

ATT: MR SHAFEEQ MALLICK

**THE UNLAWFUL DEVELOPMENT OF AN ACCESS
ROAD AND BUILDING PLATFORM WITHIN 32
METERS OF A WATERCOURSE ON FARM
HUISRIVIER, RE/7/14, GAMKA ECO ESTATE,
CALITZDORP.**

**EXTERNAL ENVIRONMENTAL AUDIT REPORT IN TERMS
OF REGULATION 34 OF THE NEMA EIA REGULATIONS,
2014 (AS AMENDED).**

24G Application Ref: 14/2/4/2/3/D3/4/0002/24
24G Amendment Ref: 14/2/3/D3/4/0001/25



Prepared for:

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KAPPEC

24 April 2026

DETAILS OF THIS REPORT

Status of this Report	Regulation 34 External Compliance Audit Report
Date Submitted	24 April 2026
Public Review Period	Not Applicable
Report Title	The Unlawful Development of an Access Road and Building Platform within 32 meters of a Watercourse on Farm Huisrivier, RE/7/14, Gamka Eco Estate, Calitzdorp.
Applicant	The Owner Rynald Engelke PO Box 640 Betty's Bay 7141 Email: rynaldengelke@gmail.com Tel: (078) 582 7922
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DISCLAIMER

This report has been prepared for Mr. Rynald Engelke and is subject to and issued in accordance with the agreement with Kapp Environmental Consultant (Pty) Ltd. (KAPPEC).

The opinions expressed in this report have been based on the information supplied to KAPPEC by the Client and the relevant Environmental Practitioner. The Author has exercised all due care in reviewing the supplied information, but conclusions from the review are reliant on the accuracy and completeness of the supplied data. KAPPEC does not accept responsibility for any errors or omissions in the information supplied and does not accept any consequential liability arising from commercial decisions or actions resulting from them. KAPPEC accepts no liability or responsibility whatsoever for it in respect of any use of or reliance upon this report by any third party.

Opinions presented in this report apply to the site conditions and features as they existed at the time of the writing of this report, and those reasonably foreseeable.

Copying of this report without the permission of the Client and KAPPEC is not permitted.

LETTER OF UNDERTAKING AND STATEMENT OF INDEPENDENCE

I Renier Kapp, as the appointed independent Environmental Practitioner, hereby declare that I:

- Will perform the work relating to the appointment in an objective manner, even if this results in views and findings that are not favourable to the applicant;
- Other than fair remuneration for work performed/to be performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity;
- Work performed for this study was done in an objective manner irrespective of how such findings may be favourable or not to the applicant;
- declare that there are no circumstances that may compromise my objectivity in performing such work;
- All facts and findings will be presented in an objective manner in accordance with my professional experience and information derived from the study;
- have expertise in conducting the independent audit, including knowledge of the relevant legislation and any guidelines that have relevance to the development; and
- All particulars furnished in this report are true and correct.



(Renier Kapp)

Signature of the Principle Environmental Assessment Practitioner

Kapp Environmental Consultants (Pty) Ltd (KAPPEC)

Name of Company

23 April 2026

Date

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ABBREVIATIONS

MMP	Maintenance Management Plan
DEA&DP	Department of Environmental Affairs and Development Planning
DWS	Department of Water Affairs and Sanitation
EA	Environmental Authorization
EAP	Environmental Assessment Practitioner
ECO	Environmental Control Officer
EIA	Environmental Impact Assessment
EMP	Environmental Management Programme
DEO	Designated Environmental Officer
KAPPEC	Kapp Environmental Consultants
I&AP	Interested and Affected Parties
RE	Resident Engineer

APPENDICES

Appendix A:	Site Photographs
Appendix B:	Site Development Plan
Appendix C:	Copy of Original EA
Appendix D:	Copy of Amended EA
Appendix E:	Copy of EMPr
Appendix F:	Commencement Notification (DEA&DP Communications)
Appendix G:	Sub-directorate Rectification Inspection
Appendix H:	WULA

INTRODUCTION

Kapp Environmental Consultants (Pty) Ltd. (KAPPEC) has been appointed, dated March 2026, by Mr. Rynald Engelke (the Applicant) as the independent environmental practitioners to undertake an external compliance audit in fulfilment of the Conditions contained in the original Section 24(G) Environmental Authorisation of 15 October 2024 (Ref: 14/2/4/2/3/D3/4/0002/24), item 4 of the Compliance Letter as issued by the Sub-directorate: Rectification dated 25 February 2026, and Regulation 34 of the NEMA EIA Regulations, 2014 (as amended).

An Environmental Authorisation (EA) was initially issued on 15 October 2024 (Ref: 14/2/4/2/3/D3/4/0002/24) in terms of Section 24G of the National Environmental Management Act, 1998 (Act 107 of 1998) ("NEMA") for the unlawful commencement of a listed activity, namely the development of an access road and building platform within 32 metres of a watercourse on Farm Huisrivier, RE/7/14, Gamka Eco Estate, Calitzdorp. The granting of this Environmental Authorisation provided for the continuation, conducting, or undertaking of the listed activities.

Subsequently, an amendment application was submitted and approved on 24 April 2025 (24G Amendment Ref: 14/2/3/D3/4/0001/25) in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2014. The amendment provided for a slight change in the location of the site coordinates and platform boundary, as well as the development of infrastructure within 32 metres of the drainage channel. This included the expansion of the earth platform from approximately 750 m² to approximately 1,200 m², on which a residential dwelling and ancillary infrastructure was constructed.

This external audit, conducted in alignment with the National Environmental Management Act (NEMA), is to ensure compliance with the conditions of the Environmental Authorisation and the approved EMPr.

Furthermore, this report will also assess compliance with the Section 24(G) Environmental Authorisation dated 15 October 2024 and the amended EA dated 24 April 2025, including the EMPr and conditions of approval, and investigate and provide clarity on additional or expanded works observed on site, particularly to determine whether these activities fall within the authorised development footprint and whether any listed activities under the EIA Regulations, 2014 have been triggered.

The body of this report will incorporate the auditable conditions and requirements contained in both the EA and the EMP. The conditions of the EA have been summarised in the report, including its corresponding level of compliance with each condition.

The methodology followed for conducting the environmental audit included:

- Compilation of background information for site visit
- Site Visit (27 March 2026). At the time of the site visit, the available aerial imagery has not been updated for the site and thus the exact extent could not be interpreted from aerial imagery. The auditor traversed all evident boundaries on site (also refer to photo pages) and took coordinates via a Garmin GPS device in order to plot the extent of the site activities.
- Documentation audit
- Compilation of environmental audit report
- Submission of environmental audit report (24 April 2026). No available updated aerial imagery to determine extent of activities.

The items have been included in table format and compliance will be indicated based on assigned colour significance as per Table 1 below:

TABLE 1: COMPLIANCE RATING

Colour	Compliance Rating Significance
GREY (N/A)	A grey item indicates that a compliance rating is not relevant. Item is listed for awareness although will not/cannot be rated.
GREEN (4)	An item is marked green to indicate complete compliance in line with the EMP.
YELLOW (3)	An item is marked yellow to indicate sufficient compliance although possibly not as prescribed in the EMP.
ORANGE (2)	An item is marked orange to indicate a non-compliance although the resulting impact is not deemed significant.
RED (1)	An item is marked red to indicate a significant or ongoing non-compliance which needs to be addressed as per the EAP instruction.

PROJECT DESCRIPTION

The project is located on the Remainder of Portion 7 of Farm Huisrivier No. 14, situated within the Gamka Eco Estate near Calitzdorp in the Western Cape. The property lies approximately 7.8 km west of Calitzdorp, just off the R62. The surrounding landscape is characterised by the Gamka and Huis Rivers along the northern and southern boundaries of the property, respectively, with the Gamka River forming a tributary of the Gouritz River. The broader area includes notable features such as the Groot Swartberg Mountains to the north, the Rooiberg Mountains to the south, and the associated river valleys.

The development footprint is defined by the following amended site/platform boundary coordinates:

Point	Latitude (S)	Longitude (E)
1	33° 29' 38.38"	21° 36' 57.16"
2	33° 29' 39.53"	21° 36' 58.14"
3	33° 29' 39.93"	21° 36' 57.47"
4	33° 29' 38.57"	21° 36' 56.31"

The activities undertaken on the property relate to the development of access infrastructure and a residential platform. These activities were initially carried out without Environmental Authorisation (EA) and were therefore deemed unlawful in terms of the National Environmental Management Act, 1998 (Act 107 of 1998).

The unlawful activities included the infilling, excavation, and movement of soil within a watercourse during the construction of an access road, as well as the development of infrastructure within 32 metres of a drainage channel. The freshwater specialist has classified this watercourse as a drainage channel with limited to no aquatic ecological function.

The development comprises an access road approximately 290 metres in length and 4 metres in width, as well as the creation of an earth platform. The platform was initially established at approximately 750 m²; however, this has since been amended and expanded to approximately 1,200 m². The platform is intended to accommodate the construction of a residential dwelling.

All earthworks associated with the access road and platform have been completed. The current proposal therefore relates to the retention of the existing infrastructure and the construction of a house on the approved, amended platform footprint of approximately 1,200 m².

AUTHORIZED LISTED ACTIVITIES

Activity No(s):	Provide the relevant Activities as set out in Listing Notice 1	Describe the portion of the development to which the applicable listed activity relates.
Activity 12	The development of — (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs — (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; Excluding — (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies; (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies; (dd) where such development occurs within an urban area; (ee) where such development occurs within existing roads, road reserves or railway line reserves; or (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.	<i>The creation of a platform of $\pm 750 \text{ m}^2$ for the proposed house) which occurred in 2021.</i> <i>This project description was subsequently amended to allow for a platform of $\pm 1200 \text{ m}^2$ on the 25th of April 2025.</i>
Activity 19	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving — (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	<i>The unlawful infilling, moving and excavation of soil within a watercourse which occurred during 2021.</i>

	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.	
Activity No(s):	Provide the relevant Activities as set out in Listing Notice 3	Describe the portion of the development to which the applicable listed activity relates.
Activity 4	The development of a road wider than 4 metres with a reserve less than 13,5 metres. i. Western Cape i. Areas zoned for use as public open space or equivalent zoning; ii. Areas outside urban areas; (aa) Areas containing indigenous vegetation; (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or iii. Inside urban areas: (aa) Areas zoned for conservation use; or (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.	<i>Development of an access road of ± 290 metres long and ± 4 m wide. The access road was created in 2021.</i>

REGULATION 34 EXTERNAL AUDIT REQUIREMENTS

This section will attempt to detail the content requirements to be included as part of a Regulation 34 Audit Report as outlined in terms of Appendix 7 of Regulation 982 of the 2014 EIA Regulations.

Environmental audit report

The environmental audit report must provide recommendations regarding the need to amend the EMPr, and where applicable, the closure plan.

Objective of the environmental audit report

The objective of the environmental audit report is to

- a) report on –
 - i. the level of compliance with the conditions of the environmental authorisation and the EMPr, and where applicable, the closure plan; and
 - ii. the extent to which the avoidance, management and mitigation measure provided for in the EMPr, and where applicable, the closure plan achieve the objectives and outcomes of the EMPr, and closure plan;
- b) identify and assess any new impacts and risks as a result of undertaking the activity;
- c) evaluate the effectiveness of the EMPr, and where applicable, the closure plan; and
- d) identify shortcomings in the EMPr, and where applicable the closure plan, and
- e) identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr, and where applicable, the closure plan.

Content of environmental audit reports

(1) An environmental audit report prepared in terms of these Regulations must contain –

- a) details of the –
 - i. independent person who prepared the environmental audit report; and
 - ii. expertise of the independent person that compiled the environmental audit report;
- b) a declaration that the independent auditor is independent in a for as may be specified by the competent authority;
- c) an indication of the scope of, and purpose for which, the environmental audit report was prepared;
- d) a description of the methodology adopted in preparing the environmental audit report;
- e) an indication of the ability of the EMPr, and where applicable, the closure plan to –
 - i. sufficiently provide for the avoidance, management and mitigation of environmental

- impacts associated with the undertaking of the activity on an on-going basis;
- ii. sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the closure of the facility; and
 - iii. ensure compliance with the provisions of environmental authorisation, EMPr, and where applicable, the closure plan;
- f) a description of any assumptions made, and any uncertainties or gaps in knowledge;
 - g) a description of any consultation process that was undertaken during the course of carrying out the environmental audit report;
 - h) a summary and copies of any comments that were received during any consultation process; and
 - i) any other information requested by the competent authority.



FIGURE 1: AUTHORISED AMENDED PLATFORM FOOTPRINT TO $\pm 1200\text{M}^2$

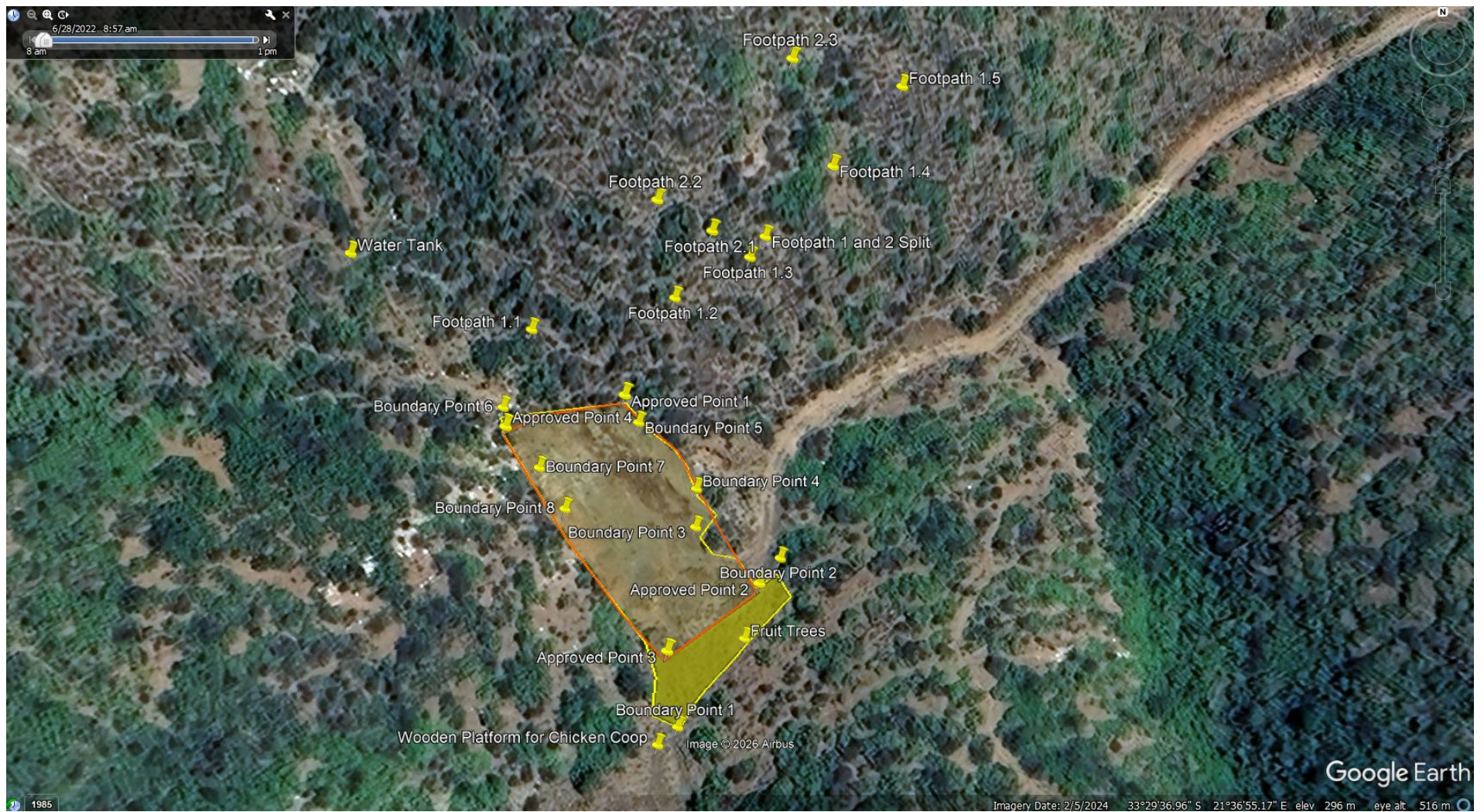


FIGURE 2: AERIAL OVERLAY OF COORDINATES TAKEN DURING SITE VISIT

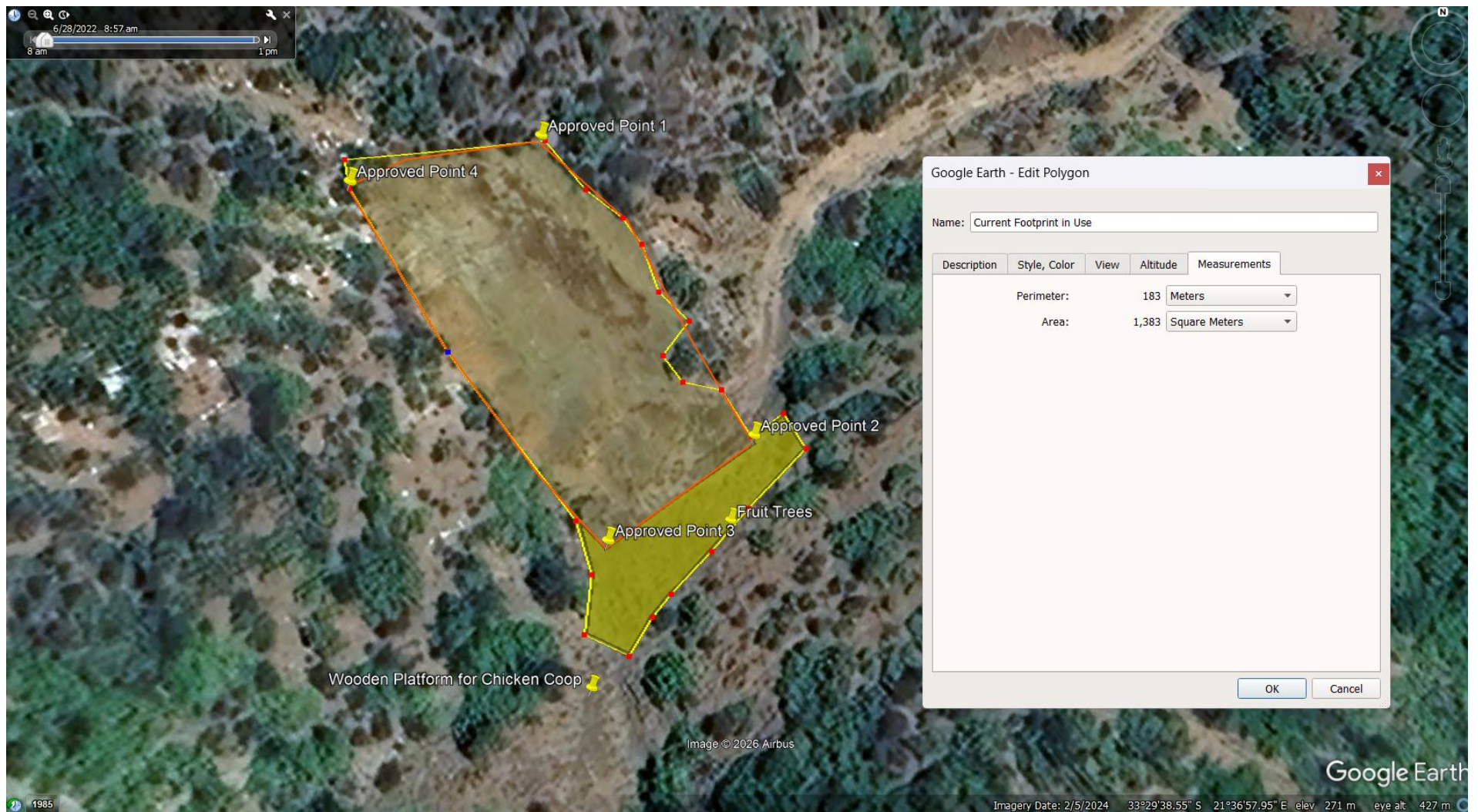


FIGURE 3: COMPARISON OF APPROVED AERIAL OVERLAY AND COORDINATES TAKEN

CONDITIONS OF AUTHORISATION

TABLE 2: ENVIRONMENTAL AUTHORISATION GENERAL CONDITIONS AND COMPLIANCE

No.	EA CONDITIONS	COMPLIANCE FINDING
1.	The holder is authorised to undertake the listed activity/ies specified in Section C above in accordance with and restricted to the preferred Alternative described in the application and assessment report dated 22 January 2024 on the site as described in Section D above.	Noted. All listed activities and the preferred alternative as outlined in the Amended EA have been implemented accordingly. The surrounding areas remain largely undisturbed, with the exception of informal footpaths created by hand between January and March 2026, which do not constitute listed activities but should be rehabilitated to allow for natural revegetation. An additional area of approximately ±202 m ² planted with fruit trees was identified; however, based on information provided by the applicant and corroborated by aerial imagery, this area was cleared prior to the commencement of the application process and is therefore not considered a deviation from the authorised activities.
2.	The Environmental Authorisation is valid for a period of five years from the date of the decision.	An Environmental Authorisation (EA) was initially issued on 15 October 2024 (Ref: 14/2/4/2/3/D3/4/0002/24). Subsequently, an amendment application was submitted and approved on 24 April 2025 (24G Amendment Ref: 14/2/3/D3/4/0001/25). The notification of commencement letter was sent to the Department of Environmental Affairs and Development Planning (DEA&DP) on 2 June 2025.
3.	The development must be concluded within 3 years from the date of continuation of the first listed activity.	The construction of the residential dwelling on the already cleared and prepared platform commenced on approximately 2 June 2025 and has since been completed . The development was therefore concluded within three (3) years from the date of

		continuation of the first listed activity.
4.	The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.	Noted. The holder remains responsible for all persons acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the Holder.
5.	Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the Holder to apply for further authorisation in terms of the applicable legislation.	Noted. No changes or deviations from the scope of the project description have occurred since the final amended Environmental Authorisation (EA) was approved, with the exception of informal footpaths created by hand, which do not constitute listed activities. The additional ±202 m ² area planted with fruit trees is considered to have formed part of the initial site clearance undertaken prior to the application process and does not represent post-authorisation expansion of the development footprint.
6.	Seven (7) calendar days' notice, in writing, must be given to the competent authority before continuation of the construction activities. 6.1 The notice must make clear reference to the site details and 24G Reference number given above. 6.2 The notice must also include proof of compliance with the following condition: Condition 7	DEA&DP was notified of the intended commencement of work on June 2, 2025, and made clear reference to the site details, EIA Reference, and proof of compliance as referred to below: <i>In terms of Conditions 6 and 7 of the EA, dated 15 October 2024 (Ref: 14/2/4/2/3/D3/4/0002/24), you are hereby informed that all registered I&APs were informed of the decision and subsequent amendment. The notification emails are appended to this email. No intent to appeal or appeals were received.</i>
7.	The holder must in writing, within 14 (fourteen) calendar days of the date of this decision– 7.1 notify all registered Interested and Affected Parties ("I&APs") of – 7.1.1 the outcome of the application; 7.1.2 the reasons for the decision as included in Annexure 3;	The I&APs were notified of the original EA on the 16 th of October 2024, one day after the EA was granted. The I&APs were subsequently notified of the amended EA on the 7 th of May 2025, thirteen days after the amended EA was granted.

	7.1.3 the date of the decision; and 7.1.4 the date when the decision was issued. 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the <i>National Appeals Regulations, 2014</i> detailed in Section I below. 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision. 7.4 provide the registered I&APs with: 7.4.1 the name of the holder (entity) of this Environmental Authorisation; 7.4.2 name of the responsible person for this Environmental Authorisation; 7.4.3 postal address of the holder; 7.4.4 telephonic and fax details of the holder; 7.4.5 e-mail address, if any, of the holder; and 7.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the <i>National Appeal Regulations, 2014</i>.	
8.	The listed activity/ies, including site preparation, may not commence within 34 (thirty-four) calendar days from the date of issue of this Environmental Authorisation. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.	The I&APs were notified of the amended Environmental Authorisation on 7 May 2025, thirteen days after it was granted. DEA&DP was informed of the intended commencement of construction on 2 June 2025, meaning that construction began 35 calendar days after the amended EA was issued.
9.	The draft Environmental Management Programme (“EMPr”) dated 22 January 2024 compiled by Cornerstone Environmental Consultants and submitted as part of the application for environmental authorisation is hereby approved and must be implemented.	Noted. The approved EMPr was implemented on-site.

10.	The EMPr must be included in all contract documentation for all phases of implementation.	Noted, the EMPr was included in all construction documentation.
11.	The holder must appoint a suitably experienced Environmental Control Officer ("ECO") or site agent where appropriate, before continuation of commencement of any land clearing or construction activities to ensure compliance with the EMPr and the conditions contained herein.	Noted. The EAP, Pieter de Villiers, notified DEA&DP on behalf of Mr. Engelke on 2 June 2025 that Mr. Engelke would act as Site Agent during the construction period and that an ECO would not be appointed. Mr. Engelke confirmed that he will ensure that all conditions of approval and the management measures outlined in the EMPr are implemented and adhered to throughout the construction process.
12.	A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities and must be made available to anyone on request.	Since the construction of the residential dwelling has now been completed, these documents were not available on site for inspection during the audit. As such, the auditor was unable to verify the on-site availability of these records.
13.	Access to the site referred to in Section D must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein	Access to the site was permitted via the R62 from Calitzdorp.
14.	In terms of regulation 34 of the <i>EIA Regulations, 2014</i> the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the EMPr and submit Environmental Audit Reports to the competent upon receiving such request in writing from the competent authority. The Audit Report must be prepared by an independent person and must consider all the information required in Appendix 7 of the <i>EIA Regulations, 2014</i> .	Noted. In compliance with Regulation 34 of the EIA Regulations, 2014, and in response to the Compliance Letter issued by the Sub-directorate: Rectification dated 25 February 2026, Kapp Environmental Consultants (Pty) Ltd (KAPPEC) was appointed in March 2026 by Mr. Rynald Engelke, the EA holder, as the independent environmental assessment practitioners. KAPPEC has been mandated to undertake an independent environmental compliance audit to: 1. Assess compliance with the Section 24(G) Environmental Authorisation dated 15 October 2024 and

		the amended EA dated 24 April 2025, including the EMPr and conditions of approval. - Investigate and provide clarity on additional or expanded works observed on site, particularly to determine whether these activities fall within the authorised development footprint and whether any listed activities under the EIA Regulations, 2014 have been triggered. - Prepare an audit report in accordance with Appendix 7 of the EIA Regulations, 2014, which will be submitted to the competent authority as required.
15.	Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.	No heritage remains were exposed during the excavations, and the EAP or auditor was not notified of any such findings.
16.	A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from	Noted. No heritage remains were exposed during the excavations, and the EAP or auditor was not notified of any such findings.

	the relevant heritage resources authority.	
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EA Compliance Rating	95.83%
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SITE AUDIT FINDINGS

An external environmental audit and site walkthrough were conducted on 27 March 2026. The site visit was undertaken by the appointed independent auditor and accompanied on site by the applicant Mr Rynald Engelke. The purpose of the site inspection was to evaluate the extent of development activities relative to the authorised footprint and to verify compliance with the conditions of the Section 24(G) Environmental Authorisation dated 15 October 2024, as amended dated 24 April 2025, with DEA&DP references 24G Application Ref: 14/2/4/2/3/D3/4/0002/24 and 24G Amendment Ref: 14/2/3/D3/4/0001/25.

Officials from the Sub-directorate: Rectification undertook a compliance inspection on 11 February 2026 to monitor compliance with the Environmental Authorisation and amended Environmental Authorisation. During that inspection, it was reported that certain activities observed on site may fall outside the authorised scope of the EA, including the possible creation of additional roads and land clearing outside the approved footprint of the house and access road.

During the site inspection, the applicant provided the background as to the chronology of activities and which of the activities formed part of the existing approval. The applicant is of the opinion that the current footprint is still in line with the approved amendment footprint as it had not been expanded since the amendment, apart from the footpaths, which he indicates were done by hand over the time of January – March 2026.

Mr Engelke furthermore notes that the additional footprint area identified as part of this report was already cleared at the time of the initial application process. He notes that the material placed in the location where the fruit trees are now planted came from excavated material on site. The digger was only on site once, and the total extent of clearance was completed at the time of the application. For this reason, he is of the opinion that the applied for development footprint should have included this section as well. The aerial photography does corroborate this declaration.

It was confirmed on site that the access road was completed and is still in line with the approval. The access road is approximately 290m in length and ranges in width between $\pm 3.3\text{m}$ and $\pm 4.1\text{m}$. Wooden stakes for a fence were installed across the watercourse at the access entrance. It is strongly suggested that mesh fencing not be used, and preferably, no fencing should be installed across the watercourse.

The residential dwelling and yard have been completed within the approved platform footprint. The footings for a greenhouse have also been completed immediately south of the residence. The footprint on which the greenhouse is to be completed is located within the approved amended platform footprint of $\pm 1200\text{m}^2$ (24G Amendment Ref: 14/2/3/D3/4/0001/25). The approved platform footprint as found on site corresponds with the platform footprint authorised through the amendment process as confirmed with GPS locations taken during the site visit.

As mentioned, however, the findings do confirm that an additional footprint area is cleared and planted with fruit trees, which is calculated as approximately $\pm 202\text{m}^2$. Please note that this is an approximate footprint which was calculated by using the GPS coordinates and available aerial imagery together with historical imagery. This additional area does, however, seem to have been completed as part of the original site clearance activities.

The area where the deck was constructed for the chicken coop deck, was not cleared. The area did not contain natural shrubs or vegetation (only grasses), as is evident from Google Earth historical imagery. The only disturbance in this location was the holes dug by hand for the planting of the four deck structure poles. No clearance was done in the immediate area of the chicken coop.

Ancillary infrastructure, as outlined in the correspondence from the Department, was investigated on-site and is outlined individually below.

Footpaths

The applicant instructed two employees to widen an existing animal trek path leading from the non-perennial watercourse at the back of the house along the koppie in an eastern direction. Animal trek paths along the koppie were further cleared by hand over the time of January – March 2026. This was done to create a walking path for pedestrians to access the view from the koppie.

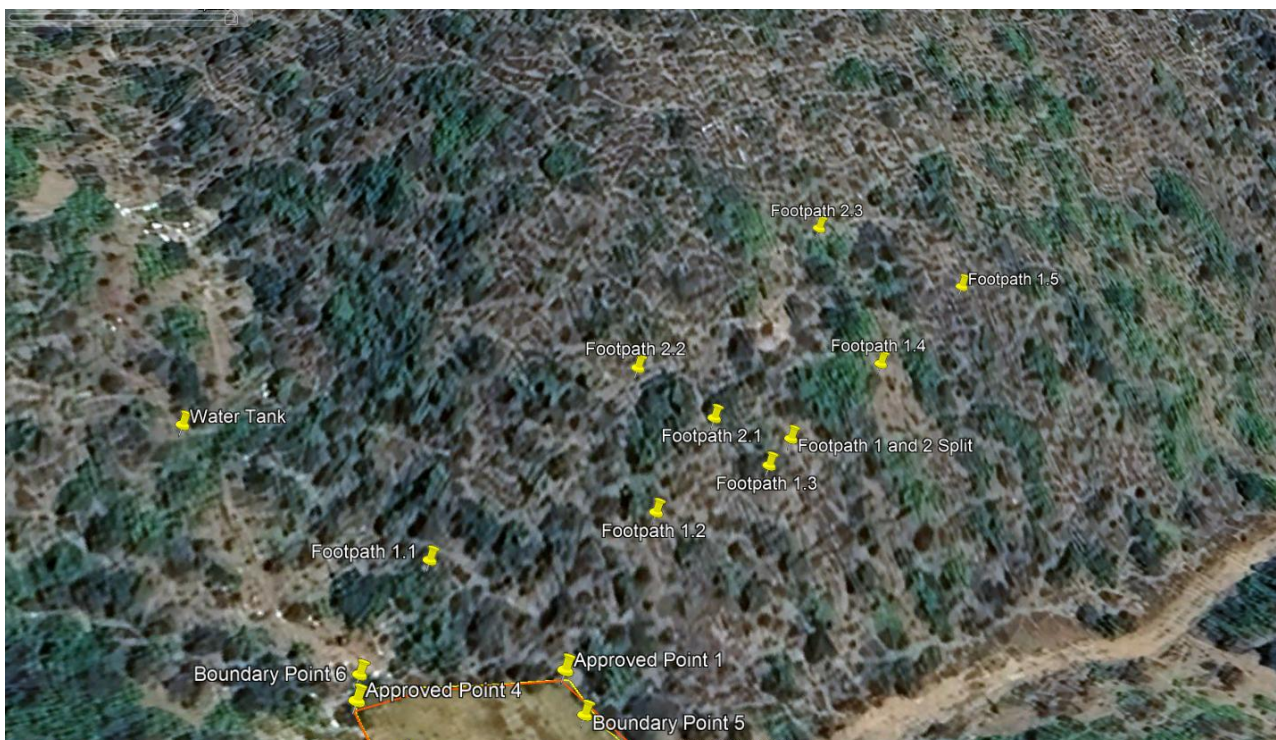


FIGURE 4: NEW FOOTPATH COORDINATES TAKEN

The auditor walked along this path to assess the extent and took coordinates and widths along the route. The footpaths range in width from approximately 0.4m to 1.3m in one area. The total length

of footpath 1 (1.1 – 1.5) is approximately 100m. The total length of footpath 2 (2.1 – 2.3) is approximately 55m.

The total extent of clearance for the combined footpaths is difficult to estimate due to significant differences in width, as well as the lack of knowledge of the extent of the pathway disturbance prior to work undertaken. However, this activity is not deemed to have triggered any listed activities in terms of the regulations, although this activity was not included in the scope of the application, nor the Environmental Authorisation. These walkways should revegetate naturally over time.

These tracks are therefore not considered to constitute formal road infrastructure or activities that would trigger additional listed activities under the EIA Regulations.





FIGURE 5: FOOTPATH PHOTOS

Fruit Trees and Chicken Coop Platform

The additional extent of the clearance, as shown in Figure 6 below, comprises the planting of fruit trees (citrus). The applicant notes, however, that this area was cleared at the time of the initial application process and that the material came from excavations on site. For this reason, he is of the opinion that the applied for development footprint should have included this section as well. The aerial photography does corroborate this declaration.

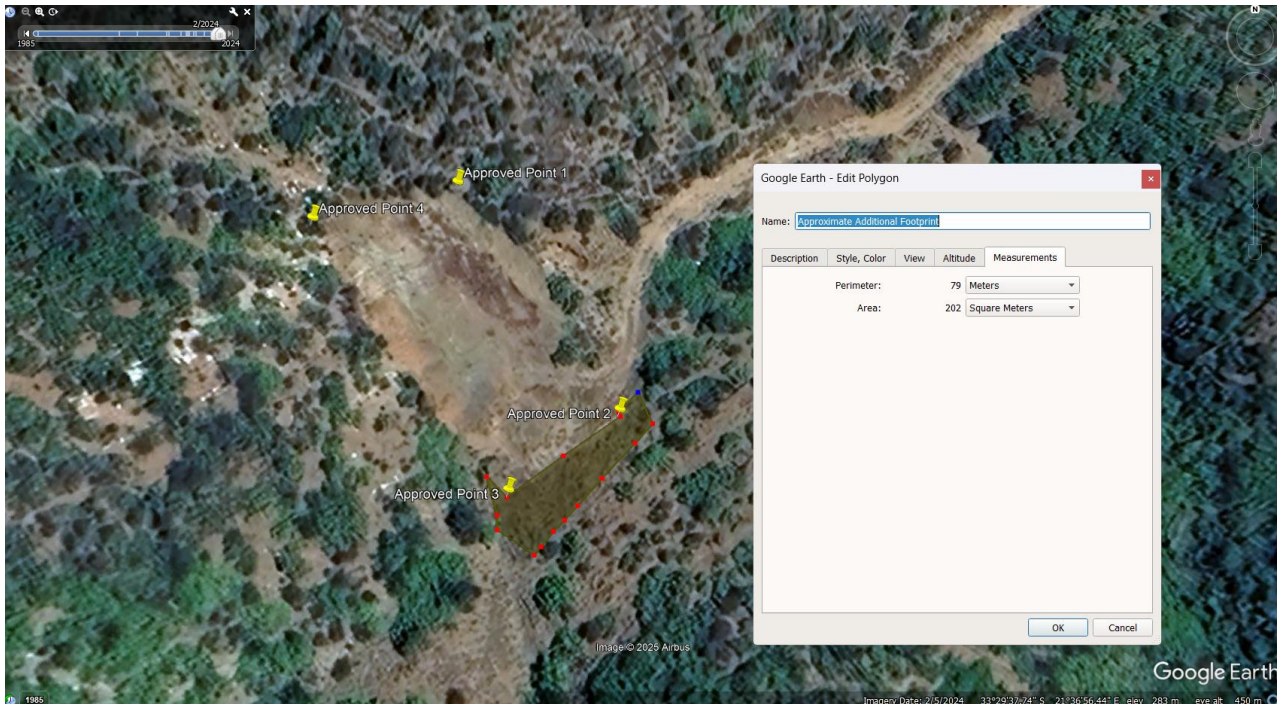


FIGURE 6: ADDITIONAL FOOTPRINT AREA

The findings of this audit, though, confirm that an additional footprint area was cleared, which was not included as part of the original 1200m²; however, this clearance was not done in contravention of the conditions contained in the Environmental Authorisation, as this was done prior to the application commencing. This section is now planted with fruit trees, which is calculated as approximately ±202m². Please note that this is an approximate footprint which was calculated by using the GPS coordinates and available aerial imagery together with historical imagery.

The area where the wooden deck was constructed for the chicken coop was not cleared. The area did not contain natural shrubs or vegetation (only grasses), as is evident from Google Earth historical imagery. The only disturbance in this location was the holes dug by hand for the planting of the four deck structure poles. No clearance was done in the immediate area of the chicken coop.





Water Storage Tanks

Two JoJo water storage tanks for potable water storage from a borehole were added on a small platform to provide drinking water to the house. The platform extent is estimated to be approximately 12m² in extent (2.4m x 4.94m). Although this activity was not included in the scope, the water storage and pipeline feed to the house (25mm pipe) are not considered to trigger additional listed activities under the EIA Regulations.





FIGURE 7: WATER TANK PHOTOS



FIGURE 8: LOCATION OF WATER TANK

ENVIRONMENTAL MANAGEMENT PLAN COMPLIANCE

TABLE 3: ENVIRONMENTAL MANAGEMENT PLAN COMPLIANCE

No.	EMP REQUIREMENT	COMPLIANCE FINDING
1.	Site Demarcation and Protection of Undisturbed Areas	
1.1	The Contractor must ensure that all areas outside the existing disturbed platform and access road are protected from further disturbance.	Construction of the residential dwelling and associated infrastructure has been completed. At the time of the audit inspection, the development footprint corresponds with the approved platform area of approximately 1,200 m ² and the established access road. The surrounding areas remain largely undisturbed, with the exception of informal footpaths created by hand. An additional area of approximately ±202 m ² planted with fruit trees was identified; however, this area was confirmed to have been cleared prior to the application process and is therefore not considered a deviation from the approved development footprint.
1.2	Clearly demarcate all no-go areas that fall outside the already disturbed platform and access road footprint using appropriate markers such as fencing, barrier tape, or signage.	The site agent (applicant) provided photographs taken during the construction phase. Based on the photographs reviewed, no clear demarcation of no-go areas using fencing, barrier tape, signage, or similar markers was observed.
1.3	Restrict all construction activities, vehicles, machinery, and workers to the existing platform and access road footprint.	The completed dwelling is located on the approved amended platform footprint of approximately 1,200 m ² . No additional formal roads were observed during the audit inspection. The narrow tracks visible in surrounding areas include informal footpaths created by hand as well as animal tracks, which do not constitute constructed access routes or listed activities.
1.4	Communicate all demarcated areas to construction personnel	As construction activities have already been completed, it could

	during the environmental induction prior to commencing work on site.	not be verified whether environmental induction and communication of demarcated areas were undertaken prior to the commencement of construction.
1.5	Prevent the storage or dumping of materials, equipment, or waste outside the designated construction area.	At the time of the audit inspection, no evidence of construction materials or waste being stored outside the immediate development area was observed.
1.6	Immediately stop and correct any encroachment into undisturbed areas.	No significant encroachment into surrounding natural vegetation areas was observed during the audit inspection. Informal footpaths created by hand were noted; however, these do not represent formal development activities and should be rehabilitated. The additional ±202 m ² area planted with fruit trees is considered to have been cleared prior to the application process.
2.	Soil Erosion and Stormwater Management	
2.1	Control stormwater runoff from disturbed areas to prevent erosion or sediment movement.	The access road and residential platform have already been established and appear stable. No visible signs of significant stormwater erosion or sediment movement were observed during the audit inspection.
2.2	Stabilise exposed soils where necessary, including the placement of straw, temporary vegetation cover, or similar erosion control measures.	As construction activities have been completed, it could not be confirmed whether temporary soil stabilisation measures were implemented during the construction phase where required.
2.3	Inspect disturbed areas regularly for signs of erosion or sedimentation.	Regular inspection of disturbed areas during construction could not be verified during the audit, as construction activities have already been completed.
2.4	Implement immediate corrective measures if erosion or sediment transport is observed.	No visible evidence of erosion or sediment transport requiring corrective action was observed during the audit inspection.
3.	Dust and Noise Management	
3.1	Monitor disturbed surfaces during windy conditions and implement	As construction activities have already been completed,

	dust suppression measures where necessary.	monitoring of disturbed surfaces for dust during windy conditions could not be verified.
3.2	Apply dust control methods, such as wetting exposed soil or stabilising surfaces where dust becomes excessive.	The implementation of dust suppression measures during construction could not be confirmed during the audit.
3.3	Ensure that all vehicles and machinery remain on designated access routes and within demarcated work areas.	At the time of the audit inspection, vehicles accessing the site appeared to utilise the established access road. No additional constructed vehicle routes were observed.
3.4	Enforce reasonable speed limits on site to reduce dust generation.	Speed control measures implemented during construction could not be verified during the audit.
3.5	Limit noise-generating construction activities to daylight hours, unless otherwise approved by the Engineer or ECO.	Compliance with limitations on noise-generating construction activities during daylight hours could not be verified, as construction has already been completed.
3.6	Conduct construction activities in a manner that minimises unnecessary noise and vibration.	As construction activities have been completed, it could not be confirmed whether all activities were conducted in a manner that minimised noise and vibration.
4.	Sanitation and Water Pollution Prevention	
4.1	Provide a sufficient number of chemical toilets on site, with at least one toilet available for every 20 workers.	Photographs provided by the site agent (applicant) from the construction phase indicate that an outhouse had already been constructed on site. Based on the photographs reviewed, no chemical toilets were observed on site. The existing outhouse appears to have been used to provide sanitation for the limited number of persons involved in the construction activities.
4.2	Ensure that all chemical toilets are securely installed to prevent tipping or movement.	As no chemical toilets were observed in the construction photographs provided by the applicant, this requirement was not applicable, as sanitation appears to have been provided through the existing outhouse structure on site.
4.3	Service and clean chemical toilets on a regular basis (at least once	As no chemical toilets were utilised during construction, servicing

	per week).	and maintenance of chemical toilets was not applicable.
4.4	Ensure that all construction workers make use of the provided sanitation facilities.	Photographs from the construction phase indicate that an outhouse facility was present on site, which appears to have been used for sanitation purposes by persons involved in the construction activities.
4.5	Dispose of sewage waste from chemical toilets at a licensed sewage disposal facility.	As no chemical toilets were utilised during construction, disposal of sewage waste from chemical toilets was not applicable.
4.6	Regularly inspect taps, pipes and other water infrastructure and repair any leaks immediately.	No leaks from water infrastructure were observed at the time of the audit inspection.
4.7	Obtain water for construction and drinking purposes from a sustainable and authorised source.	The source of water used during the construction phase could not be verified during the audit inspection.
5.	Fire Prevention and Safety	
5.1	Restrict smoking to designated smoking areas only and ensure that cigarette butts are disposed of in lidded waste containers.	Smoking control measures implemented during construction could not be verified, as construction activities have been completed.
5.2	Prohibit open fires for cooking or heating on site.	Compliance with the prohibition of open fires during construction could not be confirmed during the audit inspection.
5.3	Provide appropriate fire-fighting equipment on site, particularly where flammable substances are stored or used.	The site agent (applicant) confirmed that fire-fighting equipment was available on site during the construction period. A fire hose was reportedly installed and available for use in the event of a fire.
5.4	Conduct hot work activities (e.g. welding, grinding or gas cutting) only under controlled conditions and appropriate supervision.	Any hot work activities undertaken during construction could not be verified during the audit inspection.
5.5	Ensure that a functional fire extinguisher is immediately available whenever hot work is undertaken.	The availability of fire extinguishers during hot work activities could not be confirmed.
5.6	Hold the Contractor responsible for any fires caused by construction activities or negligence of employees or subcontractors.	No fire damage or evidence of fire incidents associated with the construction activities was observed during the audit inspection.

6.	Solid Waste Management	
6.1	Store all solid waste in designated waste storage areas using covered, tip-proof containers or skip bins.	The site agent (applicant) indicated that construction waste generated during the construction period was not stored on site for extended periods and was removed on a daily basis.
6.2	Maintain the waste storage area in a clean and orderly condition.	Based on information provided by the site agent (applicant), construction waste was removed daily from the site, which limited the need for a dedicated on-site waste storage area.
6.3	Dispose of all waste at a licensed landfill facility.	The site agent (applicant) confirmed that construction waste was transported to a municipal waste disposal facility for disposal.
6.4	Prohibit the burning or burying of waste on site.	No evidence of waste burning or waste burial was observed during the audit inspection.
6.5	Maintain the construction site in a neat and tidy condition and ensure that no littering occurs.	The site appeared generally neat and free of significant litter or construction debris at the time of the audit inspection.
7.	Recycling and Resource Efficiency	
7.1	Reuse or recycle construction materials wherever practical and feasible.	The site agent (applicant) indicated that recycling of construction materials was not undertaken, as the waste generated during construction consisted primarily of building rubble.
7.2	Separate waste streams for recycling purposes where possible, including paper, aluminium, metals, glass and organic waste.	The separation of waste streams for recycling purposes was not undertaken during the construction period, as the waste generated was limited to building rubble and no recyclable materials were identified.
8.	Emergency Preparedness and Spill Management	
8.1	Establish and implement emergency reporting procedures for incidents such as spills, fires or accidents.	Emergency reporting procedures implemented during construction could not be verified during the audit inspection.
8.2	Ensure that all personnel are informed of emergency procedures and their responsibilities.	As construction activities have been completed, it could not be confirmed whether personnel were informed of emergency procedures.

8.3	Display emergency contact numbers (including fire and emergency services) in visible areas on site.	Emergency contact information displayed on site during construction could not be verified during the audit inspection.
8.4	Ensure that any fuel, oil or chemical spills are cleaned up immediately and managed in accordance with relevant environmental legislation.	No evidence of fuel, oil or chemical spills was observed during the audit inspection.
9.	Protection of the Drainage Channel	
9.1	Undertake any work associated with the road crossing during dry periods, preferably during summer months when rainfall and runoff are lowest.	As the road crossing and associated works have already been completed, it could not be verified whether these activities were undertaken during dry periods.
9.2	Maintain the road crossing in a manner that allows natural water flow without causing downstream erosion.	The existing access road crossing was observed during the audit inspection and appears to allow for the continuation of natural drainage. No visible erosion or obstruction of water flow was noted.
9.3	Confine future construction activities, including the construction of the house, to the existing disturbed footprint wherever possible.	The residential dwelling has been constructed on the approved amended platform footprint of approximately 1,200 m ² . No additional infrastructure or expansion of the authorised footprint was observed. Informal footpaths created by hand were noted but do not constitute listed activities. The additional ±202 m ² area planted with fruit trees was cleared prior to the application process and is therefore not considered a post-authorisation deviation.
9.4	Maintain a minimum buffer of 5 metres from the centre of the stream channel, where applicable.	The buffer distance from the centre of the drainage channel could not be verified during the audit inspection.
9.5	Prevent any debris, waste or contaminated runoff from entering the drainage channel during construction activities.	No debris, waste or contaminated runoff entering the drainage channel was observed during the audit inspection.
9.6	Ensure that the future residential sewage system is connected to a closed sewage tank or system to prevent contamination of surrounding water resources.	The site agent (applicant) confirmed that the residential sewage system makes use of a closed sewage tank/system to prevent contamination of surrounding water resources.

EMPr Compliance Rating	94.4%
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CONCLUSION

In conclusion, Kapp Environmental Consultants was appointed by Mr. Rynald Engelke (the Applicant) to undertake an external environmental compliance audit in fulfilment of Condition 14 of the Original Section 24(G) Environmental Authorisation (EA) dated 15 October 2024 (Ref: 14/2/4/2/3/D3/4/0002/24), Item 4 of the Compliance Letter issued by the Sub-directorate: Rectification on 25 February 2026, and Regulation 34 of the NEMA EIA Regulations, 2014 (as amended).

The Environmental Authorisation was issued on 15 October 2024 in terms of Section 24G for the unlawful commencement of a listed activity, namely the development of an access road and building platform within 32 metres of a watercourse on Farm Huisrivier, RE/7/14, Gamka Eco Estate, Calitzdorp. The granting of this Environmental Authorisation provided for the continuation, conducting, or undertaking of the listed activities subject to specific conditions.

Subsequently, an amendment application was submitted and approved on 24 April 2025 (24G Amendment Ref: 14/2/3/D3/4/0001/25) in terms of NEMA and the Environmental Impact Assessment Regulations, 2014. The amendment provided for a slight change in the location of the site coordinates and platform boundary, as well as the development of infrastructure within 32 metres of the drainage channel. This included the expansion of the earth platform from approximately 750m² to approximately 1200m² to accommodate the construction of the residential dwelling.

A site walkthrough was conducted on 27 March 2026, and the auditor was accompanied on site by the applicant Mr Rynald Engelke. The purpose of the site inspection was to evaluate the extent of development activities relative to the authorised footprint and to verify compliance with the conditions of the Section 24(G) Environmental Authorisation dated 15 October 2024, as amended dated.

The applicant is of the opinion that the current footprint is still in line with the approved amendment footprint as it had not been expanded since the amendment, apart from the footpaths, which he indicates were done by hand over the time of January – March 2026.

Mr Engelke furthermore notes that the additional footprint area identified as part of this report was already cleared at the time of the initial application process. He notes that the material placed in the location where the fruit trees are now planted came from excavated material on site. The digger was only on site once, and the total extent of clearance was completed at the time of the application.

It was confirmed on site that the access road was completed and is still in line with the approval. The access road is approximately 290m in length and ranges in width between $\pm 3.3\text{m}$ and $\pm 4.1\text{m}$. Wooden stakes for a fence were installed across the watercourse at the access entrance was noted. It is strongly suggested that mesh fencing not be used, and preferably, no fencing should be installed across the watercourse.

The residential dwelling and yard have been completed within the approved platform footprint. The footings for a greenhouse have also been completed immediately south of the residence. The footprint on which the greenhouse is to be completed is located within the approved amended platform footprint of $\pm 1200\text{m}^2$ (24G Amendment Ref: 14/2/3/D3/4/0001/25).

The findings of this audit, though, confirm that an additional footprint area is cleared, which was not included as part of the original 1200m^2 ; however, it seems this clearance was not done in contravention of the conditions contained in the Environmental Authorisation, as this was done prior to the application commencing. This is an approximate footprint which was calculated by using the GPS coordinates and available aerial imagery, together with historical imagery. This additional area does, however, seem to have been completed as part of the original site clearance activities.

The area where the deck was constructed for the chicken coop deck, was not cleared. The area did not contain natural shrubs or vegetation (only grasses), as is evident from Google Earth historical imagery. The only disturbance in this location was the holes dug by hand for the planting of the four deck structure poles. No clearance was done in the immediate area of the chicken coop.

The external environmental audit confirms that the Applicant is largely compliant with the conditions of the EA and the EMPr; however, it also confirms that the footprint initially cleared is larger than the 1200m^2 approved. The EMPr is considered sufficient and does not require amendment.

No major environmental risks or unmanaged impacts were identified that would warrant triggering a public participation process in terms of Regulation 34(5) of the EIA Regulations. As such, no further public engagement will be undertaken at this stage.

In compliance with regulation 34(6), the holder of the EA must, within 7 days of the date of submission of an environmental audit report to the competent authority, notify all potential and registered interested and affected parties of the submission of that report, and make such report immediately available –

(a) to anyone on request; and

(b) on a publicly accessible website, where the holder has such a website.

Compiled by:

A handwritten signature in black ink, appearing to be 'Renier Kapp', written over a light blue grid background.

Renier Kapp
for KAPPEC

ANNEXURE A – SITE PHOTOGRAPHS

Construction Evidence



Site preparation



Platform/site layout demarcated with chalk.



Prepared foundation with brick formwork and steel reinforcement grid.



Prepared foundation with brick formwork and steel reinforcement grid.



Brickwork progressing steadily.



Completed residence.

External Audit



Walkway towards the chicken coop deck.



Garden area with fruit trees towards the northeast.



Garden area with fruit trees towards the northeast.



Chicken coop deck on stilts.



Chicken coop deck on stilts towards the northeast.



Walkway towards the house as seen from the garden area.



Planted fruit trees along the northeast.



Access road towards the northeast.



Outhouse adjacent to the main house.



Condition surrounding the outhouse adjacent to the main house.



Vegetation surrounding the main house along the southwest boundary.



Condition surrounding the outhouse adjacent to the main house.



Vegetation surrounding the main house along the southwest boundary.



Vegetation surrounding the main house along the southwest boundary.



Jojo tank along the southwestern boundary of the main house.



View of the garden and proposed greenhouse location as seen from the house towards the southeast.



View of the garden and proposed greenhouse location as seen from the chicken coop deck towards the northeast.



View of the planted fruit trees towards the northeast.



View of the chicken coop deck towards the northwest from the garden.



View of the chicken coop deck towards the northwest from the garden.



View of the garden and proposed greenhouse location as seen from the chicken coop deck towards the northeast.



Chicken coop deck on stilts. Condition of the natural vegetation.



View of the proposed greenhouse from the house towards the southeast.



Jojo tank along the southern boundary of the main house.



Property boundary at 33°29.6425' S; 21°36.9680' E.



Access road to the property at 33°29.6426' S; 21°36.9680' E.



Property boundary at 33°29.6439' S; 21°36.9605' E.



View northwest towards the water tank.



Footpath towards the water tank.



Condition of the footpaths towards and surrounding the water tank.



Condition of the water tank towards the northwest.



Condition of the water tank towards the northwest.



Condition of the water tank towards the northwest.



Condition of the footpaths towards the water tank.



Animal trek at 33°29.6300' S; 21°36.9590' E to be rehabilitated.



Animal trek at 33°29.6258' S; 21°36.9680' E to be rehabilitated.



Animal trek at 33°29.6174' S; 21°36.9775' E to be rehabilitated.



Animal trek at 33°29.6099' S; 21°36.9852' E to be rehabilitated.



View of the access road and house towards the south.



Access road along the mountain towards the west.



View of the house towards the south.



Animal trek at 33°29.6209' S; 21°36.9574' E to be rehabilitated.



Vegetation along the animal paths will gradually regrow and close over time.



Vegetation along the animal paths will gradually regrow and close over time.



Vegetation along the animal paths will gradually regrow and close over time.



Vegetation along the animal paths will gradually regrow and close over time.



Animal trek at 33°29.6082' S; 21°36.9724' E to be rehabilitated.



View of the solar panels and access road at the entrance of the house.



View of the access road and house towards the south.



View of the access road and house towards the south.



Solar panels at the entrance of the house.



Condition of the access road at the entrance of the site.



Condition of the access road at the entrance of the site.



Condition of the access road at the entrance of the site.