adjacent to Erf 1216 remain undeveloped and still host indigenous vegetation. Erf 1216 is vacant with a generally flat topography. The site is situated in an elevated position above the high-water mark, on an old coastal sand (aeolian) dune.



Figure 1: Location of Erf 1216 Sea Vista, St Francis Bay.

The proposal is for the development of a double storey dwelling with a footprint of 463m². The total sum of the transformed area including driveway and landscaped areas would be 962m². The dwelling will have an entrance driveway gaining access from Esmerelda Road.

AREA SCHEDULE:	
GROUND FLOOR AREA	464m ²
FIRST FLOOR AREA	218m ²
TOTAL COVERED AREA	682m ²
SITE AREA	962m ²
SITE COVERAGE	48%
F/F COVERAGE OF GF	47%
ALLOWABLE COVERAGE	
SITE COVERAGE	481m ²
FIRST FLOOR COVERAGE	232m ²

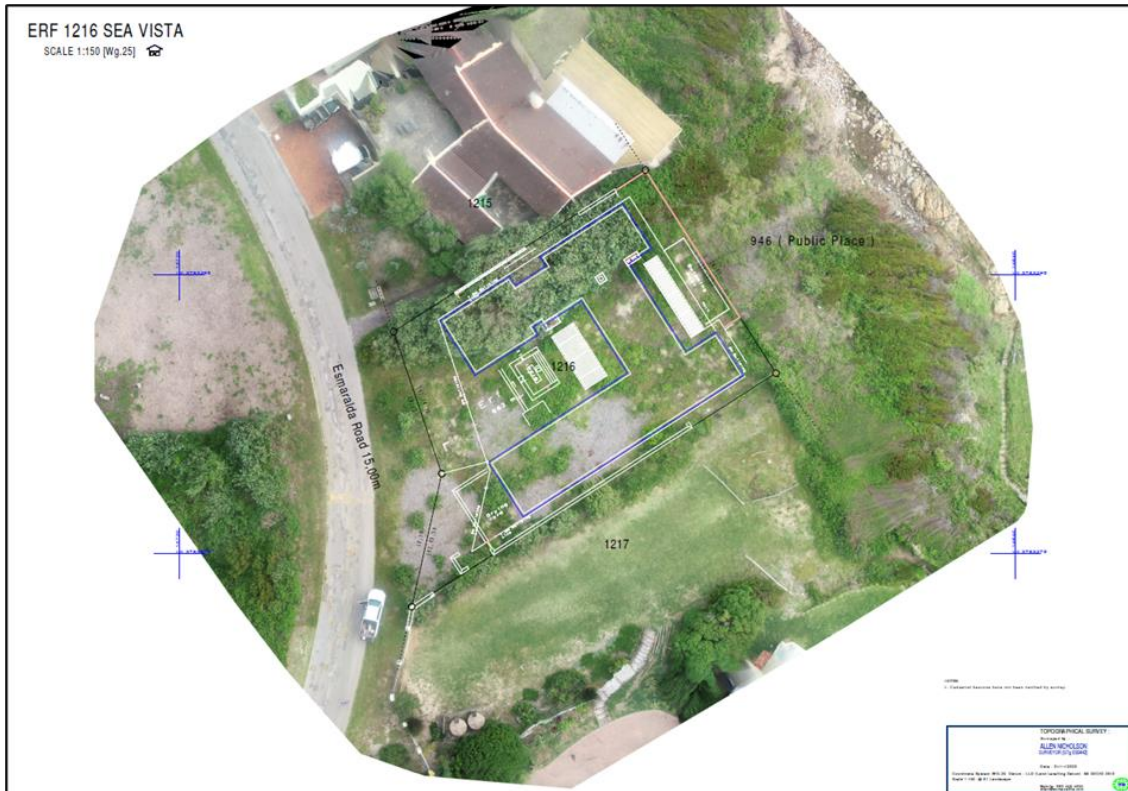


Figure 2: Layout of proposed dwelling.

Construction of the double story dwelling will require earthworks for the foundations. Prior to vegetation clearing, Erf 1216 Sea Vista was subjected to disturbance through the installation of bulk services and subsequent invasion of disturbed areas by *Acacia cyclops* (See figure 2).

Approximately 982 m² of vegetation that occurred on site was cleared for the development of the residential dwelling within 100 meters of the highwater mark of the sea (See figure 3). The clearing took place in May 2022 and ceased thereafter when the Applicant became aware of the Environmental Legislation and sought to rectify the transgression. An S24G rectification process was followed and has been finalised.

Erf 1216 is within the urban edge and Settlement Area as per the Kouga Local Municipality SDF. Access will be from Esmeralda Road and all services will be from the local municipality. Access to the site can be easily gained from the northern boundary of the site, on asphalt roads.



Figure 3: Google Earth satellite imagery showing landcover change on Erf 1216 Sea Vista (red outline) in (a) 2006, (b) 2009, (c) 2021 and (d) 2022. Note that, prior to vegetation clearance in 2021/2022, limited disturbance had taken place on site around 2006 and 2009, after which vegetation became re-established

SERVICES:

Bulk services have already been installed on the site prior to March 2006 (See Figure 4). Water will be supplied from the municipal network. Two 10000L water tanks will be installed for water storage. A conservancy tank of 6.3m³ will be installed which can easily be services. A septic tank will be used for grey water only, which will soak away to the garden area.



Figure 4: Bulk service installed on site prior to March 2006.

2. FEASIBLE AND REASONABLE ALTERNATIVES

“alternatives”, in relation to a proposed activity, means different means of meeting the general purpose and requirements of the activity, which may include alternatives to—

- (a) the property on which or location where it is proposed to undertake the activity;
- (b) the type of activity to be undertaken;
- (c) the design or layout of the activity;
- (d) the technology to be used in the activity;
- (e) the operational aspects of the activity; and
- (f) the option of not implementing the activity.

Describe alternatives that are considered in this application. Alternatives should include a consideration of all possible means by which the purpose and need of the proposed activity could be accomplished in the specific instance taking account of the interest of the applicant in the activity. The no-go alternative must in all cases be included in the assessment phase as the baseline against which the impacts of the other alternatives are assessed. The determination of whether site or activity (including different processes etc.) or both is appropriate needs to be informed by the specific circumstances of the activity and its environment. After receipt of this report the competent authority may also request the applicant to assess additional alternatives that could possibly accomplish the purpose and need of the proposed activity if it is clear that realistic alternatives have not been considered to a reasonable extent. **Paragraphs 3 – 13 below should be completed for each alternative.**

According to Section 24 (4)(b)(i) of the National Environmental Management Act (Act 107 of 1998)-

24 – (4) Procedures for the investigation, assessment and communication of the potential consequences or impacts of activities on the environment - (b) must include, with respect to every application for an environmental authorisation and where applicable – (i) investigation of the potential consequences or impacts of the alternatives to the activity on the environment and assessment of the significance of those potential consequences or impacts, including the option of not implementing the activity.

To ensure compliance against Section 24 (4)(b)(i), a key factor in identifying and evaluating alternatives include their feasibility and reasonability. Therefore, the following criteria were considered to determine whether there is an alternative to the proposed development and whether the identified alternative, or the proposed development, is the most feasible and most reasonable option.

(a) Are there any alternatives that present a greater purpose than the proposed development:

Based on the information gathered, the property is zoned for single residential and forms part of the General Plan for the Sea Vista Township Extension No.9 approved in 1977. The property has existing rights and has been provided with bulk services and access. The preferred alternative is within the property owners' rights and makes reasonable and feasible sense. Alternative consideration beyond the planned residential dwelling is less feasible and reasonable and may not fall within the surrounding land use for the area.

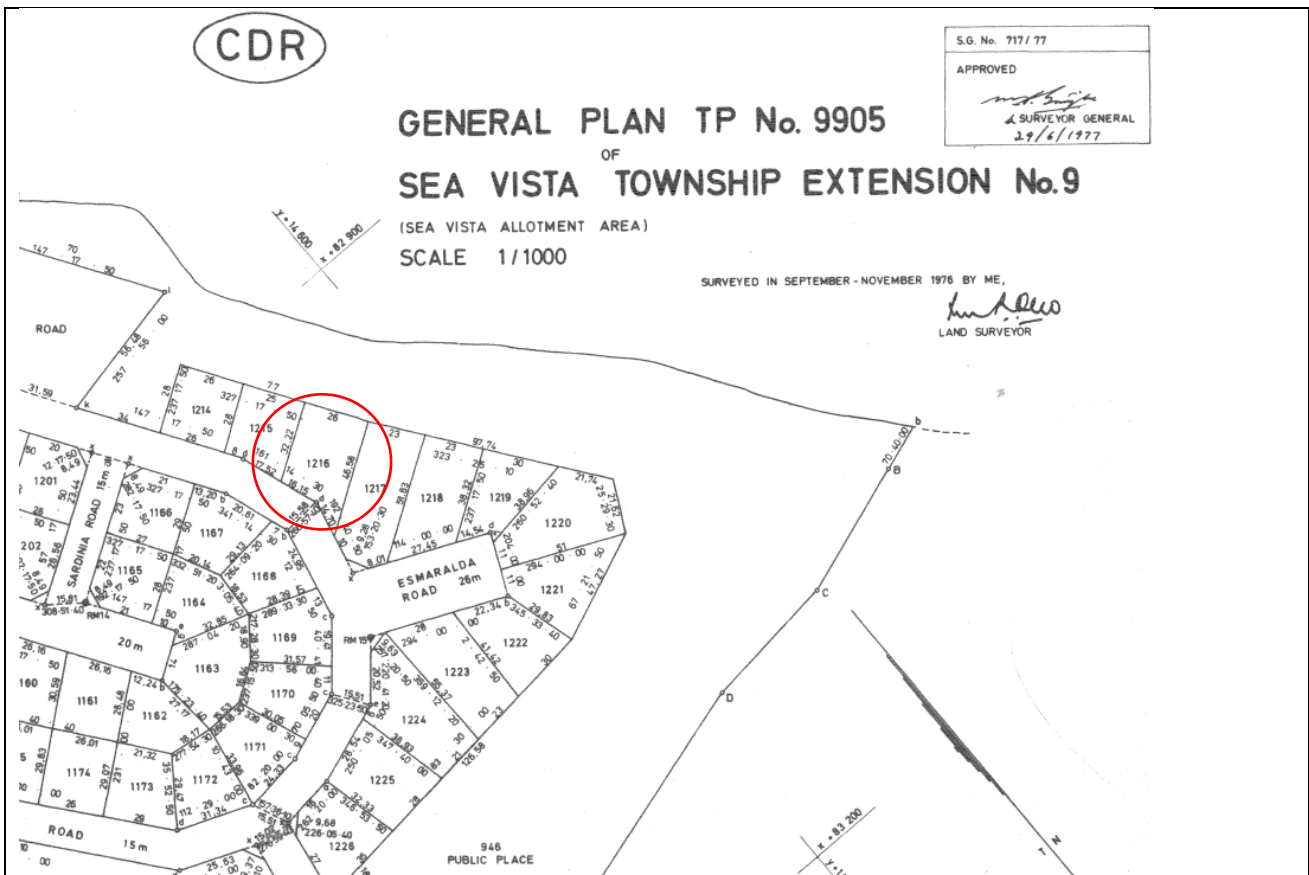


Figure 5: Section of the General Plan for Sea Vista Township Extension No.9.

(b) Are there any alternatives that present the opportunity to avoid negative impact all together:

The specialist studies conducted did not identify any sensitive features on the site such as Species of Conservation Concern (SCC). The site is also situated outside of any designated Critical Biodiversity or Ecological Support Areas, and the vegetation unit has a Least Concern status, indicating low conservation priority. This is further illuminated by the fact that the site is surrounded by developed erven within an urban area (coastal village) (Pote, 2024)¹.

The "no-go" or "no-development" alternative for Erf 1216 does not make feasible or reasonable sense for the property owner, considering that the property has, since its designation in 1977, been earmarked for residential development as part of the Sea Vista Township Extension No.9. The preferred layout is within the existing building rights for the property.

The "no-go" scenario considers the potential impacts if no construction occurs. The site is likely to have been historically vegetated with degraded St Francis Dune Thicket, and there is evidence of alien invasion with *Acacia cyclops* (Rooikrantz), based on site observations and analysis of historical aerial photographs. Some remnant dune thicket remains along the north boundary, comprised of *Brachylaena* and *Searsia* spp trees and shrubs. The remainder of the site would be considered to be secondary vegetation (Pote, 2024).

Animal habitats in the project area were also fragmented and transformed before any unauthorised activities occurred on site, which reduced the suitability of the site for indigenous animal species

(amphibians, reptiles, mammals, and birds) and particularly species of conservation concern. No sensitive animal habitats would have occurred in the past. This means that the present unauthorised clearing of vegetation has not affected any important animal habitats or animal communities (Marietjie Landman, 2023)².

While a "no-go" option would avoid all negative impacts, it is neither the most feasible nor the most reasonable alternative. The findings of the specialists indicate that the environmental impacts of the construction of a residential dwelling would be low, halting development entirely would be in conflict with the property owner's rights and the general development of the township area.

(c) Are there any alternatives that present the opportunity to unavoidable negative impacts:

Currently the impacts assessed by the associated specialists confirm that the intended impact would have a low to negligible impact. The current proposal is determined as the most feasible and reasonable.

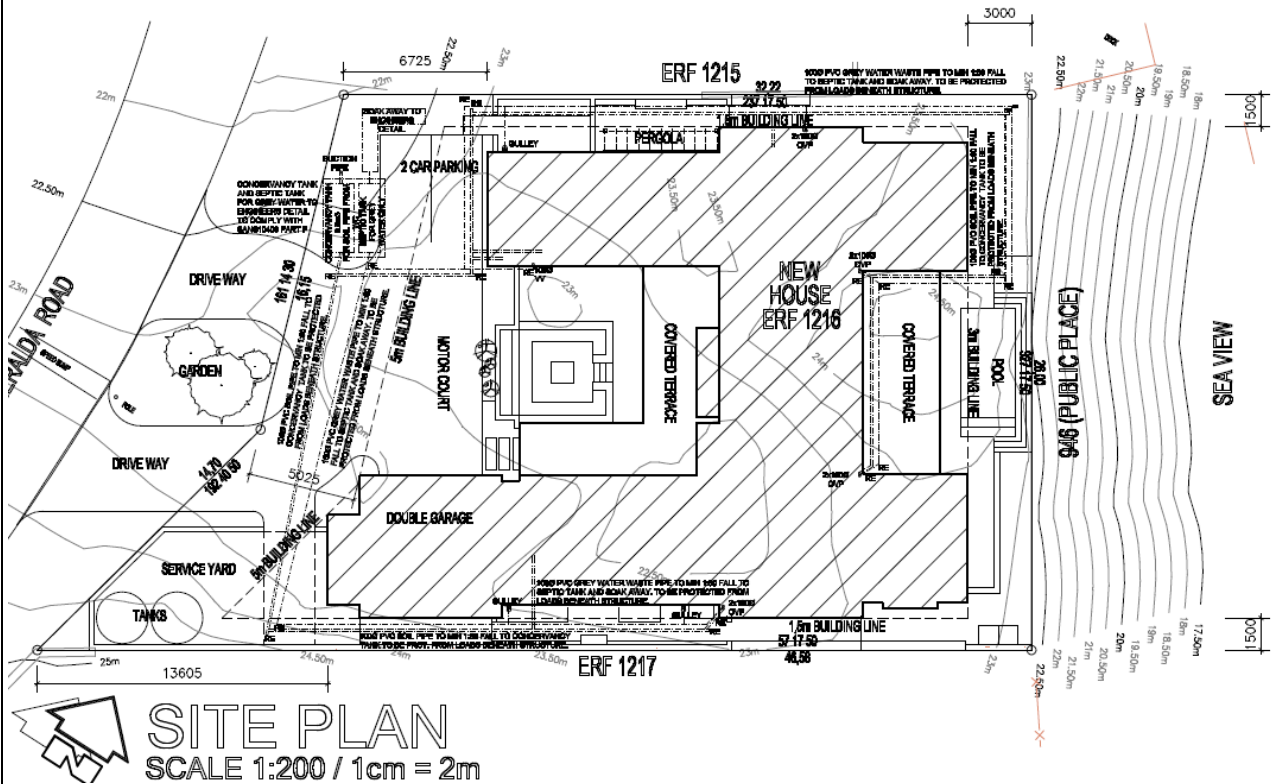


Figure 6: Preferred Alternative Layout for Erf 1216 Sea Vista.

As there is only one property and one activity being assessed, technology was also identified as an alternative to be included in this assessment.

Preferred Alternative:

- Technology alternatives:**
- The dwelling will make use of both municipal provided electricity and solar panel generated energy.

¹ ERF 1216 ST FRANCIS BAY 24G REHABILITATION CLOSURE SITE INSPECTION. Jamie Pote. 18 October 2024.
² TERRESTRIAL ANIMAL SPECIES ASSESSMENT SECTION 24G RECTIFICATION PROCESS FOR THE CLEARING OF VEGETATION ON ERF 1216 IN ST FRANCIS BAY, KOUGA MUNICIPALITY, EASTERN CAPE by Dr Marietjie Landman dated February 2023.

- The dwelling will make use of rainwater tanks, as well as being connected to municipal water infrastructure.
- Power saving technology such as LED lighting.

Second Alternative:

Technology alternatives:

- The dwelling will only make use of municipal provided electricity.
- The dwelling will only make use of municipal provided water.
- No eco-friendly considerations form part of this alternative.

No-go Alternative:

The no-go alternative assumes that the dwelling will not be constructed as proposed, and the status quo will remain in place. If the proposed dwelling is not developed the following will occur:

1. The site will remain as is and continue to support what remaining fauna and flora that make use of the area.
2. The potential for job creation and skills development will be lost.
3. The Applicant cannot carry out their legal right to develop on the Erf zoned for residential use.

3. ACTIVITY POSITION

Indicate the position of the activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS84 spheroid in a national or local projection.

List alternative sites if applicable.

Alternative:

Alternative S1³ (preferred or only site alternative)

Alternative S2 (if any)

Alternative S3 (if any)

Latitude (S):

Longitude (E):

-34°	10'35.63"	24°	50'26.40"
0	'	0	'
0	'	0	'

In the case of linear activities:

Alternative:

Alternative S1 (preferred or only route alternative)

- Starting point of the activity
- Middle point of the activity
- End point of the activity

Latitude (S):

Longitude (E):

0	'	0	'
0	'	0	'
0	'	0	'

Alternative S2 (if any)

- Starting point of the activity
- Middle point of the activity
- End point of the activity

0	'	0	'
0	'	0	'
0	'	0	'

Alternative S3 (if any)

- Starting point of the activity
- Middle point of the activity
- End point of the activity

0	'	0	'
0	'	0	'
0	'	0	'

For route alternatives that are longer than 500m, please provide an addendum with co-ordinates taken every 250 meters along the route for each alternative alignment.

³ "Alternative S.." refer to site alternatives.

4. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical size of the preferred activity/technology as well as alternative activities/technologies (footprints):

Alternative:
 Alternative A1⁴ (preferred activity alternative)
 Alternative A2 (if any)

Size of the activity:
962 m ²
N/A

Indicate the size of the alternative sites or servitudes (within which the above footprints will occur):

Alternative:
 Alternative A1 (preferred activity alternative)
 Alternative A2 (if any)

Size of the site/servitude:
985 m ²
N/A

5. SITE ACCESS

Does ready access to the site exist?

YES ✓	NO
m	

If NO, what is the distance over which a new access road will be built

Describe the type of access road planned:

Access to the site will be gained from the northern boundary of the site from Esmeralda Road on asphalt roads.



Figure 5: Site access.

Include the position of the access road on the site plan and required map, as well as an indication of the road in relation to the site.

⁴ "Alternative A.." refer to activity, process, technology or other alternatives.

6. SITE OR ROUTE PLAN

A detailed site or route plan(s) must be prepared for each alternative site or alternative activity. It must be attached as Appendix A to this document.

The site or route plans must indicate the following:

- 6.1 the scale of the plan which must be at least a scale of 1:500;
- 6.2 the property boundaries and numbers of all the properties within 50 metres of the site;
- 6.3 the current land use as well as the land use zoning of each of the properties adjoining the site or sites;
- 6.4 the exact position of each element of the application as well as any other structures on the site;
- 6.5 the position of services, including electricity supply cables (indicate above or underground), water supply pipelines, boreholes, street lights, sewage pipelines, storm water infrastructure and telecommunication infrastructure;
- 6.6 all trees and shrubs taller than 1.8 metres;
- 6.7 walls and fencing including details of the height and construction material;
- 6.8 servitudes indicating the purpose of the servitude;
- 6.9 sensitive environmental elements within 100 metres of the site or sites including (but not limited thereto):
 - rivers;
 - the 1:100 year flood line (where available or where it is required by DWA);
 - ridges;
 - cultural and historical features;
 - areas with indigenous vegetation (even if it is degraded or invested with alien species);
- 6.9 for gentle slopes the 1 metre contour intervals must be indicated on the plan and whenever the slope of the site exceeds 1:10, the 500mm contours must be indicated on the plan; and
- 6.10 the positions from where photographs of the site were taken.

7. SITE PHOTOGRAPHS

Colour photographs from the centre of the site must be taken in at least the eight major compass directions with a description of each photograph. Photographs must be attached under Appendix B to this form. It must be supplemented with additional photographs of relevant features on the site, if applicable.

8. FACILITY ILLUSTRATION

A detailed illustration of the activity must be provided at a scale of 1:200 as Appendix C for activities that include structures. The illustrations must be to scale and must represent a realistic image of the planned activity. The illustration must give a representative view of the activity.

9.

ACTIVITY MOTIVATION

9(a) Socio-economic value of the activity

What is the expected capital value of the activity on completion?	
What is the expected yearly income that will be generated by or as a result of the activity?	N/A
Will the activity contribute to service infrastructure?	YES NO✓
Is the activity a public amenity?	YES NO✓
How many new employment opportunities will be created in the development phase of the activity?	18
What is the expected value of the employment opportunities during the development phase?	1.83 million + 1.46 million
What percentage of this will accrue to previously disadvantaged individuals?	100%
How many permanent new employment opportunities will be created during the operational phase of the activity?	±4
What is the expected current value of the employment opportunities during the first 10 years?	N/A
What percentage of this will accrue to previously disadvantaged individuals?	100%

9(b) Need and desirability of the activity

Motivate and explain the need and desirability of the activity (including demand for the activity):

- ❖ The activity is permitted in terms of the property's existing land use rights.
- ❖ Temporary employment opportunities will arise during the construction of the project.
- ❖ Materials for the development will be locally sourced as much as possible.
- ❖ Technology alternatives to be incorporated into the design of the proposed activity are eco-friendly and ensure environmental sustainability.

The activity will be in line with the following:

- ❖ Urban edge / edge of built environment for the area.
- ❖ Kouga Local Municipality Integrated Development Plan (IDP) and Spatial Development Framework (SDF).
- ❖ Approved Structure Plan of the Municipality.
- ❖ Necessary services with adequate capacity are currently available.
- ❖ Location factors favour this land use (urban area).
- ❖ The design of the dwelling is in line with the surrounding architectural forms. The aesthetics or "sense of place" will remain as is.

Indicate any benefits that the activity will have for society in general:

Information extracted from the Kouga Municipality (EC 108) SDF 2009:

St Francis Bay is considered a Level 2 District Centre and a secondary node within the Kouga Region. The population of St Francis Bay in 2001 was 2364 with an increase in 2005 to 2800 persons. Estimated population and growth rates for the Kouga region are based on a 4.5% annual increase. Household sizes are based on an average base size of 3.5 persons. The figures for St Francis Bay show a massive increase in households (279%) over the period 2001 to 2005. The population increase was 18.4 % during the same period which is 8% below the municipal average for Kouga of 26.8%. Figures post 2005 is not available. The estimated population growth rate for St Francis Bay in population is 36.09% for the period 2008 to 2015 with a total of 4348 in 2015. The household data shows a decrease in number which is contrary to the expected (Kouga SDF 2009).

The unemployment rate in St Francis Bay (2002) is 20% which is 8.4% below the Kouga region average. The strong Chokka industry is viewed as the drivers of economic output, which contributes strongly to the overall Kouga economy both in terms of economic value and job creation. There is, however, a greater challenge as the overall agricultural output of the Province has generally slowed down over the last five years. This is further compounded by the fact that local agriculture, in terms of commercial primary production, seems to have reached its capacity within the Kouga area. In the Kouga region the economic sector Agriculture, community service constitute approximately 20%, followed by Manufacturing, Finance and Trade (11 to 15%), and electricity, transport and construction (4 to 8%).

Poverty Levels are estimated at 26.6% for St Francis Bay which is lower than the Kouga Region of 32.9%. Services for St Francis Bay show water and sanitation to 3031 households, with a yard tap or house connection. 633 households are serviced with full water borne sanitation and 2398 with a wet installation. Power is dominated by full electrical connections (79%) followed by paraffin of 12.2% (Kouga SDF 2009).

The proposed activity will create temporary employment opportunities and skills development for the local community during the construction phase. Environmentally sustainable technology to be incorporated into the proposed activity will ensure that the activity will not add much to the already strained sectors of water supply and electricity supply. It is envisioned that the basic needs required to run the household will all make use of 'green' technology in the near future.

Indicate any benefits that the activity will have for the local communities where the activity will be located:

Some of the benefits associated with the construction and operation of a single residential dwelling to the local community of Sea Vista include the following:

- Construction and maintenance of the dwelling can provide jobs for local builders, electricians, plumbers, and other tradespeople.
- Occupants of the dwelling may support local businesses such as shops, restaurants, and service providers, contributing to the local economy.
- Development of residential properties can lead to an increase in property values in the area, benefiting existing homeowners.
- Local workers involved in the construction may acquire new skills, enhancing their future employment prospects

10. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

List all legislation, policies and/or guidelines of any sphere of government that are applicable to the application as contemplated in the EIA regulations, if applicable:

Table 1: Applicable Listed Activities.

Environmental Impact Assessment Regulations Listing Notice 1 of 2014 (Government Notice No. R327)		
Activity Number	Activity description	Details of Activity(ies) requiring Basic Assessment
19A	<p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—</p> <ul style="list-style-type: none"> (i) the seashore; (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or (iii) the sea; — <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <ul style="list-style-type: none"> (a) will occur behind a development setback; (b) is for maintenance purposes undertaken in accordance with a maintenance management plan; (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies; (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies. 	<p>The proposed dwelling will require excavation for foundations and some infilling to level the site. This will amount to more than 5 cubic meters within 100 metres inland of the high-water mark of the sea.</p>
Environmental Impact Assessment Regulations Listing Notice 3 of 2014 (Government Notice No. R324)		
Activity number	Activity description	Details of Activity(ies) requiring Basic Assessment
12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance</p>	<p>Approximately 962m² of vegetation will be cleared for the development of a residential dwelling within 100 meters of the high water mark of the sea. Although the property is within the urban area, it is not behind a development setback line.</p>

	<p>purposes undertaken in accordance with a maintenance management plan.</p> <p>a. Eastern Cape</p> <ul style="list-style-type: none"> i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans; iii. Within the littoral active zone or 100 metres inland from the high water mark of the sea, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; iv. Outside urban areas, within 100 metres inland from an estuarine functional zone; or v. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning. 	
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Table 2: Legislation, policies and/or guidelines.

LEGISLATION	ADMINISTERING AUTHORITY	TYPE Permit/ license/ authorisation/comment / relevant consideration	DATE (if already obtained):
CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA. (ACT 108 OF 1996)	All State and Provincial Departments as well as Local Authorities that have been identified as relevant Competent Authorities.	Relevant Consideration	N/A
ENVIRONMENTAL CONSERVATION ACT (ACT 73 OF 1989)	Department of Economic Development, Environmental Affairs & Tourism	Relevant Consideration	N/A
NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT 107 OF 1998)	Department of Economic Development, Environmental Affairs & Tourism	Authorization	In process

NATIONAL ENVIRONMENTAL MANAGEMENT AMENDMENT ACT (ACT 62 OF 2008)	Department of Economic Development, Environmental Affairs & Tourism	Authorization	In Process
NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT (ACT NO 10 OF 2004)	Department of Economic Development, Environmental Affairs & Tourism	Relevant Consideration	N/A
NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT (ACT NO 24 OF 2008)	Department of Economic Development, Environmental Affairs & Tourism	Relevant Consideration	N/A
NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT (ACT 57 OF 2003)	Department of Economic Development, Environmental Affairs & Tourism, Department of Agriculture, Forestry and Fisheries	Relevant Consideration	N/A
NATIONAL WATER ACT (ACT 36 OF 1998)	Department of Water and Sanitation	Water Use License	N/A
WATER SERVICES ACT (ACT 108 OF 1997)	Department of Water and Sanitation	Relevant Consideration	N/A
SEA SHORE ACT (ACT 21 OF 1935)	Department of Economic Development, Environmental Affairs & Tourism	Relevant Consideration	N/A
CONSERVATION OF AGRICULTURAL RESOURCES ACT (ACT 43 OF 1983)	Department of Agriculture, Forestry and Fisheries	Relevant Consideration	N/A
NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)	Eastern Cape Provincial Heritage Resources Authority	Comment/ Relevant Consideration	N/A

POLICY/ GUIDELINES	ADMINISTERING AUTHORITY
GNR 792. Draft Guideline on Need and Desirability in terms of the Environmental Impact Assessment Process 2010 & 2017. Integrated Environmental Management Guidelines Series No. 9.	DFFE
Guideline 3: General Guide to the Environmental Impact Assessment Regulations, 2005. Integrated Environmental Management Guidelines Series.	DFFE
Guideline 5: Assessment of Alternatives and Impacts in support of the Environmental Assessment Regulations, 2005. Integrated Environmental Management Guideline Series.	DFFE

Eastern Cape Biodiversity Conservation Plan	DEDEAT
United Nations Framework Convention on Climate Change	UN
NO.R. 580. Climate Change Bill, 2018	DFFE
National Climate Change Response: White Paper	South African Government
South Africa low emission development strategy.2050	South African Government

11. WASTE, EFFLUENT, EMISSION AND NOISE MANAGEMENT

11(a) Solid waste management

Will the activity produce solid construction waste during the construction/initiation phase?

YES	NO
To be determined	

If yes, what estimated quantity will be produced per month?

How will the construction solid waste be disposed of (describe)?

An estimate could not be made as a contractor has not been appointed at this stage. However, the quantity is expected to be low due to the development being a residential dwelling on undeveloped land.

Where will the construction solid waste be disposed of (describe)?

Solid waste collected in St Francis Bay is transported to the landfill site in Humansdorp.

Will the activity produce solid waste during its operational phase?

YES	NO
To be determined	

If yes, what estimated quantity will be produced per month?

How will the solid waste be disposed of (describe)?

- ❖ Solid waste collection is generally carried out on a weekly basis by the Municipality.
- ❖ The Municipality is planning to implement a recycling plant in St Francis Bay in fairly close proximity to the site.
- ❖ Recycling is currently collected and undertaken by private operators in the St Francis area.

Where will the solid waste be disposed if it does not feed into a municipal waste stream (describe)?

- ❖ The St Francis Bay landfill site is no longer operational.
- ❖ Solid waste collected in St Francis Bay is transported to the landfill site in Humansdorp.
- ❖ Hazardous waste would not be accommodated by Kouga Municipality and would need to be disposed of at a suitably registered Landfill site in Gqeberha (Port Elizabeth).

If the solid waste (construction or operational phases) will not be disposed of in a registered landfill site or be taken up in a municipal waste stream, then the applicant should consult with the competent authority to determine whether it is necessary to change to an application for scoping and EIA.

Can any part of the solid waste be classified as hazardous in terms of the relevant legislation?

YES	NO ✓
-----	------

If yes, inform the competent authority and request a change to an application for scoping and EIA.

Is the activity that is being applied for a solid waste handling or treatment facility?

YES	NO ✓
-----	------

If yes, then the applicant should consult with the competent authority to determine whether it is necessary to change to an application for scoping and EIA.

11(b) Liquid effluent

Will the activity produce effluent, other than normal sewage, that will be disposed of in a municipal sewage system?

YES	NO ✓
-----	------

If yes, what estimated quantity will be produced per month?

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Will the activity produce any effluent that will be treated and/or disposed of on site?

Yes	NO ✓
-----	------

If yes, the applicant should consult with the competent authority to determine whether it is necessary to change to an application for scoping and EIA.

Will the activity produce effluent that will be treated and/or disposed of at another facility?

YES	NO ✓
-----	------

If yes, provide the particulars of the facility:

Facility name:			
Contact person:			
Postal address:			
Postal code:			
Telephone:		Cell:	
E-mail:		Fax:	

Describe the measures that will be taken to ensure the optimal reuse or recycling of waste water, if any:

N/A

11(c) Emissions into the atmosphere

Will the activity release emissions into the atmosphere?

YES	NO ✓
-----	------

If yes, is it controlled by any legislation of any sphere of government?

YES	NO ✓
-----	------

If yes, the applicant should consult with the competent authority to determine whether it is necessary to change to an application for scoping and EIA.

If no, describe the emissions in terms of type and concentration:

None

11(d) Generation of noise

Will the activity generate noise?

YES	NO ✓
-----	------

If yes, is it controlled by any legislation of any sphere of government?

YES	NO ✓
-----	------

If yes, the applicant should consult with the competent authority to determine whether it is necessary to change to an application for scoping and EIA.

If no, describe the noise in terms of type and level:

Noise associated with the construction phase of the development. Construction work will only be permitted during weekdays from 8:00 am to 5:00 pm.

WATER USE

Please indicate the source(s) of water that will be used for the activity by ticking the appropriate box(es)

municipal	water board	groundwater	river, stream, dam or lake	Other – rainwater harvesting	the activity will not use water
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If water is to be extracted from groundwater, river, stream, dam, lake or any other natural feature, please indicate

the volume that will be extracted per month:

N/A

Does the activity require a water use permit from the Department of Water Affairs?

YES	NO
-----	----

If yes, please submit the necessary application to the Department of Water Affairs and attach proof thereof to this application if it has been submitted.

13. ENERGY EFFICIENCY

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

The use of energy saving light bulbs and natural light will contribute to energy saving.

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

All alternative energy sources will be investigated, including the use of solar panels.

SECTION B: SITE/AREA/PROPERTY DESCRIPTION

Important notes:

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

Section C Copy No. (e.g. A): 1

- Paragraphs 1 - 6 below must be completed for each alternative.

- Has a specialist been consulted to assist with the completion of this section?

YES	NO
-----	----

All specialist reports must be contained in Appendix D.

1. GRADIENT OF THE SITE

Indicate the general gradient of the site.

The site has a general slope direction from West and East and may be characterised as gentle slopes. The elevation is generally between 64m and 56m above mean sea level, as determined from historical aerial survey data (2006) carried out on the site.

Alternative S1:

Flat	1:50 – 1:20	1:20 – 1:15	1:15 – 1:10	1:10 – 1:7,5	1:7,5 – 1:5	Steeper than 1:5
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2. LOCATION IN LANDSCAPE

Indicate the landform(s) that best describes the site:

2.1 Ridgeline

2.2 Plateau

- 2.3 Side slope of hill/mountain
- 2.4 Closed valley
- 2.5 Open valley
- 2.6 Plain
- 2.7 Undulating plain / low hills
- 2.8 Dune
- 2.9 Seafront

3. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

The geology of the site consisted of thick deposits of estuarine/dune sand.

Is the site(s) located on any of the following (tick the appropriate boxes)?

	Alternative S1:		Alternative S2 (if any):		Alternative S3 (if any):	
Shallow water table (less than 1.5m deep)	YES	NO	YES	NO	YES	NO
Dolomite, sinkhole or doline areas	YES	NO	YES	NO	YES	NO
Seasonally wet soils (often close to water bodies)	YES	NO	YES	NO	YES	NO
Unstable rocky slopes or steep slopes with loose soil	YES	NO	YES	NO	YES	NO
Dispersive soils (soils that dissolve in water)	YES	NO	YES	NO	YES	NO
Soils with high clay content (clay fraction more than 40%)	YES	NO	YES	NO	YES	NO
Any other unstable soil or geological feature	YES	NO	YES	NO	YES	NO
An area sensitive to erosion	YES	NO	YES	NO	YES	NO

4. GROUNDCOVER

D

Indicate the types of groundcover present on the site:

- 4.1 Natural veld – good condition^E
- 4.2 Natural veld – scattered aliens^E ✓
- 4.3 Natural veld with heavy alien infestation^E
- 4.4 Veld dominated by alien species^E
- 4.5 Gardens

- 4.6 Sport field
- 4.7 Cultivated land
- 4.8 Paved surface
- 4.9 Building or other structure
- 4.10 Bare soil

The location of all identified rare or endangered species or other elements should be accurately indicated on the site plan(s).

Natural veld – good condition ^E	Natural veld with scattered aliens^E	Natural veld with heavy alien infestation ^E	Veld dominated by alien species ^E	Gardens
Sport field	Cultivated land	Paved surface	Building or other structure	Bare soil

This section was extracted from the Terrestrial Biodiversity and Plant Species Compliance Statement by Dr B. Adriaan Grobler dated 31 January 2023.

While areas of conservation importance occur in the landscape surrounding the site, none of the planning frameworks identifies Erf 1216 as a priority for regional conservation efforts. Furthermore, as much of the surrounding landscape has already been developed, the site does not play a major role in facilitating landscape connectivity⁵. A Critical Biodiversity Area occurs within 35 m to the northeast of the site, and Erf 1216 and its surrounds form part of the Garden Route Biodiversity Reserve. While there are several protected areas (nature reserves) in the surrounding area, none of these are in close proximity to the site with the nearest reserve occurring 880 m to the southeast.

VEGMAP (SANBI 2018) identifies a single vegetation type occurring at the site, namely St Francis Dune Thicket. This vegetation type is restricted to the Eastern Cape Province where it occurs on coastal dunes from near the Tsitsikamma River Mouth (west of Oyster Bay) eastward to the Sundays River Mouth (Grobler et al., 2018). St Francis Dune Thicket comprises a mosaic of dune thicket – dominated by broad-leaved trees and shrubs – occurring in a matrix of asteraceous dune fynbos, dominated by fine-leaved, low-growing shrubs. The thicket clumps are best developed in fire-protected dune slacks, while the fynbos occurs on upper dune slopes and crests. This vegetation type, especially the fynbos component, is rich in regional and local endemic species (Cowling, 1983, 1984; Cowling et al., 2019; Grobler, 2019; Low, 2011), most of which are restricted to coastal dunes of the Cape Floristic Region (Grobler and Cowling, 2021). St Francis Dune Thicket is threatened by sand mining, invasion by alien plants and urban sprawl (coastal development). While this vegetation type is poorly protected (Grobler et al., 2018), it is currently listed as Least Concern in terms of conservation status (SANBI, 2018b; Skowno et al., 2019).

⁵ Terrestrial Biodiversity and Plant Species Compliance Statement by Dr B. Adriaan Grobler dated 31 January 2023.

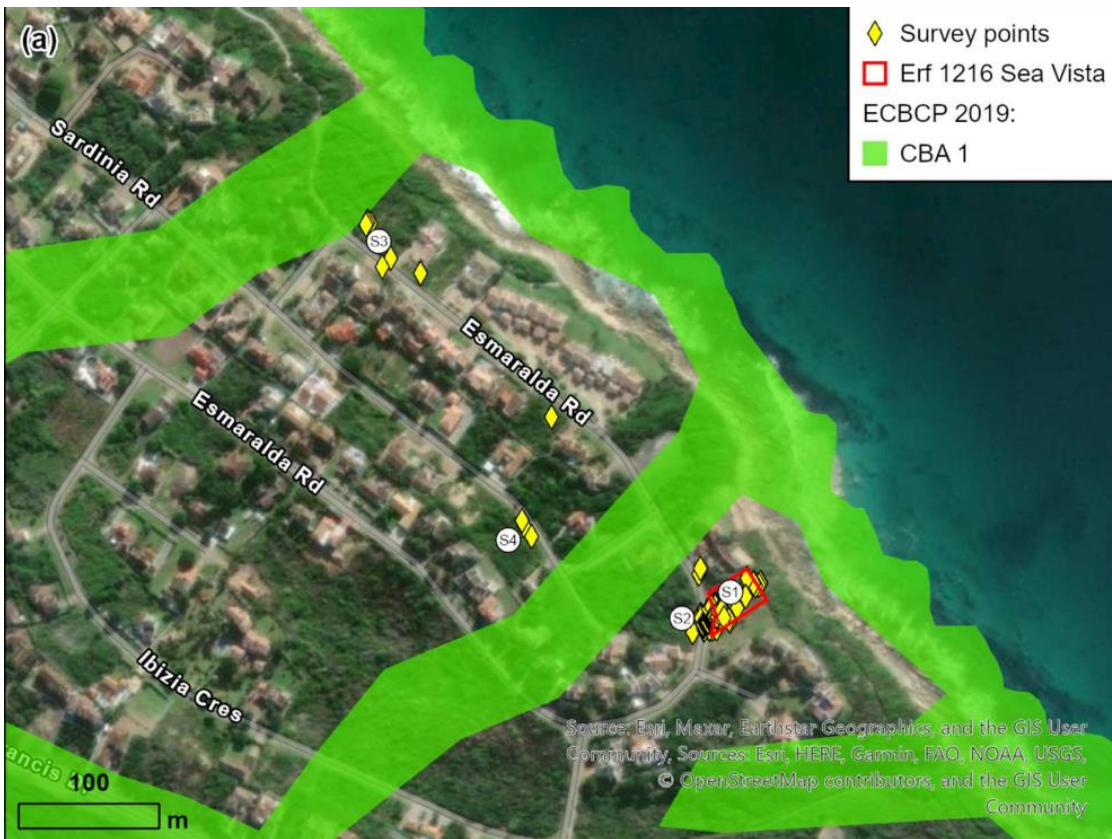


Figure 7: Critical Biodiversity Areas (taken from the Terrestrial Biodiversity and Plant Species Report).







Figure 8: VegMap 2018 - St Francis Dune Thicket.

Even though some indigenous vegetation has re-established on Erf 1216 following clearing, no Species of Conservation Concern (SCC) was recorded during the field survey for the Terrestrial Biodiversity and Plant Species study, and no SCC was recorded in any of the reference vegetation (Table 1). Recent botanical surveys in similar habitat of the surrounding area (Grobler, 2022a, 2022b) also showed that plant SCC are unlikely to occur there. As per the Terrestrial Biodiversity and Plant Species Compliance Statement, due to the high sampling effort of the field survey, it can be stated with high confidence that the site is unlikely to have hosted SCC populations before clearing took place⁶.

While no plant SCC were recorded during the Terrestrial Biodiversity and Plant Species study, three species protected under the Cape Environmental and Nature Conservation Ordinance (1974) and the National Forests Act (1998) occur on site: the geophyte *Chasmanthe aethiopica*, the climber *Cynanchum obtusifolium* and the shrub *Sideroxylon inerme*. All protected species occurred at low abundances, with only one or two individuals of each species recorded on site. Three alien invasive plant species, listed in terms of the Conservation of Agricultural Resources Act (1983) and National Environmental Management: Biodiversity Act (2004), were recorded on site, namely *Acacia cyclops*, *Cestrum laevigatum* and *Ricinus communis*.

Table 3: Descriptions of current habitats on Erf 1216 (S1) and reference vegetation in the surrounding area of Sea Vista (S2–S4). Taken from the Terrestrial Biodiversity and Plant Species Compliance Statement.

Representative site	Habitat	Likelihood of SCC	Photos
S1 -34.176528° 24.840655°	Recently cleared dune thicket with scattered resprouting shrubs (<i>Searsia crenata</i> , <i>Searsia glauca</i>), weedy reseeding shrubs (<i>Osteospermum moniliferum</i>), and grass (<i>Panicum maximum</i>).	Low	
S2 -34.176657° 24.840293°	Low dune thicket dominated by <i>Osteospermum moniliferum</i> and <i>Searsia glauca</i> . Some <i>Acacia cyclops</i> present.	Low	
S3 -34.174065° 24.837791°	Low dune thicket dominated by <i>Osteospermum moniliferum</i> and <i>Searsia glauca</i> , scattered dune fynbos shrubs (<i>Metalasia muricata</i> , <i>Passerina rigida</i>) present.	Low	
S4 -34.176063° 24.838923°	Low dune thicket dominated by <i>Osteospermum moniliferum</i> and <i>Searsia glauca</i> , <i>Acacia cyclops</i> locally abundant.	Low	

Due to the historical clearance of vegetation and associated disturbance to topsoils and the low likelihood of plant SCC occurring here, the site is of LOW sensitivity for terrestrial biodiversity and LOW sensitivity for plant species, and the clearing of vegetation likely had NO impact on threatened

⁶ Terrestrial Biodiversity and Plant Species Compliance Statement: Erf 1216 Sea Vista, St Francis Bay, Kouga Municipality, Eastern Cape by Dr B. Adriaan Grobler dated 31 January 2023.

terrestrial biodiversity or plant SCC. Furthermore, the compliance statement is not subjected to any conditions⁷.

The Terrestrial Animal Species Assessment identified five SCC that could have occurred on site before vegetation clearing occurred (Table 2). However, for all the identified SCC, probability of occurrence is expected to be low, which reduces the sensitivity of the site for SCC to LOW. The low probability of occurrence reflects the low suitability of the habitat (i.e., fragmented and transformed Dune Thicket) at the site. The results indicate that animal habitats in the project area were fragmented and transformed before the unauthorised activities occurred, which reduced the suitability of the site for indigenous animal species (amphibians, reptiles, mammals, and birds) and particularly species of conservation concern. No sensitive animal habitats would have occurred in the past. This means that the present unauthorised clearing of vegetation has not affected any important animal habitats or animal communities⁸.

The project area is not located in any of South Africa's Important Bird and Biodiversity Areas (Marnewick et al. 2015).

Table 4: Animal species of conservation concern that could have occurred in the project area before vegetation clearing occurred. Included is the expected probability of occurrence of each animal species.

Species	Common name	Conservation concern	Probability of occurrence
Reptiles			
<i>Acontias lineicauda</i>	Algoa legless skink	Endemic (EC)	Low
<i>Acontias orientalis</i>	Eastern Cape legless	Endemic (EC)	Low
<i>Scelotes anguineus</i>	Algoa dwarf burrowing	Endemic (EC)	Low
Mammals			
<i>Aonyx capensis</i>	African clawless otter	Global & SA Red List: Near Threatened	Low
Birds			
<i>Campethera notata</i>	Knysna woodpecker	Global & SA Red List: Near Threatened	Low

The further investigation of the site in terms of ecological function was conducted by Mr. Jamie Pote in October 2024. Plant species observed on site during the inspection include *Ehrharta villosa*, *Panicum maximum* (grasses), *Osteospermum (Chrysanthemoides) moniliferum* (shrub) *Searsia crenata*, *Searsia glauca* (small trees/shrubs) and numerous herbs and climbers including *Asparagus aethiopicus*, *Asparagus asparagoides*, *Cynanchum obtusifolium*, *Felicia echinata*, *Helichrysum teretifolium*, *Pelargonium capitatum*, *Senecio oederiifolius* & *Tetragonia decumbens*. There is no evidence of the invasive species *Acacia cyclops* (Rooikrantz) present on the site.

There is also evidence noted on the site of faunal activity including insects & invertebrates (spider nest observed), small mammals (duiker droppings observed) and birds (observed foraging on the site), which are indicative of ecological functioning. Plant species observed on site were flowering (*Osteospermum moniliferum* & *Felicia echinata*), which is indicative of active reproduction and also a

⁷ Terrestrial Biodiversity and Plant Species Compliance Statement: Erf 1216 Sea Vista, St Francis Bay, Kouga Municipality, Eastern Cape by Dr B. Adriaan Grobler dated 31 January 2023.

⁸ TERRESTRIAL ANIMAL SPECIES ASSESSMENT SECTION 24G RECTIFICATION PROCESS FOR THE CLEARING OF VEGETATION ON ERF 1216 IN ST FRANCIS BAY, KOUGA MUNICIPALITY, EASTERN CAPE by Dr Marietjie Landman dated February 2023.

source of nectar for bees (foraging). Seed production was noted on *Searsia crenata* & *Searsia glauca*. Seedlings of several plants (including *Osteospermum moniliferum*, *Asparagus asparagoides*, *Cynanchum obtusifolium*, *Helichrysum teretifolium*, *Senecio oederiifolius*) were also noted, which indicates active regeneration, required for healthy ecosystem function. Dense coverage and growth by *Osteospermum moniliferum*, would be indicative of production of leaf litter, which would decompose to form compost and improve soil conditions and presence of microbes, which are further indicative of ecological processes and functioning. All of the above are evidence that the site is ecologically functional.

5. LAND USE CHARACTER OF SURROUNDING AREA

Indicate land uses and/or prominent features that currently occur within a 500m radius of the site and give description of how this influences the application or may be impacted upon by the application:

The property is located within a developed residential area and within the urban edge. A single residential dwelling is consistent with the surrounding land use and will fit into the character of the area.

5.1 Natural area

5.2 Low density residential

5.3 Medium density residential

5.4 High density residential

5.5 Informal residential

5.6 Retail commercial & warehousing

5.7 Light industrial

5.8 Medium industrial^{AN}

5.9 Heavy industrial^{AN}

5.10 Power station

5.11 Office/consulting room

5.12 Military or police base/station/compound

5.13 Spoil heap or slimes dam^A

5.14 Quarry, sand or borrow pit

5.15 Dam or reservoir

5.16 Hospital/medical centre

5.17 School

5.18 Tertiary education facility

5.19 Church

5.20 Old age home

5.21 Sewage treatment plant^A

5.22 Train station or shunting yard^N

5.23 Railway line^N

5.24 Major road (4 lanes or more)^N

5.25 Airport^N

5.26 Harbour

5.27 Sport facilities

5.28 Golf course

5.29 Polo fields

5.30 Filling station^H

5.31 Landfill or waste treatment site

- 5.32 Plantation
- 5.33 Agriculture
- 5.34 River, stream or wetland
- 5.35 Nature conservation area
- 5.36 Mountain, koppie or ridge
- 5.37 Museum
- 5.38 Historical building
- 5.39 Protected Area
- 5.40 Graveyard
- 5.41 Archaeological site
- 5.42 Other land uses (describe)

6. CULTURAL/HISTORICAL FEATURES

Are there any signs of culturally or historically significant elements, as defined in section 2 of the National Heritage Resources Act, 1999, (Act No. 25 of 1999), including

YES	NO
Uncertain	

Archaeological or palaeontological sites, on or close (within 20m) to the site?

If YES, explain:

N/A

If uncertain, conduct a specialist investigation by a recognised specialist in the field to establish whether there is such a feature(s) present on or close to the site.

Briefly explain the findings of the specialist:

N/A

Will any building or structure older than 60 years be affected in any way?

YES	NO
-----	----

Is it necessary to apply for a permit in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?

YES	NO
-----	----

If yes, please submit or, make sure that the applicant or a specialist submits the necessary application to SAHRA or the relevant provincial heritage agency and attach proof thereof to this application if such application has been made.

SECTION C: PUBLIC PARTICIPATION

1. ADVERTISEMENT

The person conducting a public participation process must take into account any guidelines applicable to public participation as contemplated in section 24J of the Act and must give notice to all potential interested and affected parties of the application which is subjected to public participation by—

- (a) fixing a notice board (of a size at least 60cm by 42cm; and must display the required information in lettering and in a format as may be determined by the competent authority) at a place conspicuous to the public at the boundary or on the fence of—
 - (i) the site where the activity to which the application relates is or is to be undertaken; and
 - (ii) any alternative site mentioned in the application;

- (b) giving written notice to—
 - (i) the owner or person in control of that land if the applicant is not the owner or person in control of the land;
 - (ii) the occupiers of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;
 - (iii) owners and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;
 - (iv) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;
 - (v) the municipality which has jurisdiction in the area;
 - (vi) any organ of state having jurisdiction in respect of any aspect of the activity; and
 - (vii) any other party as required by the competent authority;
- (c) placing an advertisement in—
 - (i) one local newspaper; or
 - (ii) any official *Gazette* that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;
- (d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or local municipality in which it is or will be undertaken: Provided that this paragraph need not be complied with if an advertisement has been placed in an official *Gazette* referred to in subregulation 54(c)(ii); and
- (e) using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desiring of but unable to participate in the process due to—
 - (i) illiteracy;
 - (ii) disability; or
 - (iii) any other disadvantage.

2. CONTENT OF ADVERTISEMENTS AND NOTICES

A notice board, advertisement or notices must:

- (a) indicate the details of the application which is subjected to public participation; and
- (b) state—
 - (i) that the application has been submitted to the competent authority in terms of these Regulations, as the case may be;
 - (ii) whether basic assessment or scoping procedures are being applied to the application, in the case of an application for environmental authorisation;
 - (iii) the nature and location of the activity to which the application relates;
 - (iv) where further information on the application or activity can be obtained; and
 - (iv) the manner in which and the person to whom representations in respect of the application may be made.

3. PLACEMENT OF ADVERTISEMENTS AND NOTICES

Where the proposed activity may have impacts that extend beyond the municipal area where it is located, a notice must be placed in at least one provincial newspaper or national newspaper, indicating that an application will be submitted to the competent authority in terms of these regulations, the nature and location of the activity, where further information on the proposed activity can be obtained and the manner in which representations in respect

of the application can be made, unless a notice has been placed in any *Gazette* that is published specifically for the purpose of providing notice to the public of applications made in terms of the EIA regulations.

Advertisements and notices must make provision for all alternatives.

4. DETERMINATION OF APPROPRIATE MEASURES

The practitioner must ensure that the public participation is adequate and must determine whether a public meeting or any other additional measure is appropriate or not based on the particular nature of each case. Special attention should be given to the involvement of local community structures such as Ward Committees, ratepayers associations and traditional authorities where appropriate. Please note that public concerns that emerge at a later stage that should have been addressed may cause the competent authority to withdraw any authorisation it may have issued if it becomes apparent that the public participation process was inadequate.

5. COMMENTS AND RESPONSE REPORT

The practitioner must record all comments and respond to each comment of the public before the application is submitted. The comments and responses must be captured in a comments and response report as prescribed in the EIA regulations and be attached to this application. The comments and response report must be attached under Appendix E.

6. AUTHORITY PARTICIPATION

Authorities are key interested and affected parties in each application and no decision on any application will be made before the relevant local authority is provided with the opportunity to give input. The planning and the environmental sections of the local authority must be informed of the application at least 30 (thirty) calendar days before the submission of the application.

Table 5: List of authorities informed.

STATE DEPARTMENTS			
Name	Contact Person	Postal Address	Email
Eastern Cape Department of Economic Development, Environmental Affairs and Tourism	Andries Struwig	Private Bag X5001, Greenacres, Port Elizabeth, 6057	Andries.Struwig@dedea.gov.za a
Department of Environmental Affairs: Oceans and Coasts	Tabisile Mhlana	Private Bag X4390, Cape Town, 8000	OCEIA@dffe.gov.za / tmhlana@dffe.gov.za
Eastern Cape Department of Agriculture, Forestry and Fisheries	Babalwa Layini		Blayini@dffe.gov.za

Department of Water and Sanitation Eastern Cape	Ncamile Dweni	140 Govan Mbeki Ave, 7 th Floor Starport Building Port Elizabeth, 6000	DweniN@dws.gov.za
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ORGANS OF STATE

Name	Contact Person	Postal Address	Email
Eastern Cape Parks and Tourism Agency	Shanè October	17-25 Oxford Street, East London CBD, 5201	info@ecpta.co.za
Eastern Cape Provincial Heritage Resources Authority	Sello Mokhanya	Corner Scholl and Amalinda Drive, East London, 5247	smokhanya@ecphra.org.za

MUNICIPALITIES

Name	Contact Person	Postal Address	Email
Sarah Baartman District Municipality: Municipal Manager	Ms Unati Daniels	PO Box 318, Port Elizabeth, 6000	cmabindla@sbdm.co.za
Kouga Municipality: Municipal Manager	Mr Charl du Plessis	PO Box 21, Jeffreys Bay, 6330	jreed@kouga.gov.za
Kouga Municipality: Infrastructure, Planning and Development	Mr Eddie Oosthuizen	PO Box 21, Jeffreys Bay, 6330	ljeggels@kouga.gov.za
Kouga Municipality: Planning, Development & Tourism	Fezeka Faith Mabusela	PO Box 93, St Francis Bay 6312.	aswart@kouga.gov.za
Kouga Municipality: Ward 1 Councillor	Cllr Nozuko Ntshota	PO Box 137, St Francis Bay, 6312	nntshota@kouga.gov.za

List of authorities from whom comments have been received:

See Comments and Response Report for the S24G Application process attached as Appendix E.

- Department of Water and Sanitation (MZIMVUBU - TSITSIKAMMA PROTO CMA) – 29/03/2023
- Department of Forestry, Fisheries, and the Environment: Oceans & Coasts – 28/04/2023

7. CONSULTATION WITH OTHER STAKEHOLDERS

Note that, for linear activities, or where deviation from the public participation requirements may be appropriate, the person conducting the public participation process may deviate from the requirements of that subregulation to the extent and in the manner as may be agreed to by the competent authority.

Any stakeholder that has a direct interest in the site or property, such as servitude holders and service providers, should be informed of the application at least 30 (thirty) calendar days before the submission of the application and be provided with the opportunity to comment.

Has any comment been received from stakeholders?

YES NO

If “YES”, briefly describe the feedback below (also attach copies of any correspondence to and from the stakeholders to this application):

See Comments and Response Report for the S24G Application process attached as Appendix E.

SECTION D: IMPACT ASSESSMENT

The assessment of impacts must adhere to the minimum requirements in the EIA Regulations, 2014 as amended, and should take applicable official guidelines into account. The issues raised by interested and affected parties should also be addressed in the assessment of impacts.

1. ISSUES RAISED BY INTERESTED AND AFFECTED PARTIES

List the main issues raised by interested and affected parties.

Table 6: Comments from I&AP's and response.

COMMENTS	RESPONSE
COMMENTS RECEIVED IN RESPONSE TO PRE-APPLICATION SECTION 24G REPORT DATED 11 JULY 2022	
STATE DEPARTMENTS	
Department of Water and Sanitation (MZIMVUBU - TSITSIKAMMA PROTO CMA) – 29/03/2023	
<p>RECTIFICATION OF UNLAWFUL CLEARANCE OF INDIGENOUS VEGETATION ON ERF 1216 SEA VISTA, ST FRANCIS BAY, KOUGA MUNICIPALITY, EASTERN CAPE</p> <p>After evaluation of the development, the Department does not have objection to the development and can confirm that the development does not trigger any water use in terms of Section 21(c) and (i) of the National Water Act 36 of 1998.</p> <p>Should the proposed activity trigger Section 21 of the National Water Act, a water use authorisation must be obtained from this Department before the project commences.</p> <p>Please note that any use of water (as stipulated under Section 21) without an authorization is a contravention as in accordance with Section 151 of the National Water Act, 1998 (Act 36 of 1998).</p>	<p>It has been noted that a Water Use License is not applicable to this development.</p>
Department of Forestry, Fisheries, and the Environment: Oceans & Coasts – 28/04/2023	
<p>COMMENTS ON THE SECTION 24G APPLICATION FOR A RECTIFICATION OF UNLAWFUL CLEARANCE OF INDIGENOUS VEGETATION ON ERF 1216 SEA VISTA, ST FRANCIS BAY, KOUGA MUNICIPALITY, EASTERN CAPE.</p> <p>The Department of Forestry, Fisheries, and the Environment (DFFE); Branch Oceans & Coasts (O&C) appreciates the opportunity granted to provide comments and recommendations on the section 24G Application for a Rectification of unlawful clearance of indigenous vegetation on Erf 1216 Sea Vista, St Francis Bay, Kouga</p>	<ol style="list-style-type: none"> 1. Yes, this is a Section 24G application for rectification of the unlawful commencement of the construction of a dwelling within 100 meters of the highwater mark of the sea. 2. The Applicant is in the process of rectifying unlawful activities. 3. A letter was sent to the DEDEAT Compliance and Enforcement Section, Mr Vuyo, on 20/10/2022 regarding the appointment of the EAP, in which it is stated that the Applicant

<p>Municipality, Eastern Cape as per the National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA") and the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) ("ICM Act")</p> <p>The Branch O&C has the mandate to ensure the holistic management of the coast and estuarine areas as an integrated system and promote coordinated coastal management. It ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of the coastal zone are maintained to protect people, properties, and economic activities against the impacts of dynamic coastal processes. Guided by the principles of integrated coastal management, this Branch promotes developments that promote socially justified sharing of benefits derived from a resource-rich coastal area and strives to ensure that the principles of sustainable development are upheld.</p> <p>Based on the submitted section 24G Application with associated reports, the Branch O&C presents the comments stipulated below for consideration. Please note the recommendations for your consideration:</p> <ol style="list-style-type: none"> 1. Section 24 of the National Environmental Management Act (NEMA) of 1998, specifies the list of activities that may not commence prior to obtaining authorization for such activities from the competent authority. If this required permission is not sought by any developer before the commencement of any listed activities, then a Section 24G may be applied for. Therefore, this is a rectification process due to the unlawful vegetation clearing for the development of a residential dwelling within 100 meters of the high-water mark. 2. This Branch O&C does not support the commencement of unlawful listed activities without obtaining all the relevant authorizations from relevant authorities, thus an applicant should pay an administrative fine determined by the competent authority. 	<p>will continue with the S24G process in order to obtain Environmental Authorisation for the construction of a single residential dwelling (Annexure 5). This includes all activities linked to vegetation clearing in furtherance of the construction of the house, of which excavations is required. It should also be noted that the owner has a right to construct a single residential dwelling on the stand in terms of its zoning and position within the urban edge. It is therefore not a realistic option to rehabilitate the stand before legal construction commences.</p> <ol style="list-style-type: none"> 4. See point 3 above. 5. The owner of the property does not intend on disturbing additional vegetation beyond what has already been disturbed for the construction of the house (disturbance footprint for house build). Rehabilitation will be undertaken where necessary. 6. A geotechnical study will be undertaken and will take into consideration the coastal and climate vulnerability risks in the design and construction of the dwelling. 7. This has been corrected.
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<p>3. Clarity is sought from the EAP on the inclusion of the construction-related activities within the submitted application and the Environmental Management Program which is not the subject of this application nor part of the scope of activities that have unlawfully commenced.</p> <p>4. Page 24 of the application form states that although the Applicant has not yet commenced with excavation, the proposed dwelling will require excavation for foundations and some infilling to level the site. This will amount to more than 5 cubic meters within 100 meters inland of the high-water mark of the sea. This activity requires that a Basic Assessment be conducted.</p> <p>5. The vegetation clearing within 100m of the high-water mark has the potential impact to disturb the dunes which act as an ecological infrastructure providing protection from any damages that may occur during the extreme climate events disturbance. Considering the purpose of the Coastal Public Property and Coastal Protection Zone stipulated under sections 7A & 17 of the NEM: ICM Act 2008 (Act No. 24 of 2008) further vegetation clearing within the 100m of the high-water mark is not recommended and any activity conducted should take cognizance of these sections in the absence of the Coastal Management Lines which intend to protect coastal property, people, and any infrastructure from the dynamic processes in the interest of the public safety, preservation of the aesthetic value of the coastal zone.</p> <p>6. The applicant is advised to conduct a geotechnical study/statement for the property to ensure that the designs and construction methods incorporate the coastal and climate vulnerability risks for long-term structural integrity of the property to be protected and maintained. Furthermore, the applicant should note Section 15 of the ICMA states that "(1) No person, owner or occupier of land adjacent to the seashore or other coastal public property capable of erosion or accretion may require any organ of state or any 15 other person to take measures to prevent the erosion or accretion of the seashore or such other coastal public property, or of land adjacent to coastal public property</p>	
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<p>unless the erosion is caused by an intentional act or omission of that organ of state or other person. (2) No person may construct, maintain, or extend any structure, or take other measures on coastal public property to prevent or promote erosion or accretion of the seashore 20 except as provided for in this Act".</p> <p>7. The indicated unlawfully commenced listed activity on page 24, should be Activity 12 (a) Eastern Cape (iii).</p> <p>Kindly note that the Department reserves the right to revise its comments and request further information based on any additional information received. All correspondence, documentation, and/or requests (hard copy and an electronic copy) should be submitted to our office via email to OCEIA@dffe.gov.za / or Physical Address: Department of Forestry, Fisheries & the Environment (DFFE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001.</p>	
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Response from the practitioner to the issues raised by the interested and affected parties (A full response must be given in the Comments and Response Report that must be attached to this report):

See Table 5 above and Comments and Response Report attached as Appendix E.
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2.IMPACTS THAT MAY RESULT FROM THE PLANNING AND DESIGN, CONSTRUCTION, OPERATIONAL, DECOMMISSIONING AND CLOSURE PHASES AS WELL AS PROPOSED MANAGEMENT OF IDENTIFIED IMPACTS AND PROPOSED MITIGATION MEASURES

List the potential direct, indirect and cumulative property/activity/design/technology/operational alternative related impacts (as appropriate) that are likely to occur as a result of the planning and design phase, construction phase, operational phase, decommissioning and closure phase, including impacts relating to the choice of site/activity/technology alternatives as well as the mitigation measures that may eliminate or reduce the potential impacts listed.

2.2. Impact and Risk Assessment

Each potential environmental impact and risk identified was assessed according to specific criteria. These included the nature, extent, duration, consequence, probability and frequency of identified impacts, including the degree to which these impacts can be reversed, may cause irreplaceable loss of resources, and can be avoided, managed or mitigated. The criteria are based on the EIA Regulations, published by the Department of Forestry, Fisheries and the Environment (April 1998) in terms of the Environmental Conservation Act No. 73 of 1989. These criteria include:

Nature of the impact

This is an estimation of the type of effect the construction, operation and maintenance of a development would have on the affected environment. This description should include what is to be affected and how.

Extent of the impact

Describe whether the impact will be: local extending only as far as the development site area; or limited to the site and its immediate surroundings; or will have an impact on the region or will have an impact on a national scale or across international borders.

Duration of the impact

The specialist should indicate whether the lifespan of the impact would be short term (0-5 years), medium term (5-15 years), long term (16-30 years) or permanent.

Intensity

The specialist should establish whether the impact is destructive or benign and should be qualified as low, medium or high. The specialist study must attempt to quantify the magnitude of the impacts and outline the rationale used.

Probability of occurrence

The specialist should describe the probability of the impact actually occurring and should be described as improbable/unlikely (low likelihood), probable (distinct possibility), highly probable (most likely) or definite (impact will occur regardless of any prevention measures).

Reversibility

- Completely reversible – the impact can be reversed with the implementation of minor mitigation measures.
- Partly reversible – the impact is reversible but more intense mitigation measures are required
- Barely reversible – the impact is unlikely to be reversed even with intense mitigation measures
- Irreversible – the impact is irreversible, and no mitigation measures exist

Irreplaceable loss of resources

Describes the degree to which resources will be irreplaceably lost due to the proposed activity. It can be no loss of resources, marginal loss, significant loss or complete loss of resources.

Cumulative effect

An effect which in itself may not be significant but may become significant if added to other existing or potential impacts that may result from activities associated with the proposed development. The cumulative effect can be:

- Negligible – the impact would result in negligible to no cumulative effect
- Low – the impact would result in insignificant cumulative effects
- Medium – the impact would result in minor cumulative effects
- High – the impact would result in significant cumulative effects

Significance

Significance of impacts are determined through a synthesis of the assessment criteria and is described as –

- Low negative– where it would have negligible effects and would require little or no mitigation
- Low positive – the impact will have minor positive effects
- Medium negative – the impact will have moderate negative effects and will require moderate mitigation
- Medium positive – the impact will have moderate positive effects
- High negative – the impact will have significant effects and will require significant mitigation measures to achieve an accepted level of impact
- High positive – the impact will have significant positive effects
- Very high negative – the impact will have highly significant effects and are unlikely to be able to be mitigated adequately
- High positive – the impact will have highly significant positive effects.

Impacts foreseen during the construction phase for the Preferred Alternative:

Project Phase	Construction	
Impact	Clearance of vegetation for the construction of the dwelling and associated infrastructure	
Description of impact	Loss of sensitive coastal vegetation, habitat loss for terrestrial wildlife, mortalities to various species unable to evade the disturbance, loss of viable propagules, fragmentation of ecological infrastructure	
Mitigable	Medium	Mitigation exists and will notably reduce significance of impacts
Potential mitigation	<ul style="list-style-type: none"> - In accordance with the ENCO, a permit for the destruction of specimens of <i>C. obtusifolium</i> and <i>M. aitonis</i> must be procured from the Province of the Eastern Cape: Department of Economic Development, Environmental Affairs and Tourism before construction commences. - In accordance with the National Environmental Management: Biodiversity Act (2004) (NEMBA), the Category 1b alien invasive plants <i>A. cyclops</i> and <i>C. laevigatum</i> must be eradicated from the site and a plan for their ongoing control should be included in the environmental management plan of the development. Similar action is recommended for the Category 2 invader <i>R. communis</i>. - Disturbance to intact vegetation and vegetation regrowth must be restricted by demarcating those areas that will be cleared during construction, including lay-down and stockpile areas. - Lay-down areas should be contained within the planned clearance areas and should not be placed in the surrounding intact vegetation. - All construction personnel active on site must be notified of the importance of avoiding disturbance to intact vegetation outside of demarcated clearance areas. - Permits for the destruction of protected plant species must be obtained from the relevant authorities. 	

	- Any AIP material removed during clearing of the development footprints must be removed from the site and destroyed so that reestablishment on site is avoided.			
Assessment	Without mitigation		With mitigation	
Nature	Negative		Low negative	
Duration	Permanent	Impact may be permanent, or in excess of 20 years	Permanent	Impact may be permanent, or in excess of 20 years
Extent	Limited	Limited to the site and its immediate surroundings	Limited	Limited to the site and its immediate surroundings
Intensity	Low	Natural and/or social functions and/or processes are somewhat altered	Very low	Natural and/or social functions and/or processes are slightly altered
Probability	Certain / Definite	There are sound scientific reasons to expect that the impact will definitely occur	Certain / Definite	There are sound scientific reasons to expect that the impact will definitely occur
Confidence	High	Substantive supportive data exists to verify the assessment	High	Substantive supportive data exists to verify the assessment
Reversibility	Low	The affected environment will not be able to recover from the impact - permanently modified	Medium	The affected environment will only recover from the impact with significant intervention
Resource irreplaceability	Medium	The resource is damaged irreparably but is represented elsewhere	Low	The resource is not damaged irreparably or is not scarce
Significance	Minor - negative		Negligible - negative	
Comment on significance	Due to the historical clearance of vegetation and associated disturbance to topsoils and the low likelihood of plant SCC occurring here, the site is of LOW sensitivity for terrestrial biodiversity and LOW sensitivity for plant species, and the clearing of vegetation likely had NO impact on threatened terrestrial biodiversity or plant SCC.			
Cumulative impacts	The impact would result in insignificant cumulative effects			

Project Phase	Construction	
Impact	Landscape Connectivity	
Description of impact	Cut-off of natural dispersal and foraging movement by animals, impacts on suitable link or important corridor, fragmentation of ecological infrastructure	
Mitigable	Low	Mitigation will slightly reduce the significance of impacts
Potential mitigation	<ul style="list-style-type: none"> - The regrowth of alien invasive plants should be monitored, and any such species should be removed on an ongoing basis. - Runoff from any areas should be managed to prevent soil erosion. 	
Assessment	Without mitigation	With mitigation

Nature	Negative		Low negative	
Duration	Permanent	Impact may be permanent, or in excess of 20 years	Permanent	Impact may be permanent, or in excess of 20 years
Extent	Limited	Limited to the site and its immediate surroundings	Limited	Limited to the site and its immediate surroundings
Intensity	Low	Natural and/or social functions and/or processes are somewhat altered	Very low	Natural and/or social functions and/or processes are slightly altered
Probability	Probable	Has occurred here or elsewhere and could therefore occur	Rare / improbable	Conceivable, but only in extreme circumstances, and/or might occur for this project although this has rarely been known to result elsewhere
Confidence	High	Substantive supportive data exists to verify the assessment	High	Substantive supportive data exists to verify the assessment
Reversibility	Low	The affected environment will not be able to recover from the impact - permanently modified	Medium	The affected environment will only recover from the impact with significant intervention
Resource irreplaceability	Low	The resource is not damaged irreparably or is not scarce	Low	The resource is not damaged irreparably or is not scarce
Significance	Minor - negative		Negligible - negative	
Comment on significance	No sensitive animal habitats would have occurred in the past. This means that the present unauthorised clearing of vegetation has not affected any important animal habitats or animal communities. With mitigation measures in place the significance of the vegetation clearing impacts could be considered to be LOW .			
Cumulative impacts	The impact would result in insignificant cumulative effects			

Project Phase	Construction	
Impact	Disturbance / removal of topsoil	
Description of impact	Disturbance of topsoil caused by vegetation clearing and construction activities, increasing potential for erosion and compaction of soils.	
Mitigable	High	Mitigation exists and will considerably reduce significance of impacts
Potential mitigation	<ul style="list-style-type: none"> - The stockpiling of topsoil for use in rehabilitation is required. Stockpiling areas must be within the disturbance footprint. - Stockpiles must not exceed 1.5m in height, must be covered with shade cloth or similar, to prevent erosion and any invasive alien species that begin to grow within it must be removed. - Control runoff from stockpiles. - Limit construction activities to demarcated construction areas to prevent tramping and compaction to the surrounding environment. 	
Assessment	Without mitigation	With mitigation

Nature	Negative		Low negative	
Duration	Short term	Impact will last between 1 and 5 years	Brief	Impact will not last longer than 1 year
Extent	Very limited	Limited to the site and its immediate surroundings	Very limited	Limited to the site and its immediate surroundings
Intensity	Low	Natural and/or social functions and/or processes are somewhat altered	Very low	Natural and/or social functions and/or processes are slightly altered
Probability	Likely	The impact may occur	Rare / improbable	Conceivable, but only in extreme circumstances, and/or might occur for this project although this has rarely been known to result elsewhere
Confidence	Medium	Determination is based on common sense and general knowledge	Medium	Determination is based on common sense and general knowledge
Reversibility	High	The affected environmental will be able to recover from the impact	High	The affected environmental will be able to recover from the impact
Resource irreplaceability	Low	The resource is not damaged irreparably or is not scarce	Low	The resource is not damaged irreparably or is not scarce
Significance	Negligible - negative		Negligible - negative	
Comment on significance	Prevent loss of valuable topsoil.			
Cumulative impacts	The impact would result in insignificant cumulative effects.			

Project Phase	Construction		
Impact	Stormwater runoff		
Description of impact	Reduce concentrations of flow into areas susceptible to erosion and prevent pollutants and sedimentations from entering natural areas.		
Mitigable	High	Mitigation exists and will considerably reduce significance of impacts	
Potential mitigation	<ul style="list-style-type: none"> - Runoff from any areas should be managed to prevent soil erosion. - Disturbance to intact vegetation must be restricted by demarcating those areas that will be cleared during construction, including lay-down and stockpile areas, personnel rest areas and site offices. - Wind erosion should be limited by using mesh netting set up around any cleared footprints as soon as clearing has taken place - Stormwater runoff must be directed into channels during the earthworks phase in a controlled manner that does not cause erosion. The use of temporary erosion control measures such as sandbags should be used where necessary. - All temporary erosion and sediment control measures must be monitored for the duration of the construction phase and repaired immediately when damaged. 		

	– No overburden or rubble should be allowed to spill downslope into the Public Place. This can be achieved by setting up netting at the top of the slope			
Assessment	Without mitigation		With mitigation	
Nature	Negative		Low negative	
Duration	Short term	Impact will last between 1 and 5 years	Brief	Impact will not last longer than 1 year
Extent	Very limited	Limited to the site and its immediate surroundings	Very limited	Limited to the site and its immediate surroundings
Intensity	Low	Natural and/or social functions and/or processes are somewhat altered	Very low	Natural and/or social functions and/or processes are slightly altered
Probability	Likely	The impact may occur	Rare / improbable	Conceivable, but only in extreme circumstances, and/or might occur for this project although this has rarely been known to result elsewhere
Confidence	Medium	Determination is based on common sense and general knowledge	Medium	Determination is based on common sense and general knowledge
Reversibility	High	The affected environmental will be able to recover from the impact	High	The affected environmental will be able to recover from the impact
Resource irreplaceability	Low	The resource is not damaged irreparably or is not scarce	Low	The resource is not damaged irreparably or is not scarce
Significance	Negligible - negative		Negligible - negative	
Comment on significance				
Cumulative impacts	The impact would result in insignificant cumulative effects.			

Project Phase	Construction		
Impact	Noise pollution		
Description of impact	Noise caused by machinery and staff		
Mitigable	Low	Mitigation does not exist; or mitigation will slightly reduce the significance of impacts	
Potential mitigation	<ul style="list-style-type: none"> Construction activities must only take place during normal working times between 07:00-17:00 on weekdays. Machinery may be fitted with silences to dampen noise. Staff must be reminded that they are working within a residential area and noise levels must be kept low. 		
Assessment	Without mitigation		With mitigation
Nature	Negative		Negative

Duration	Brief	Impact will not last longer than 1 year	Brief	Impact will not last longer than 1 year
Extent	Limited	Limited to the site and its immediate surroundings	Limited	Limited to the site and its immediate surroundings
Intensity	Very low	Natural and/ or social functions and/ or processes are slightly altered	Negligible	Natural and/ or social functions and/ or processes are negligibly altered
Probability	Almost certain / Highly probable	It is most likely that the impact will occur	Almost certain / Highly probable	It is most likely that the impact will occur
Confidence	Medium	Determination is based on common sense and general knowledge	Medium	Determination is based on common sense and general knowledge
Reversibility	High	The affected environmental will be able to recover from the impact	High	The affected environmental will be able to recover from the impact
Resource irreplaceability	Not relevant		Not relevant	
Significance	Minor - negative		Negligible - negative	
Comment on significance	Some extent of noise pollution during construction is expected; however, with mitigation the impact will be reduced.			
Cumulative impacts	No cumulative impacts exist.			

Project Phase	Construction			
Impact	Visual impact			
Description of impact	Visual & aesthetic consequences of the proposed project			
Mitigable	Medium	Mitigation exists and will notably reduce significance of impacts		
Potential mitigation	<ul style="list-style-type: none"> - Necessary measures will be implemented during the construction phase to protect the natural vegetation, to control the noise, dust and visual intrusion. - Shade cloth must be used to create a site boundary during construction. - The site must remain neat and tidy at all times. 			
Assessment	Without mitigation		With mitigation	
Nature	Negative		Negative	
Duration	Short term	Impact will last between 1 and 5 years	Short term	Impact will last between 1 and 5 years
Extent	Limited	Limited to the site and its immediate surroundings	Limited	Limited to the site and its immediate surroundings
Intensity	Low	Natural and/ or social functions and/ or	Very low	Natural and/or social functions and/or

		processes are somewhat altered		processes are slightly altered
Probability	Certain / Definite	There are sound scientific reasons to expect that the impact will definitely occur	Likely	The impact may occur
Confidence	High	Substantive supportive data exists to verify the assessment	High	Substantive supportive data exists to verify the assessment
Reversibility	Medium	The affected environment will only recover from the impact with significant intervention	High	The affected environmental will be able to recover from the impact
Resource irreplaceability	Not relevant		Not relevant	
Significance	Minor - negative		Negligible - negative	
Comment on significance	Due to the proposed dwelling being surrounded by already existing dwellings, there is little to be done to mitigate against visual pollution.			
Cumulative impacts	No cumulative impacts exist.			

Project Phase	Construction			
Impact	Employment			
Description of impact	Empowerment of the local community members living in the area relating to temporary employment opportunities			
Mitigable	Medium	Mitigation only exists to ensure that the positive impact is followed through.		
Potential mitigation	<ul style="list-style-type: none"> Use existing social structures and communication channels to ensure social representation. Use local labour and source local materials as far as possible. 			
Assessment	Without mitigation		With mitigation	
Nature	Negative		Positive	
Duration	Short term	Impact will last between 1 and 5 years	Short term	Impact will last between 1 and 5 years
Extent	Local	Extending across the site and to nearby settlements	Local	Extending across the site and to nearby settlements
Intensity	Low	Natural and/ or social functions and/ or processes are somewhat altered	Low	Natural and/ or social functions and/ or processes are somewhat altered
Probability	Rare / improbable	Conceivable, but only in extreme	Almost certain /	It is most likely that the impact will occur

		circumstances, and/or might occur for this project although this has rarely been known to result elsewhere	Highly probable	
Confidence	Medium	Determination is based on common sense and general knowledge	Medium	Determination is based on common sense and general knowledge
Reversibility	Not relevant		Not relevant	
Resource irreplaceability	Not relevant		Not relevant	
Significance	Negligible - negative		Negligible - positive	
Comment on significance	Due to the proposed development being on a small-scale, there is a low difference in impacts between without mitigation and with mitigation. However, as the impact would be positive for the local community to be employed during construction, mitigation is recommended to ensure this occurs.			
Cumulative impacts	Minor upliftment for the local community.			

Impacts foreseen during the operational phase for the Preferred Alternative:

Project Phase	Operation			
Impact	Stormwater Management			
Description of impact	Accelerated erosion / pollution into natural areas.			
Mitigable	High	Mitigation exists and will considerably reduce the significance of impacts		
Potential mitigation	<ul style="list-style-type: none"> • A stormwater drainage system should lead run-off water away from sensitive areas, in order to prevent any soil erosion. • Use rainwater collection tanks to serve as a retention vessel in downpours. • Driveways can be constructed from grass blocks to allow for effective retarding of surface flow and facilitate percolation. 			
Assessment	Without mitigation		With mitigation	
Nature	Negative		Low Negative	
Duration	Short term	Impact will last between 1 and 5 years	Brief	Impact will not last longer than 1 year
Extent	Limited	Limited to the site and its immediate surroundings	Very limited	Limited to specific isolated parts of the site
Intensity	Low	Natural and/or social functions and/or processes are somewhat altered	Very low	Natural and/ or social functions and/ or processes are slightly altered

Probability	Almost certain	It is most likely that the impact will occur	Rare / improbable	Conceivable, but only in extreme circumstances, and/or might occur for this project although this has rarely been known to result elsewhere
Confidence	Medium	Determination is based on common sense and general knowledge	Medium	Determination is based on common sense and general knowledge
Reversibility	Medium	The affected environment will only recover from the impact with significant intervention	High	The affected environmental will be able to recover from the impact
Resource irreplaceability	Low	The resource is not damaged irreparably or is not scarce	Low	The resource is not damaged irreparably or is not scarce
Significance	Negligible - negative		Minor - negative	
Comment on significance				
Cumulative impacts	Without mitigation this impact could result in potential erosion downhill of the site caused by stormwater flow.			

Project Phase	Operation	
Impact	1.1.1.1 Eradication of Alien Vegetation	
Description of impact	Impacts on biodiversity / natural habitats / increased fire risk	
Mitigable	High	Mitigation exists and will considerably reduce significance of impacts
Potential mitigation	<ul style="list-style-type: none"> In accordance with the National Environmental Management: Biodiversity Act (2004) (NEMBA), the Category 1b alien invasive plants <i>A. cyclops</i> and <i>C. laevigatum</i> must be eradicated from the site and a plan for their ongoing control should be included in the environmental management plan of the development. Similar action is recommended for the Category 2 invader <i>R. communis</i>. All invasive alien plants should be completely cleared from the property, and where a tree or bush cover is desired, replaced with suitable indigenous species. Minimise disturbance to the natural vegetation using low impact manual labour techniques. Reduce fire hazard on site 	
Assessment	Without mitigation	With mitigation

Nature	Negative		Positive	
Duration	Permanent	Impact may be permanent, or in excess of 20 years	Permanent	Impact may be permanent, or in excess of 20 years
Extent	Limited	Limited to the site and its immediate surroundings	Limited	Limited to the site and its immediate surroundings
Intensity	Low	Natural and/or social functions and/or processes are somewhat altered	Low	Natural and/or social functions and/or processes are somewhat altered
Probability	Almost certain	It is most likely that the impact will occur	Almost certain	It is most likely that the impact will occur
Confidence	Medium	Determination is based on common sense and general knowledge	Medium	Determination is based on common sense and general knowledge
Reversibility	Medium	The affected environment will only recover from the impact with significant intervention	High	The affected environmental will be able to recover from the impact
Resource irreplaceability	Not relevant		Not relevant	
Significance	Minor - negative		Minor - positive	
Comment on significance	Three alien invasive plant species, listed in terms of the Conservation of Agricultural Resources Act (1983) and National Environmental Management: Biodiversity Act (2004), were recorded on site, namely <i>Acacia cyclops</i> , <i>Cestrum laevigatum</i> and <i>Ricinus communis</i> .			
Cumulative impacts	Without mitigation the development would not be meeting design guidelines enforced by the municipality. Specifically design guidelines for the local area.			

3. CLIMATE CHANGE ASSESSMENT

Climate change issues must be considered as part of the EIA process Please consider the Climate Change guideline. EAP must determine:

- a) The potential impact of climate change on society and the economy, whether the impact is negative or positive, considering that society needs to be at the centre of the proposed development;

The construction and operation of the development will not have a significant impact on climate change with regard to society and the economy. Environmentally sustainable technology will be incorporated into the proposed development which will ensure that the activity will not add much to the already strained sectors of water supply and electricity supply.

- b) The potential alternatives of the proposed development, alternatives that will have less impact on climate change (environment and generation of waste included), the society and economy;

It is envisioned that the basic needs required to run the residential dwelling will make use of 'green' technology such as Solar Photo Voltaic (PV) installations to generate energy and make use of rainwater tanks, as far as possible. The use of energy saving light bulbs and natural light will contribute to energy saving.

- c) whether, and to what extent, the proposed development will result in the release of greenhouse gas (GHG) emissions;

The development is not envisaged to produce greenhouse gases.

- d) whether the proposed development is necessary to achieve long term decarbonisation goals;

N/A.

- e) the impact of the development on social, economic, natural and built environment that are crucial for climate change, adaptation and resilience;

The development will not have a significant impact on the social, economic, natural, and built environment.

- f) the projected impact of climate change on proposed development; and surrounding environment, and implications for the development.

Climate change is not expected to impact the development as it is not within flood lines, coastal erosion areas or high-risk fire area.

- g) Explanation of how the impacts is likely to be exacerbated or minimised as result of climate change and what measures are likely to be implemented to accommodate and manage (adapt to) the anticipated worst scenario where applicable.

Pressure on municipal water supply is likely to be impacted with climate change, as an indirect impact on the development. However, there are no significant impacts as a result of climate change that are anticipated for this development.

- h) whether, and to what extent, the impacts identified in (a) -(g) can be mitigated.

It is envisioned that the basic needs required to run the residential dwelling will make use of 'green' technology such as Solar Photo Voltaic (PV) installations to generate energy and make use of

rainwater tanks, as far as possible. The use of energy saving light bulbs and natural light will contribute to energy saving.

4. ENVIRONMENTAL IMPACT STATEMENT

Taking the assessment of potential impacts into account, please provide an environmental impact statement that summarises the impact that the proposed activity and its alternatives may have on the environment after the management and mitigation of impacts have been taken into account, with specific reference to types of impact, duration of impacts, likelihood of potential impacts actually occurring and the significance of impacts.

Vulnerability to coastal dynamic- The coastal location of the proposed development indicates that it is inherently exposed to risks associated with natural and dynamic coastal processes. These risks provide significant impacts to the sustainability of any development within coastal areas. However, with investigation of historical Google Earth imagery of the area, it can be seen that there has not been any change to the landscape seawards within the last 10 years; therefore, this impact is of low concern.

Loss of indigenous vegetation – Due to the historical clearance of vegetation and associated disturbance to topsoils and the low likelihood of plant SCC occurring here, the site is of **LOW** sensitivity for terrestrial biodiversity and **LOW** sensitivity for plant species, and the clearing of vegetation likely had NO impact on threatened terrestrial biodiversity or plant SCC

Landscape Connectivity - No sensitive animal habitats would have occurred in the past. This means that the present unauthorised clearing of vegetation has not affected any important animal habitats or animal communities. With mitigation measures in place the significance of the vegetation clearing impacts could be considered to be **LOW**.

Pollution- Solid waste will be produced during the construction and operational phases of the proposed development. This may include, inter alia, concrete rubble and bricks, material off-cuts and other surplus construction, and litter. The solid waste produced during the project has the potential to enter into the surrounding environment. Therefore, adequate waste bins must be provided, especially during the construction phase. Waste from the site must be disposed of on a weekly basis or more frequently if required. All litter bins must be covered to prevent loose litter being carried off the site.

No-go alternative (compulsory)

The No-go alternative assumes that the dwelling will not be constructed as proposed, and the status quo will remain in place. This will preserve the ecological value of the property. There will be continued invasion of indigenous vegetation by alien invasive plants. It is to be noted that this is a residential Erf and the Applicant has the legal right to develop on this Erf.

SECTION E. RECOMMENDATIONS OF PRACTITIONER

Is the information contained in this report and the documentation attached hereto sufficient to make a decision in respect of the activity applied for (in the view of the environmental assessment practitioner)?

YES ✓	NO
YES ✓	NO

Is an EMPr attached?

The EMPr must be attached as Appendix F.

If “NO”, indicate the aspects that should be assessed further as part of a Scoping and EIA process before a decision can be made (list the aspects that require further assessment):

If “YES”, please list any recommended conditions, including mitigation measures that should be considered for inclusion in any authorisation that may be granted by the competent authority in respect of the application:

Based on the information provided it is the opinion of the EAP that no fatal flaws have been identified regarding the proposed construction of the residential dwelling. It is the EAP’s opinion that the development be approved.

Recommended Mitigation and conditions of Authorisation:

1. Prior to vegetation clearance any protected plant species must be safely transplanted to be used in the rehabilitation process.
2. An ECO must be appointed to monitor the site.
3. The contractor must ensure that all stormwater runoff is correctly anticipated and is sufficiently managed. No stormwater runoff is to impact on the neighbouring properties.
4. Dust must be managed.
5. Construction hours must be strictly applied.
6. All neighbours must be notified prior to construction taking place.
7. The site must be demarcated with shade cloth to reduce visual pollution.
8. Any damage caused to property adjacent to the development must be repaired with costs falling on the developer.
9. The developer must acknowledge and obey the expiry date of the EA.
10. The EMPr provides detail of mitigation measures concerning the development and must be strictly adhered to.
11. If the Environmental Authorisation is granted the EA should be valid for a period of 10 years before it lapses.

SECTION F: APPENDICES

The following appendixes must be attached as appropriate:

Appendix A: Site plan(s)

Appendix B: Photographs

Appendix D: Specialist reports

Appendix E: Comments and responses report

Appendix F: Environmental Management Programme (EMPr)

~~Appendix G: Access Servitude Road~~

Appendix H: Screening Tool Reports & Site Sensitivity Verification Report

**APPENDIX 14
DECLARATION OF THE APPLICANT**

I, Thomas James Bemelman, declare that I -

- am, or represent¹, the applicant in this application;
- have appointed / will appoint (delete that which is not applicable) an environmental assessment practitioner to act as the independent environmental assessment practitioner for this application / will obtain exemption from the requirement to obtain an environmental assessment practitioner²;
- will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- will be responsible for the costs incurred in complying with the Regulations, including but not limited to –
 - costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
 - costs incurred in respect of the undertaking of any process required in terms of the Regulations;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the Regulations;
 - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
 - the provision of security to ensure compliance with conditions attached to an environmental authorisation, should it be required by the competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of the Regulations and will take reasonable steps to verify that the EAP
 - know the Act and the regulations, and how they apply to the proposed development
 - know any applicable guidelines
 - perform the work objectively, even if the findings do not favour the applicant
 - disclose all information which is important to the application and the proposed development
 - have expertise in conducting environmental impact assessments
 - complies with the Regulations
- will inform all registered interested and affected parties of any suspension of the application as well as of any decisions taken by the competent authority in this regard;
- am responsible for complying with the conditions of any environmental authorisation issued by the competent authority;
- hereby indemnify the Government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action which the applicant or environmental assessment practitioner is responsible for in terms of these Regulations;
- will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to obtaining an environmental authorisation or prior to an appeal being decided in terms of these Regulations;
- will perform all other obligations as expected from an applicant in terms of the Regulations;
- all the particulars furnished by me in this form are true and correct; and
- I realise that a false declaration is an offence and punishable in terms of the section 24F of the Act.

¹ If this is signed on behalf of the applicant, proof of such authority from the applicant must be attached.

² If exemption is obtained from appointing an EAP, the responsibilities of an EAP will automatically apply to the person conducting the environmental impact assessment in terms of the Regulations.



Signature³ of the applicant⁴/ Signature on behalf of the applicant:

Name of company (if applicable):

15 January 2025

Date:

Signature of the Commissioner of Oaths:

15 January 2025

Date:

Attorney and conveyancer

Designation:

Official stamp (below)

ANTHONY JOHN ATHOL ROWAN
Commissioner of Oaths. Ex Officio
Attorney and Conveyancer
Republic of South Africa
82 14th Street, Parkhurst, Johannesburg

³ Only original signatures will be accepted. No scanned, copied or faxed signatures will be accepted.

⁴ If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority.
An EAP may not sign on behalf of an applicant.

**APPENDIX 15
DECLARATION OF THE EAP**

I, **Joclyn Marshall**, declare that –

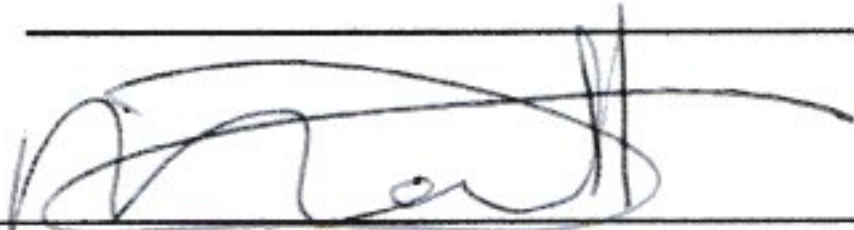
General declaration:

- I act as the independent environmental practitioner in this application
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant
- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting environmental impact assessments, including knowledge of the Act, Regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, Regulations and all other applicable legislation;
- I will take into account, to the extent possible, the matters listed in regulation 13 of the Regulations when preparing the application and any report relating to the application;
- I have no, and will not engage in, conflicting interests in the undertaking of the activity;
- I undertake to disclose to the applicant and the competent authority all material information in my possession that reasonably has or may have the potential of influencing - any decision to be taken with respect to the application by the competent authority; and - the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority;
- I will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- I will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- I will keep a register of all interested and affected parties that participated in a public participation process; and
- I will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not
- all the particulars furnished by me in this form are true and correct;
- will perform all other obligations as expected from an environmental assessment practitioner in terms of the Regulations; and
- I realise that a false declaration is an offence and punishable in terms of section 24F of the Act.

Disclosure of Vested Interest (delete whichever is not applicable)

• I do not have and will not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the Regulations;

• ~~I have a vested interest in the proposed activity proceeding, such vested interest being: _____~~



Signature of the environmental assessment practitioner:

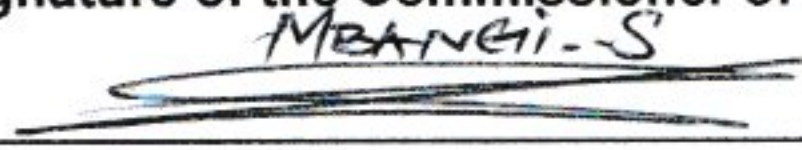
Eco Route Environmental Consultancy

Name of company:

20/01/2025

Date:

Signature of the Commissioner of Oaths:

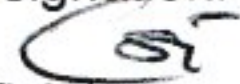


SI/266184-4

Date:

2025-01-20

Designation:



Official stamp (below)



DETAILS OF EAP AND DECLARATION OF INTEREST IN TERMS OF REGULATIONS 12 AND 13 OF THE AMENDMENTS TO THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 AS AMENDED

	(For official use only)
File Reference Number:	
NEAS Reference Number:	
Date Received:	

Application for environmental authorization in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Amendments to the Environmental Impact Assessment Regulations, 2014. This form is valid as from 1 October 2022.

1. The Environmental Assessment Practitioner (EAP) must ensure that he/she is registered in terms of S24H Regulations with the Registration Authority EAPASA. (Registration status of the EAP may be confirmed at www.eapasa.org) as from 8 August 2022.
2. S24H (14) states that "only a person registered as an Environmental Assessment practitioner may perform tasks in connection with an application for an environmental authorisation contemplated in
 - (a) Chapter 5 of the Act read with the Environmental impact Assessment Regulations.
 - (b) Section 24G of the Act
 - (c) Chapter 5 of the National Environmental Management Waste Act 2008 (Act No 59 of 2008) read with the Environmental Impact Assessment Regulations
3. Tasks in regulation 14 may only be conducted by an EAP that is registered
4. Regulations 20 of S24H indicates the offences and penalties as indicated below:
 - "20. Offences and penalties
 - (1) A person is guilty of an offence if that person-
 - (a) contravenes regulation 14 of the Regulations; or
 - (b) pretends to be a registered environmental assessment practitioner or registered candidate environmental assessment practitioner.
 - (2) A person convicted of an offence in terms of subregulation (1) is liable to the penalties contemplated in section 49B(3) of the Act."

"A person convicted of an offence in terms of section 49A(1)(h), (l), (m), (n), (o) or (p) is liable to a fine or to imprisonment for a period not exceeding one year, or to both a fine and such imprisonment."

PROJECT TITLE

The Proposed Construction of a Single Residential Dwelling on Erf 1216 Sea Vista, St Francis Bay, Kouga Municipality, Eastern Cape

Environmental Assessment Practitioner (EAP):	Eco Route Environmental Consultancy		
Contact person:	Joclyn Marshall		
Postal address:	PO Box 1252 Sedgefield		
Postal code:	6573	Cell:	072 126 6393
Telephone:		Fax:	
E-mail:	joclyn@ecoroute.co.za		
Professional affiliation(s) (if any)	EAPASA Reg. 2022/5006		

Project Consultant:	Eco Route Environmental Consultancy		
Contact person:	Joclyn Marshall		
Postal address:	Same as above.		
		Cell:	
Postal code:			
Telephone:			
		Fax:	
E-mail:			

4.2 The Environmental Assessment Practitioner

I, **Joclyn Marshall**, declare that –

General declaration:

- I act as the independent environmental practitioner in this application
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant

- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting environmental impact assessments, including knowledge of the Act, regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, regulations and all other applicable legislation;
- I will take into account, to the extent possible, the matters listed in regulation 8 of the regulations when preparing the application and any report relating to the application;
- I have no, and will not engage in, conflicting interests in the undertaking of the activity;
- I undertake to disclose to the applicant and the competent authority all material information in my possession that reasonably has or may have the potential of influencing - any decision to be taken with respect to the application by the competent authority; and - the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority;
- I will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- I will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- I will keep a register of all interested and affected parties that participated in a public participation process; and
- I will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not
- all the particulars furnished by me in this form are true and correct;
- will perform all other obligations as expected from an environmental assessment practitioner in terms of the Regulations; and
- I realise that a false declaration is an offence and is punishable in terms of section 24F of the Act.

Disclosure of Vested Interest (delete whichever is not applicable)

- I do not have and will not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the Amendments to Environmental Impact Assessment Regulations, 2014 as amended.
- ~~I have a vested interest in the proposed activity proceeding, such vested interest being:—~~



Signature of the environmental assessment practitioner:

Eco Route Environmental Consultancy

Name of company:

20/01/2025

Date:

Signature of the Commissioner of Oaths:

~~MBANGI-S~~ CS
7266184-U

Date: 2025-01-20

Designation:

CS

The CV of the EAP must be attached as Annexure 1

The EAPASA registration certificate must be attached as Annexure 2

Official stamp (below)

