



54 York Street,
George
Western Cape
6529

PO Box 12,
George,
Western Cape
6530

044 803 1300
info@gardenroute.gov.za
www.gardenroute.gov.za

OFFICE OF THE MUNICIPAL MANAGER

Enquiries: Dr NS Viljoen
Reference: 18/2/4/R
Date: 10 November 2025

Attention: Ms Cathy Avierinos
HillLand Environmental Consultants
Victoria Heights
P.O. Box 590
George
6530

Email: cathy@hilland.co.za / Administration: E-mail: admin@hilland.co.za

Cc: Mr Gerhard Otto – Manager: Disaster Management
E-mail: Gotto@gardenroute.gov.za

Cc: GRDM Admin / Records:
E-mail: Admin2@edendm.co.za

Dear Madam,

**RE: NOTIFICATION OF THE SECTION 24G APPLICATION AND AVAILABILITY OF THE 24G APPLICATION REPORT FOR THE UNLAWFUL CLEARANCE OF VEGETATION ON ERF 42, RIVERSDALE
DEADP REF: 14/2/4/1/D5/15/0027/24)**

The Garden Route District Municipality (GRDM) acknowledge receipt of the Section 24G application report prepared by HillLand Environmental Consultancy on behalf of the Hoër Landbouskool Oakdale on Erf 42, Riversdale, dated 29 October 2025. We would like to thank you for providing the Municipality with the opportunity to comment

on this application. 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.

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.

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;
- 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).

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.
- **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

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.

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 HillLand 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.

Yours Sincerely



(pp) MONDE STRATU

MUNICIPAL MANAGER

GARDEN ROUTE DISTRICT MUNICIPALITY

DATE: 10 November 2025

postal	16 17 th Avenue, Voëlklip, Hermanus, 7200
physical	16 17 th Avenue, Voëlklip, Hermanus, 7200
website	www.capenature.co.za
enquiries	Rhett Smart
telephone	087 087 8017
email	rsmart@capenature.co.za
reference	LS14/2/6/1/6/5/42_S24G cultivation_Riversdale
date	28 November 2025

Hilland Environmental
P.O. Box 590
George
6530

Attention: Inge Delpont
By email: environmental2@hilland.co.za

Dear Ms Delpont

Draft NEMA Section 24G Assessment Report for the Unlawful Clearing of Indigenous Vegetation on Erf 42, Oakdale Agricultural High School, Riversdale
(DEA&DP ref. no.: 14/1/1/E3/8/2/3/L1338/23)

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.

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.

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 areas 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.

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.

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.

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.

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.

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 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.

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

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

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

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.

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.

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 (*Prionium serratum*) peat wetlands associated the Vette River, as per previous comments.

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 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.

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.

Regards

Rhett
Smart

Digitally signed
by Rhett Smart
Date: 2025.11.28
15:31:22 +02'00'

Rhett Smart

For: Manager: Landscape Conservation Intelligence South



BREED-OLIFANTS

101 York Street 3rd Floor Room 302 George 6530 PO Box 1205 George 6530

✉: Mr. Mthimkhulu ☎:023 346 8000
📁:4/10/3/H90C/ERF 42, RIVERSDALE

✉:mmthimkhulu@bocma.co.za

HillLand Environmental
P.O. Box 590
George
6530

Attention: Inge Delpont

Dear Madam,

COMMENTS ON THE SECTION 24G APPLICATION FOR THE UNLAWFUL CLEARANCE OF VEGETATION ON ERF 42, RIVERSDALE, WESTERN CAPE

The above-mentioned report, with reference number: **14/2/4/1/D5/15/0027/24**, has reference.

The Breede- Olifants Catchment Management Agency (BOCMA) has the following comments:

1. No operation is allowed within 100m of a water resource or 1:100-year flood line, whichever is the greatest. If the proposed activity falls within this area, authorisation needs to be put in place in terms of the National Water Act (NWA), 1998 (Act No. 36 of 1998). This is to ensure that the riparian ecological status of the water resource will not be negatively impacted.
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 1998).
3. No water may be abstracted from any surface water body and groundwater unless authorized by this Agency.
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.
5. No surface, ground or storm water may be polluted because of any activities on the site.
6. The rehabilitation of the site must ensure that the final condition of the site is environmentally acceptable and that there will be no adverse long-term effects on the surrounding environment especially the water resources.

7. Please note that all requirements as stipulated in the National Water Act (NWA), 1998 (Act No. 36 of 1998) must be adhered to.
8. Please note that this Agency reserves the right to amend and / or add to the comments made above in the light of subsequent information received.

If you have any questions, please don't hesitate to contact the official at the above-mentioned details.

MR. JAN VAN STADEN



CHIEF EXECUTIVE OFFICER

DATE: 11/11/2025

Re: Oakdale - Erf 42, Riversdale

From Inge Delport <environmental2@hilland.co.za>
Date Mon 10/27/2025 8:22 AM
To Frans van Aardt <frans@urbanengineering.co.za>
Cc Cathy Avierinos <cathy@hilland.co.za>

Dear Frans

Thank you for your registration as an Interested and Affected Party (I&AP). You will be notified on Wednesday regarding the availability of the reports.

Have a lovely day

Kind regards/ Vriendelike groete

Inge Delport
EAPASA 2019/1689
Hilland Environmental (Pty) Ltd
166 Mountview Farm, Victoria Heights
George

P.O.Box 590 - George, 6530 - Western Cape - South Africa

environmental2@hilland.co.za

www.hilland.co.za

Mobile:+27 (0) 825259995 - Office: +27 (0) 44 8890229 - Fax: +27 (0)86 5425248



Hilland Environmental

Environmental Assessment Practitioners

From: Admin | Hilland <admin@hilland.co.za>
Sent: Monday, October 27, 2025 7:56 AM
To: Inge Delport <environmental2@hilland.co.za>
Subject: Fw: Oakdale - Erf 42, Riversdale

Kind regards/ Vriendelike groete

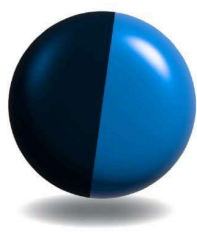
Inge Delport
EAPASA 2019/1689
Hilland Environmental (Pty) Ltd
166 Mountview Farm, Victoria Heights
George

P.O.Box 590 - George, 6530 - Western Cape - South Africa

environmental2@hilland.co.za

www.hilland.co.za

Mobile: +27 (0) 825259995 - Office: +27 (0) 44 8890229 - Fax: +27 (0) 86 5425248



Hilland Environmental

Environmental Assessment Practitioners

From: Frans van Aardt <Frans@urbanengineering.co.za>

Sent: Friday, October 24, 2025 4:35 PM

To: Admin | Hilland <admin@hilland.co.za>

Subject: Oakdale - Erf 42, Riversdale

Good Day,

With regards to the attached notice. Kindly register me as an interested and affected party with regards to the Section 24(G) Application for Oakdale Hoër Landbou skool.

Motivation: My son is currently in Grade 9 in Oakdale.

Contact details: Frans@urbanengineering.co.za / 0732046834

Comments: None

Kind Regards



Frans van Aardt (B.Eng, M.Eng, Pr. Eng)

☎ : 044-874 4098 / 073 204 6834

🏠 : 18 Varing Avenue, George

💻 : [in](https://www.linkedin.com/company/urban-engineering) 🌐