



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

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

Compliance Letter

The Owner
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BETTY'S BAY
7141

Tel: (078) 582 7922

Email: rynaldengelke@gmail.com

Attention: Mr Rynald Engelke

Dear Sir

COMPLIANCE MONITORING INSPECTION REGARDING 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

1. Officials from the Sub-directorate: Rectification ("this sub-directorate") undertook a site inspection at the abovementioned property on 11 February 2026. The purpose of the inspection was to monitor compliance with the Section 24(G) Environmental Authorisation ("EA") dated 15 October 2024, read together with the amended EA dated 24 April 2025, issued by the Department of Environmental Affairs and Development Planning ("this Department").
2. During the compliance inspection, it was observed that the access road and residential dwelling have been completed.
3. However, it was noted certain activities are currently occurring on-site that may fall outside the authorised scope of the EA. These include additional roads and land clearing activities that have occurred outside of the approved footprint of the house and access road. These activities appear to deviate from, or are not clearly provided for within, the conditions and authorised development footprint stipulated in the EA and may be considered as non-compliance with the EA.

4. Given the above, as the EA holder, you are hereby required to appoint an Independent Environmental Assessment Practitioner and conduct an independent environmental audit to audit compliance with the EA and to provide clarity on the additional or expanded works observed on-site, particularly whether these works do not trigger any listed activities under the Environmental Impact Assessment (EIA) Regulations, 2014 (as amended).
5. In the absence of such audit report and clarity being submitted, the activities may be considered to constitute unlawful commencement of listed activities, which could warrant compliance and enforcement action in terms of National Environmental Management Act, 1997.
6. You are reminded of your obligations within the EA dated 15 October 2024, in particular *Section G: CONDITIONS OF AUTHORISATION*. The requirements outlined below correspond to conditions 9 - 14 of the authorisation and must be always adhered to maintain compliance:
 - 6.1 You are required to implement the Environmental Management Programme (EMPr) dated 22 January 2024, as compiled by Cornerstone Environmental Consultants and approved as part of your Environmental Authorisation. This EMPr is binding and must be applied to all phases of the authorised activity.
 - 6.2 You must ensure that the approved EMPr is incorporated into all contract documentation for every stage of project implementation. All contractors, subcontractors and service providers engaged on the project must be contractually bound to comply with the EMPr requirements.
 - 6.3 Before any land clearing, preparation, or construction activities commence or continue, you are obligated to formally appoint a suitably experienced Environmental Control Officer (ECO) or appropriate site agent. This appointment must ensure effective monitoring and enforcement of compliance with the EMPr and all conditions of the Environmental Authorisation.
 - 6.4 In accordance with Regulation 34 of the EIA Regulations, 2014, you must ensure the completion of independent environmental audits to assess compliance with both the Environmental Authorisation and the EMPr. These audit reports must comply with the content requirements of Appendix 7 of the Regulations and must be submitted to the competent authority when formally requested in writing. Only an independent person may prepare these reports.
7. You are hereby requested to provide this Department with the abovementioned audit report within **2 months** of the date of issue of this letter. If no such information is received on or before the above-mentioned date, the Department may proceed with appropriate law enforcement/ criminal investigative action.
8. Furthermore, it must be emphasised that no unauthorised activity or construction may take place within a watercourse, wetland, or drainage line. Any development, vegetation clearance, diversion, or infilling within such areas is strictly controlled and may constitute a listed activity in terms of the EIA

Regulations (typically LN1 Activity 19 or LN3 Activities 12, 14, or 18). Such activities may only be undertaken where an environmental authorisation has been granted specifically for that purpose. The EA holder is required to ensure that all works maintain appropriate buffer zones, avoid encroachment into regulated areas, and comply fully with all legislative requirements relevant to watercourses and associated ecological features.

9. You are hereby reminded of your responsibility with respect to all of the conditions stipulated in the EA issued on 15 October 2024. The conditions of the EA must be complied with throughout the lifecycle of the activity. The Department may in future conduct compliance monitoring site inspections.
10. This Department reserves the right to revise its initial comments and request further information from you based on any new or revised information received.



Mrs Z Toefy

Head of Rectification

Directorate: Environmental Governance

Date: 25 February 2026

Cc: (1) Pieter de Villiers (EAP)

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