

UNAUTHORISED CLEARING OF NATURAL VEGETATION AND PROPOSED NEW DAM ON RE/6, WORCESTER (KLIPFONTEIN) NEAR TOUWSRIVER

BACKGROUND INFORMATION DOCUMENT

DEA&DP 24G Ref: 14/2/4/1/B2/29/0008/26

INTRODUCTION

Lindsay Speirs du Toit (trading as Earth Grace Environmental Consultancy) has been appointed by Mr Robert Brown, 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) for the clearance of 2.6ha of natural vegetation, on an operational farm, to expand existing agricultural land as well as the consideration of a new proposed dam. The relevant property (RE/6) is located 14km northeast of Touwsriver within the Breede Valley Municipal Area.

The Applicant cleared 2.6 ha of natural vegetation without environmental authorisation on RE/6, Worcester. The Applicant was not aware that an Environmental Authorisation was required for clearing more than 1ha of natural vegetation. Of this area, 2ha is now an established fruit orchard within the larger farming unit.

The Applicant wishes to construct a new instream dam within a non-perennial watercourse. The dam will have a storage capacity of 260 000 m³ and a maximum wall height of 12 m. The full supply level footprint will be 6.5 ha. The construction footprint of the dam will be 10.2 ha. The operational footprint will be 9 ha. A 346 m portion of an access road on the farm will be relocated around the proposed dam footprint. The relocated access road will be 5 m wide.

The purpose of the new dam is to increase the storage capacity on the farm as well as enable the storage of runoff water generated from the upper catchment of the Ysterdam River. This will ensure water security especially during times of drought and drier months and enable the farmer to expand his agricultural production by the implementation of more than 30 ha of permanent irrigation

lands. The new dam is also intended for storage of existing groundwater allocations and will allow pumping from the boreholes during off-peak hours and irrigation under gravity.

SPECIALIST STUDIES

The following specialist studies are currently underway:

- Terrestrial biodiversity and plant species assessment
- Aquatic Assessment

The potential aquatic ecosystem impacts associated with the proposed dam are:

- Modify flow in the watercourse downstream of the dam
- Loss/modification of aquatic habitat within the footprint of the new dam
- Short-term water quality impacts during the construction works

Aquatic impacts associated with the unlawfully cleared cultivation area:

- Aquatic habitat disturbance with some water quality impacts
- Possible erosion and alien plant invasion in disturbed areas

Terrestrial biodiversity and plant species impacts associated with the proposed dam and unlawfully cleared area are:

- Direct loss of natural vegetation

LEGISLATIVE CONTEXT

National Environmental Management Act (Act No. 107 of 1998)

Clearing of 2.6ha of vegetation was unlawful in terms of the NEMA EIA Regulations 2014, as amended. The listed activity that was relevant at the time of commencement is:

- Activity 27 of Listing Notice 1 (GNR 983 of 2014).

The proposed new dam and road alignment would trigger the following activities:

- Listing Notice 1: Activities 27, 12. Listing Notice 2: Activity 16. Listing Notice 3: Activities 4, 12 and 14.

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

National Water Act (Act No. 36 Of 1998)

A Water Use License Application will be conducted by HDL Consulting. The applicant wishes to apply for:

- Section 21 (a) – abstraction of water
- Section 21 (b) – storage of water
- Section 21 (c) – diverting or impeding flow in a watercourse;
- Section 21 (i) – changing the bed, banks, course or characteristics of watercourse.

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.
2. 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 **21 August 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 21 AUGUST 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 on an appeal), in fulfilment of the requirements of the EIA Regulations 2014, as amended and the National Appeal Regulations, 2025.

Comments submitted by I&AP's 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

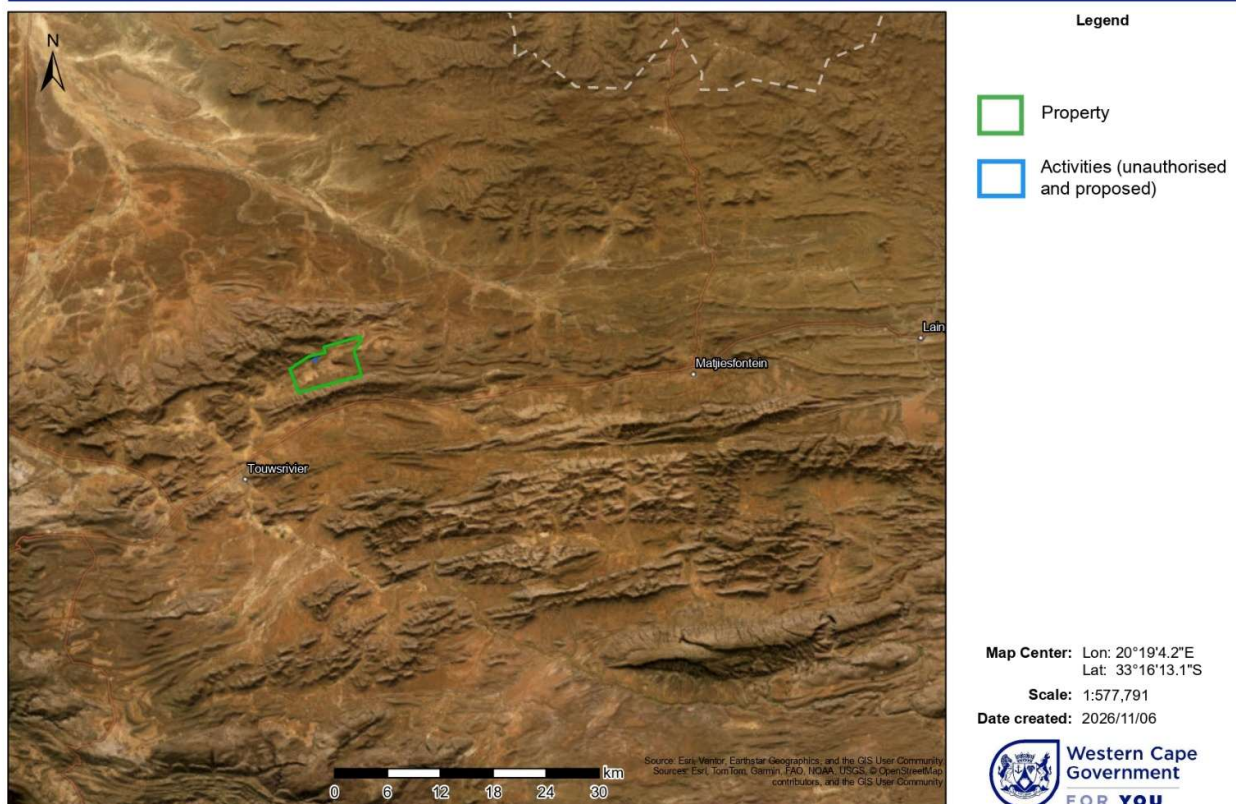
EARTH GRACE ENVIRONMENTAL CONSULTANCY

Attention: Lindsay Speirs

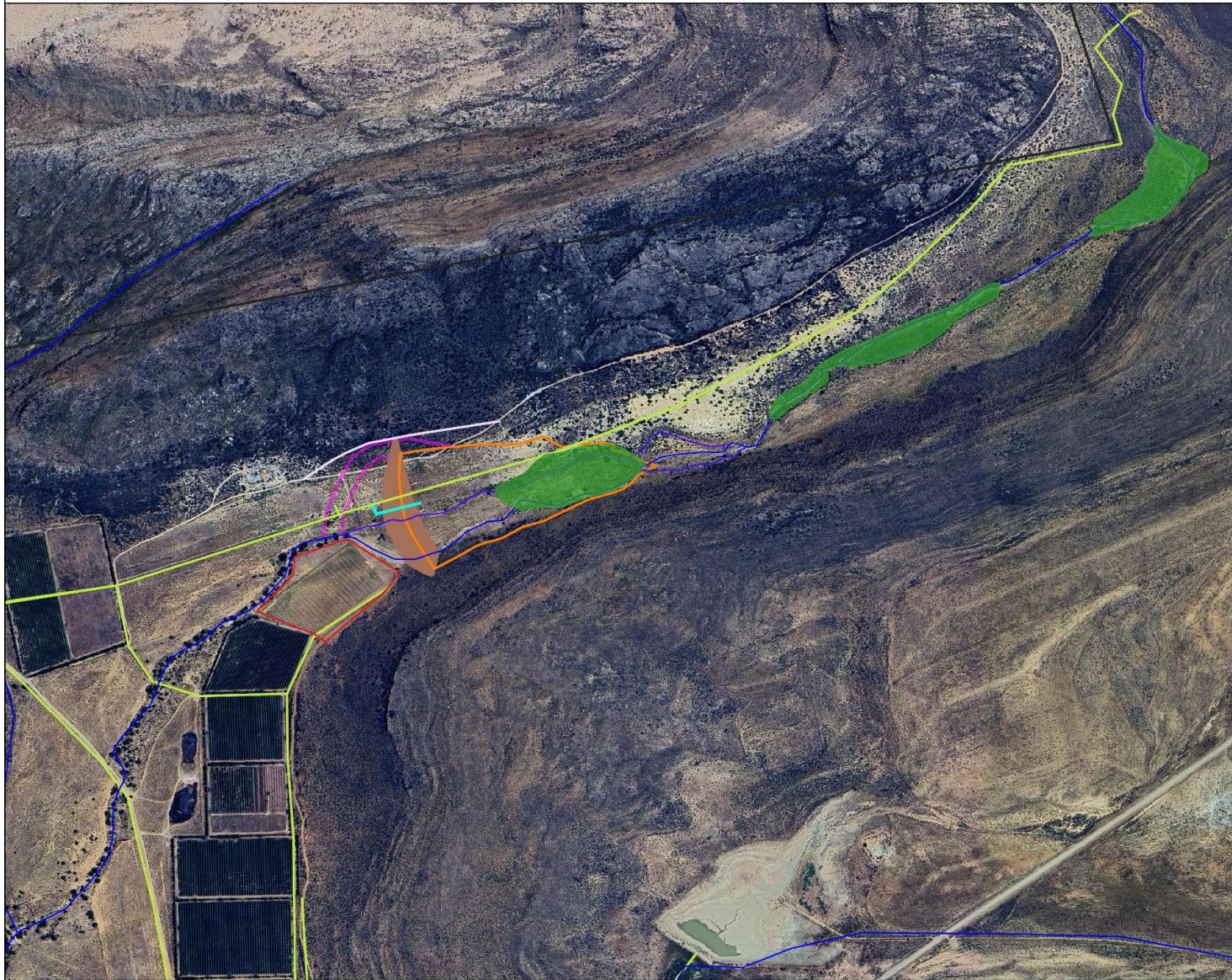
Cell: 083 2898 727

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Location of RE/6, Worcester near Touwsriver



Proposed Droom Dam and unlawfully cleared area on Farm RE/6, Worcester (Touwsriver).



Site Plan

Legend

- Wetlands
- Watercourses
- Unauthorised clearing
- Pipelines
- Proposed Relocation of Road
- Proposed 315 mm dia Outlet Pipe
- Proposed FSL
- Proposed Embankment
- Proposed Spillway
- Property Boundary

Datum: WGS84
Projection: Geographic

Scale: 1:4 500 (on A3)



Date: June 2026

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Figure 2: Site Plan