



HillLand Environmental

Environmental Assessment Practitioners

PUBLIC PARTICIPATION PROCESS (PPP) REPORT

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

FOR

SECTION 24(G) APPLICATION PROCESS:

Hoër Landbouskool Oakdale

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Hoër Landbouskool Oakdale

Submitted for:

Section24(O) notification of registered I&APs

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1 INTRODUCTION

Hilland Environmental, independent Environmental Assessment Practitioners (EAP), have been appointed by the applicant, **Hoër Landbouskool Oakdale**, to ensure compliance with the regulations contained in the National Environmental Management Act (NEMA, No. 107 of 1998, as amended) and the Environmental Impact Assessment Regulations, 2014 (as amended) for the NEMA Section 24G application process for the commencement of activities on Erf 42, Riversdale.

- The 24G Application underwent public participation period: 29 October – 28 November 2025. Authority notification - Section 24(O) notice was given over the same period.
- The 21-day commenting period on comments and responses are: 17 March - 10 April 2026

This report serves as the Public Participation Process (PPP) report that incorporates the comments received thus far. Any additional comments provided during the Section 24(O) notification period will be added into this report that will accompany the final S24G Assessment Report submitted to DEADP compliance for decision-making purposes.

2 LEGAL FRAMEWORK AND COMPLIANCE

The PPP was conducted in line with the following regulatory requirements:

- **Section 41 of the EIA Regulations:** Minimum requirements for public participation
- **Section 42–44 of the EIA Regulations:** Rights and responsibilities of I&APs
- **Section 56 of NEMA:** Submission of public participation reports

A summary of compliance actions is provided below.

3 SUMMARY OF PPP ACTIVITIES

Table 1: Public participation actions undertaken for the proposal

Requirement and reference in terms of NEMA and NEMA EIA Regulations	Action taken	Date	Reference
Notification of CA, State Departments, Organ of States, Municipality, Municipal Ward Councillor potential registered I&APs and any party requested by the CA Reg. 40 (2) and (3) and 41 (2)(b)(iii)(iv)(v)(vi),	All relevant State Departments, Organs of State, municipalities have been notified of the first and Section 24(O) commenting periods.	29 October 2025	Annexure A
Notification of occupiers of the site if the applicant is not the owner or person in control of the land Reg 41 (b) (i)	Applicant is the landowner	N/A	N/A
Notification of neighbouring landowners Reg 41 (b) (ii)	Direct neighbouring properties were notified on the need to register and invited to comment on the documents	29 October 2025	Annexure A
Site Notice Reg 41 (2) (a) and Regulation 41(3)	A site notices was placed on the school gate	24 October 2025	Annexure C
Legal advert Reg 41 (2) (c)	A legal advert was placed in the Suid-Kaap Forum on 24 October 2025	24 October 2025	Annexure B
Using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desirous of but unable to participate in the process due to- (i) illiteracy; (ii) disability; or (iii) any other disadvantage.	Included in notification letters	N/A	Annexure A

Reg 41 (2) (e)			
I&AP register Reg. 41(1)(a)–(b) and 42	A register has been opened and maintained	N/A	Annexure D
Availability of reports and commenting period Reg. 23(1)(d), Reg. 40(1)–(2) Reg. 40(2)(a) Reg. 40(2)(a)–(b)	- Commenting period 29 October – 28 November 2025 (S24O) - Comment and response comment period (21 days) 17 March – 10 April 2026	N/A	Annexure A

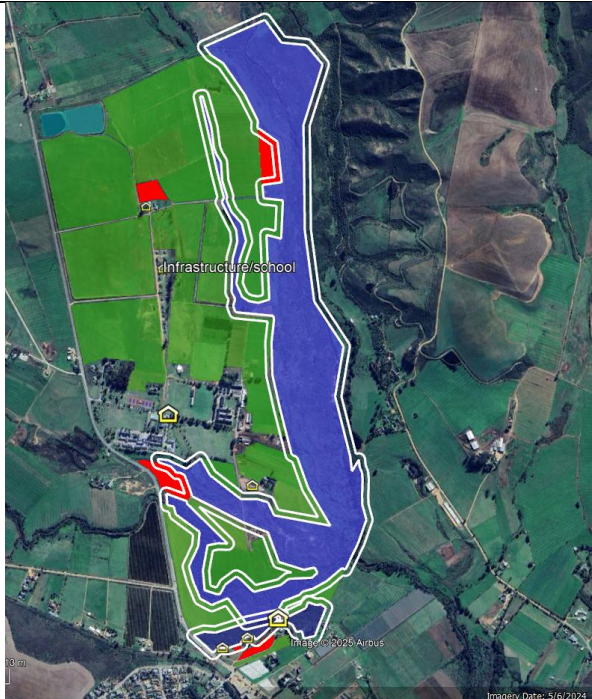
- **The content of notifications, site notice and legal advert complies with** Regulation 41(3), refer to Annexure A – C
- Only registered Interested and Affected Parties and NGO's will be notified further in the process.

4 COMMENT AND RESPONSES

Table 2: Comment and response table (draft BAR phase) – Regulation 44. A copy of the comments are attached to Annexure x.

COMMENT	RESPONSE
Dr NS Viljoen, Garden Route District Municipality, 10 November 2025	
After careful consideration of the report, we wish to provide the following comments and recommendations on the proposed activities: 1. Background This Section 24G application seeks rectification for the unlawful clearance of indigenous vegetation and creation of new cultivated areas and access track on Erf 42, Riversdale, used by Hoër Landbouskool Oakdale. The site falls within the Hessequa Municipal area, approximately 3.5 km east of Riversdale, and is situated in a high agricultural potential zone with Eastern Rûens Shale Renosterveld (endangered ecosystem) historically present in parts of the property.	As stated in the report.
2. Legal Context The activities triggered Listing Notice 1 Activity 27 and Listing Notice 3 Activity 12 of the 2014 EIA Regulations under NEMA, 1998 (Act 107 of 1998). Rectification under Section 24G is therefore applicable for clearance of indigenous vegetation within an endangered ecosystem without prior environmental authorisation. The Conservation of Agricultural Resources Act (CARA) and the National Environmental Management: Biodiversity Act (NEMBA) are also relevant to alien vegetation management, soil erosion control, and protection of remnant Renosterveld.	As stated in the report
3. Assessment and Comment - The activity constitutes a technical non-compliance rather than deliberate disregard of environmental legislation; - The area cultivated is small and localized, and no significant irreversible environmental degradation is evident; - However, the EAP underestimates the biodiversity sensitivity of Field 1. A mitigation and rehabilitation plan is essential to offset habitat loss;	Correct Correct Field 1 – surrounding areas have been included in a rehabilitation plan in order to make up for the minor loss of habitat. See figure 2 of Appendix I of the application.

• Soil and water management measures must be formalized, especially along access tracks and sloped areas to prevent erosion; • The school's agricultural training context can be positively leveraged to implement demonstration-level environmental stewardship (erosion control, alien clearing, wetland buffer restoration).	 Figure 2: Management plan showing the pastures and cultivated areas in green and red, riparian areas, wetlands and open spaces in blue, school fields and farm infrastructure marked by houses Soil and water management on the farm along access tracks and sloped areas to prevent erosion is an ongoing operational farm management activity. The environmental management is included in the agricultural curriculum at the school.
4. Recommendations / Conditions The following recommendations are applicable: Environmental Management Programme (EMPr): Develop and implement an updated EMPr including soil conservation, alien vegetation control, stormwater management, and biodiversity protection measures; Include buffer zones (minimum 30 m) around natural wetlands or drainage lines; no further ploughing within these areas.	Included in the ACP and Farm Management plan as recommended where appropriate to the activities undertaken. General recommendations for environmental management for the entire farm is a recommendation of this NEMA process for the school to implement – recommend that a MMP is developed for the entire farm. Buffer zones included in the plan associated with the s24G application. See Figure below. These areas will be regarded as no till zones.

• Rehabilitation of Natural Vegetation: • Identify and rehabilitate degraded Renosterveld patches surrounding the new fields using locally sourced seed or plugs; • Annual monitoring for erosion and invasive species must be undertaken by the school's environmental coordinator or consultant. • Education & Demonstration Value: Incorporate environmental awareness and sustainable land management into Oakdale's agricultural curriculum; • Display signage demarcating conservation zones and demonstrating best practice. • Compliance & Reporting: Submit an annual compliance report (photos, GPS coordinates, and brief narrative) to Hessequa Municipality and DEADP for three consecutive years post-authorisation; • Any future land expansion or new cultivation areas must undergo prior environmental screening and authorisation	 30m buffer highlighted by white line where no till to be done Areas on the farm for rehabilitation and management are highlighted in the Figure 2 above. A future MMP could deal with ongoing Renosterveld restoration. Alien invasive clearing and monitoring is part of the ACP. Erosion control is an ongoing farm management activity. Environmental Management is part of the school curriculum. Signage can be installed as requested. To be included as a condition of the EA when issued as an outcome of the S24G application. Although no expansion is planned, any future expansion would require environmental screening and authorisation in terms of NEMA.
4. Concluding Remarks Future agricultural management must remain aligned with the principles of sustainable land use, soil conservation, and biodiversity protection, as set out in NEMA and CARA.	These sound principles can easily be implemented in all activities at the school.

The comments provided aims to complement the specialist inputs by ensuring practical accountability, policy alignment, and transparent decision-making. We appreciate the efforts made by Hilland Environmental Consultants (GNEC) and the applicant to ensure responsible and legally compliant development activities. The Garden Route District Municipality reserves the right to provide comment/s or to amend initial comment/s.	
Mr Mthimkhutu, BOCMA, 11 November 2025	
1. No operation is allowed within 100m of a water resource or 1:100- year flood line, whichever is the greatest. If the proposed activities falls within this area, authorisation needs to be put in place in terms of the National Water Act (NWA), 1998 (Act No. 36 of Farm 1998). This is to ensure that the riparian ecological status of the water resource will not be negatively impacted.	No new operations are proposed within the riparian zone or flood lines.
2. Please note that any development within 500m from the boundary of any wetland requires authorisation in terms of the National Water Act (NWA), 1998 (Act No. 36 of Farm 1998).	The agricultural use areas subject to the NEMA section 24G process were old historic cultivation areas that have been cultivated again. As they are previously cultivated lands it is assumed that the use predated NWA and is part of the Existing Lawful Use on the farm. There is no new development within 500m of the wetlands which requires authorisation in terms of NWA.
3. No water may be abstracted from any water surface water body and groundwater unless authorised by this Agency.	Water use on the farm is all authorised in terms of the NWA (include current authorisation, refer to App F)
4. Where solid waste disposal is to take place on site, ensure that only non-toxic materials which have no risk of polluting the groundwater, are buried in designated approved areas at acceptable depths below ground level.	Not applicable to the application. No waste disposal part of the activity.
5. No surface, ground or storm water may be polluted because of any activities on the site.	Sound environmental management required on site – MMP to include fertilizer and pesticide management to ensure no contamination of the riparian environment.
6. The rehabilitation of the site must ensure that the final condition of the site is environmentally acceptable and there will be no adverse long-term effects on the surrounding environment especially the water resources.	Ongoing management of the site to continue and a MMP is proposed for the whole property.
7. Please note that all requirements as stipulated in the National Water Act (NWA), 1998 (Act No, 36 of 1998) must be adhered to.	Noted and will be complied with.
Rhett Smart, CapeNature, 28 November 2025	
CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Background The application aims to address unlawful activities identified in a pre-compliance notice (17 November 2023) and compliance notice (13 March 2024) which encompassed clearing of indigenous vegetation, excavation of a trench in a wetland and construction of gabions within a river. The unlawful activities were initially addressed in three separate rehabilitation plans for each component.	Background from the s24G application. • Clearing of indigenous vegetation and creating cultivation areas – this s24G application • Excavation of trench in a wetland – not part of the s24G application, the area has been rehabilitated according to an approved rehabilitation plan. • Construction of gabions within a river – not linked to this s24G application – gabions

CapeNature was not in support of the rehabilitation plan for the clearing of indigenous vegetation whereby the stated aim was to rehabilitate back to the original vegetation type, namely Eastern Rûens Shale Renosterveld (endangered), in accordance with the compliance notice, however the specifications aimed to convert the cleared areas to pastures for grazing. Our recommendation was to either retrospectively apply to convert the cleared areas to pastures in terms of NEMA Section 24G or to appoint an ecological restoration specialist to restore back to Eastern Rûens Shale Renosterveld. The NEMA S24G Report therefore addresses the areas where clearing of indigenous vegetation took place.	were NOT installed by the school and a separate report has been submitted on a way forward to deal with the gabions in the wetland. This s24G application is to comply with this requirement and to rectify and retain the cultivation areas created and continue to use for agricultural purposes.
Desktop Information Four areas were identified where clearing of indigenous vegetation took place (areas numbered from south to north-east). The mapping in the 2023 and 2017 Western Cape Biodiversity Spatial Plan (BSP) is as follows: Area 1 2017 & 2023 BSP: Mainly Critical Biodiversity Area 1 (CBA) fringed by No Natural Area 2 2023: Mainly CBA 2 with some CBA 1 Area 2 2017: Mainly CBA 1 with some CBA 2 Area 3 2023: Mainly CBA 1 with patches of CBA 2 and No Natural Area 3 2017: Mainly No Natural with patches of CBA 1, CBA 2 and Ecological Support Area 2 (ESA) Area 4 2023: Mainly CBA 2 with some CBA 1 Area 4 2017: Mainly CBA 1 with some CBA 2 While the 2023 BSP is the current official BSP which was adopted by the competent authority, the activities took place before the 2023 BSP was adopted and therefore the systematic biodiversity plan which was relevant at the time would be relevant to the assessment. The vegetation mapped for all four areas is Eastern Rûens Shale Renosterveld listed as endangered. Area 2 is mainly occupied by a channelled valley bottom wetland and Area 4 is mainly occupied by a seep wetland according to the National Wetland Map. The other two area are not within mapped wetlands. There are rivers located in proximity to each of the areas with Area 4 adjacent to the Vette River and associated floodplain wetland. The results from the screening tool indicate very high sensitivity for terrestrial biodiversity and aquatic biodiversity, high sensitivity for animal species and medium sensitivity for plant species. A site sensitivity verification report is not provided which discusses the specialist studies undertaken in relation to the screening tool and verified site sensitivity. An "Assessment regarding presence on site of vegetation representative of listed Eastern Rûens Shale Renosterveld ecosystem" ("biodiversity assessment") was undertaken which addresses the terrestrial biodiversity theme.	As included in the s24G report. 2017 data have been used. As indicated in the report As addressed in the report
Biodiversity Assessment	

The biodiversity assessment indicates that the terms of reference was to verify the vegetation type present as it relates to the NEMA listed activities. For each of the four areas, locations adjacent to the cleared footprint were assessed and used to inform the likely vegetation that was cleared and cross-referenced with aerial imagery as evidence of the similarity with regards to condition and land use history. Species lists and the vegetation type and condition are listed for each area. Area 1 is confirmed to align with the classification as Eastern Rûens Shale Renosterveld, however the condition is degraded to highly degraded due to existing and historical disturbance and edge effects associated with very small remnants.	Correct – the area was degraded due to existing and historical disturbances and edge effects.
Area 2 and 4 however show more affinities with riparian vegetation and are therefore considered best classified as Cape Lowland Alluvial Vegetation. Cape Lowland Alluvial Vegetation is however also listed as endangered, therefore Listing Notice 3 Activity 12 is also applicable. It should further be noted that both vegetation types were listed as critically endangered prior to 2022. Area 2 and 4 are also however also degraded to highly degraded with a number of exotic species and evidence of historical disturbance including ploughing.	Correct – the Cape Lowland Alluvial Vegetation is also listed as endangered, however both areas were degraded to highly degraded prior to the clearing due to historic agricultural activities and would at most have contained only secondary vegetation.
Area 3 was a gum woodlot prior to clearing. As discussed in our comment on the rehabilitation plan, it could be motivated that the clearing of the woodlot did not constitute clearing of indigenous vegetation. Although the legal definition of indigenous vegetation states “regardless of the level of alien infestation”, if the alien invasive species was planted and did not germinate or establish naturally, this should not meet the definition of an infestation. Based on the available evidence and information presented, the gum trees were cut down and the stumps removed which can further be interpreted as selective clearing of an alien invasive species. The conclusion in the biodiversity assessment is that the clearing activities were of alien vegetation in an area of no natural vegetation remaining which concurs with our inputs above.	Correct.
Apart from evaluating the original vegetation type, the discussion states that the areas were in poor condition, with low diversity, dominance by disturbance tolerant species and a prevalence of exotic species. The conclusion states that only one area consisted of Eastern Rûens Shale Renosterveld, and the loss of this small area does not constitute a significant loss. The areas which were determined to have contained Cape Lowland Alluvial Vegetation, should have also been evaluated as this vegetation type has the same threat status.	The specialist indicated the areas that was incorrectly mapped as Eastern Rûens Shale Renosterveld which should have been mapped as Cape Lowland Alluvial Vegetation. He therefore has assessed the impact on Cape Lowland Alluvial Vegetation. It was also noted by the specialist that the areas had historically been transformed through agricultural activities. This historic transformation is reflected in the transformation layers which give rise to the ecosystem status of endangered (remaining intact areas are threatened due to historic transformation through agricultural uses. Additional input has been provided – see appendix H – addendum letter – to deal with CapeNatures comments.
Ideally an impact assessment should have been included as part of the assessment. We wish to note that although the National Biodiversity Offset Guidelines are focused mainly on NEMA processes for activities which have not yet commenced, it can also apply for NEMA Section 24G cases where the residual impact is medium or higher and there is no other	See statement provided by the specialist – App H of the application

remedy for the impact incurred other than to offset. It is however interpreted that the impacts on the two Cape Lowland Alluvial Vegetation areas were similar to the Eastern Ruens Shale Renosterveld area and that the impact would overall be considered of low significance and therefore no biodiversity offset or other additional mitigation measure is considered necessary. A statement in this regard must however be provided by the specialist.	
Although the introduction states that the BSP was used to inform the biodiversity assessment, there is no discussion regarding the BSP mapping relative to the ground-truthed conservation value of the four cleared areas. We wish to note that there was CBA in each of the four areas, and the recommendation regarding the impact does not concur with the objectives of a CBA. Further motivation should therefore be provided regarding the recommendations relative to the BSP mapping. There is a verification protocol for queries regarding the BSP mapping and any discrepancies with the BSP mapping would therefore need to be put forward for verification.	See statement provided by the specialist – App H of the application
An alien control plan and farm management plan has been compiled for the property. This was not recommended as essential mitigation, therefore it can be considered over and above the requirements for the application. The contents are fully supported as it will improve the condition of biodiversity on the property, and we recommend should be taken into consideration in assessing the application if the landowner provides commitment to implement the plan.	Noted and agreed.
Strictly applying the protocols, a specialist study addressing aquatic biodiversity should have also been conducted. However, the biodiversity assessment provides an adequate description of the habitat (terrestrial and aquatic) occurring within the areas which were lost, which is highly degraded.	
The previous watercourse rehabilitation plan also included a freshwater assessment and description of the affected aquatic environment, although mainly focused on the trench.	Noted, an aquatic assessment was done as part of the rehabilitation report which does not form part of the section 24G process.
We do however wish to raise concern regarding cultivated lands which are located within the floodlines of the rivers in the study area, in particular the Vette River. We therefore recommend that no cultivation should be permitted within the 1 in 100 year floodline. There is the potential for significant impacts should flood overflow from the river extend into the cultivated lands, especially if lying fallow. We further wish to emphasize the high sensitivity of the palmiet (<i>Prionium serratum</i>) peat wetlands associated the Vette River, as per previous comments.	Noted and agreed. There is no intention to further expand the fields on the property. The existing fields will be managed and should any of the fields be located within the 1:100 year floodline, it is recommended to implement “no-till” farming to mitigate the impacts of potential flooding. The palmiet will not disturbed, only alien clearing within these areas will continue in addition to alien clearing and follow-up on the entire farm. The wetland rehabilitation attempt that was done through the use of gabions (although undertaken without the necessary environmental authorisations), needs to be considered wholistically, as erosion within the wetlands threatens the palmiet wetlands.
Trench and Gabions The NEMA Section 24G Report does not address the trench or the gabions, however the rehabilitation plan for the gabions is included, therefore it is assumed that the plan is still intended to be	As indicated above: Excavation of trench in a wetland – not part of the s24G application, the area has been rehabilitated according to an approved

implemented. It states that the trench has however been rehabilitated. We request that evidence is provided that the rehabilitation of the trench was undertaken to the satisfaction of the competent authority and hence in accordance with the rehabilitation plan. We also wish to note that the trench would have functioned to drain the wetland and minimize the inundation of the cultivated lands. No further trenches may be considered and areas which are too wet should be excluded from cultivation.	rehabilitation plan. The area continues to be monitored by BOCMA and DEADP. • Construction of gabions within a river – not linked to this s24G application – gabions were NOT installed by the school and a separate report has been submitted on a way forward to deal with the gabions in the wetland. There has been no feedback from DEADP on the gabions report and as such it is not known what action, if any, has been taken against the party that undertook the activity without NEMA or NWA authorisations.
Conclusion In conclusion, CapeNature supports the recommendations of the NEMA Section 24G Report with regards to terrestrial biodiversity, however the cultivated lands must stay out of the 1 in 100 year floodlines. Confirmation must be provided by the biodiversity specialist regarding the impact ratings and additional mitigation requirements and further motivation provided regarding the recommendations in relation to the BSP mapping. CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.	Support is noted There is no intention to further expand the farm and 'no-till' will be implemented at existing fields should they be within the 1:100 year floodline Confirmation has been provided by the specialist, Dr D Hoare, please refer to App H of the application