

UNAUTHORISED CLEARING OF 10HA OF NATURAL VEGETATION AND PROPOSED CLEARING OF AN ADDITIONAL 19HA OF NATURAL VEGETATION, ON PORTION 45 AND 38 OF FARM 115, ROBERTSON.

BACKGROUND INFORMATION DOCUMENT

DEA&DP 24G Ref: 14/2/4/1/B1/14/0007/26

INTRODUCTION

Lindsay Speirs du Toit (trading as Earth Grace Environmental Consultancy) has been appointed by Viljoen Boerdery (Pty) Ltd, to ensure compliance with the National Environmental Management Act 107 of 1998 (NEMA), the Environmental Impact Assessment (EIA) Regulations 2014, as amended, and the Section 24G Fine Regulations, 2017 for addressing unlawful activities.

The Applicant undertook activities without the necessary Environmental Authorisation and is now applying for *ex-post facto* approval in terms of Section 24G of NEMA.

This BID provides a summary of the project and outlines the Public Participation Process (PPP) to be followed. Interested and Affected Parties (I&APs) are invited to register, comment, and/or contribute to the Section 24G application by identifying potential concerns or issues and concerns related to the application.

PROJECT DESCRIPTION AND LOCATION

The application is for the retrospective authorisation (Section 24G) of 10 ha of vegetation clearing on an operational farm as well as the consideration of a proposed additional 19 ha of vegetation clearing for cultivation purposes.

In order to support crop rotation requirements and ensure continued agricultural viability, the Applicant intends to expand the existing cultivated footprint.

The Applicant cleared 10ha of natural vegetation (August 2025) without environmental authorisation on Portion 45 of Farm 115, Robertson. This site (Site 2) is located south of the R60. An additional 4ha has been identified for clearing adjacent to Site 2, below the R60. Another site, Site 1, has been targeted for clearing and cultivation and measures approximately 15ha and is located north of the R60 on Portion 38 of Farm 115, Robertson.

The site lies within a transformed agricultural landscape, with much of the vegetation comprising secondary regrowth associated with historical cultivation. Although mapped as part of a Critical Biodiversity Area (CBA1) and adjacent to an Ecological Support Area (ESA) linked to the Sand River system, specialist assessments confirm that no wetlands or watercourses occur within the affected footprints. Sensitivities are localised, primarily relating to the potential presence of Species of Conservation Concern (SCC) and proximity to drainage features.

The unlawful clearing resulted in the loss of secondary vegetation and potential habitat, with indirect impacts such as increased erosion and sedimentation risk. The proposed activity presents similar but manageable impacts, given the site's already disturbed nature.

SPECIALIST STUDIES

Specialist studies (terrestrial biodiversity and freshwater) show that:

- The site is largely transformed, with limited ecological functionality remaining.
- Impacts are localised and of moderate significance.
- With appropriate mitigation, impacts can be reduced to acceptable levels.

Key mitigation measures include

- Establishing and maintaining buffers to drainage lines and riparian areas;
- Avoiding further encroachment into sensitive areas;
- Implementing erosion and stormwater control measures;
- Maintaining ecological connectivity where feasible; and
- Ongoing monitoring and adaptive management.

Specialist studies conducted to date:

- Terrestrial Biodiversity and Plant Species
- Aquatic

LEGISLATIVE CONTEXT

National Environmental Management Act (Act No. 107 of 1998)
Clearing of 10ha of vegetation, which has not been farmed in the last 10 years, was unlawful in terms of the NEMA EIA Regulations 2014, as amended. The listed activities that were relevant at the time of commencement are Activities 27 of Listing Notice 1 (GNR 983 of 2014). The proposed clearing of an additional 19ha for cultivation would be the same listed activity.

A S24G process will be followed, and an application will be submitted to DEA&DP.

PUBLIC PARTICIPATION PROCESS (PPP)

The objective of the PPP is to provide Interested and Affected Parties (I&APs) with an opportunity to express their views, support, concerns, and questions regarding the project. A minimum of two commenting periods are anticipated for this Section 24G process. These will be as follows:

1. Preliminary PPP in terms of Regulation 8 of the 24G Fine Regulations, 2017 (**this process**). This is a 20-day commenting period.

- Statutory PPP in terms of Regulation 41 of the EIA Regulations, 2014 (as amended). This will be a 30-day commenting period.

All comments or concerns from I&APs will be captured, considered, and responded to in the Section 24G Report.

HOW TO PARTICIPATE

Interested and Affected Parties (I&APs) are invited to register and/or submit comments on this Section 24G application by **17 June 2026**. To register for the project or/and submit comments, I&APs must provide their name, contact details, and preferred method of communication, in writing to the EAP, using the contact details below. In addition to this, I&APs must disclose any direct business, financial, personal, or other interests they may have in the application. Please note: Only registered I&APs will be notified and updated throughout the process.

Any person unable to read or write or needing assistance to do so may request assistance from the EAP during office hours.

ALL REGISTRATIONS/COMMENTS MUST BE SUBMITTED BY 17 June 2026.

Please note that by registering or commenting as an I&AP, you consent to your personal data (including contact details) being processed and selectively disclosed (e.g. in the event of an appeal), in fulfilment of the requirements of the EIA Regulations 2014, as amended and the National Appeal Regulations, 2025.

Comments submitted by I&APs as well as their names, will become public information. Should you wish that your name not be included with your comment or if you wish to be removed from any database, please inform the EAP. Note, your personal information will be used confidentially and professionally.

WAY FORWARD

The Draft Section 24G Report which will include a detailed description of the project, an overview of the affected environment, the potential impacts identified, as well as the relevant specialist studies conducted, will be circulated for comment. All registered I&APs, immediate neighbours, State Departments, and organs of state will be notified of the availability of the report for comment.

CONTACT DETAILS OF THE EAP

EARTH GRACE ENVIRONMENTAL CONSULTANCY

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Portion 38 and 45 of Farm 115, Robertson

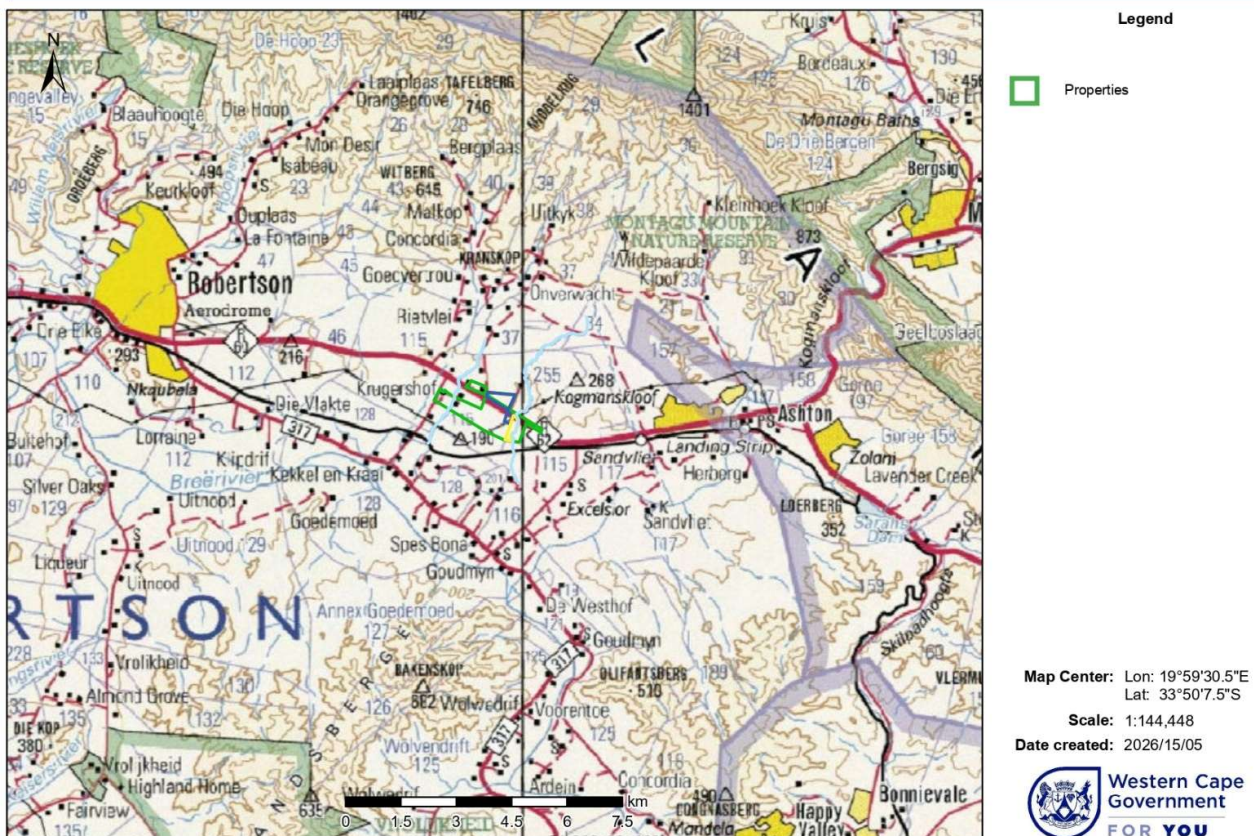


Figure 1: Locality map of unauthorised and proposed activities on site.

UNAUTHORISED AND PROPOSED CLEARING OF VEGETATION ON PORTION 38 AND 45 OF FARM 115, ROBERTSON

SITE PLAN

Legend

-  Site 1 Proposed Area
-  Site 2 Unauthorised Clearing
-  Site 2 Proposed Area
- Rivers
 -  KLAAS VOOGDSRIVIER
 -  SANDRIVIER
- Properties
 -  38/115
 -  45/115

Datum: WGS84
Projection: Geographic
Scale: 1:12 000 (on A3)

Date: May 2026



Figure 2: Site Plan