

**ECOLOGICAL ASSESSMENT:
WEMBEZI SHOPPING CENTRE, FARM KLIPPLAAT DRIFT,
MPOFANA DISTRICT MUNICIPALITY,
KWAZULU-NATAL**

August 2021

Prepared for:

Vicki King
Metamorphosis Environmental Consultants
031 764 7554 (ph)
031 764 7897 (Fax)
076 420 1441 (cell)
www.metamorphosisdbn.co.za

Prepared by:

Peter le Roux
MSc Agric. Pr. Sci. Nat.
7 Pin Oak Gardens, Ferncliffe,
Pietermaritzburg 3201
Cell: 082 3315950
Email: mwpler@mweb.co.za

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APPENDIX 1: DECLARATION

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1. INTRODUCTION AND PURPOSE OF THE STUDY

The purpose of the report was to provide an assessment of biodiversity features of the site, with emphasis on verification of the sensitivity screening and important sites, or flora or fauna, that may be impacted by the proposed development of a shopping centre.

The properties assessed were as follows:

No	Farm Name	Farm/ Erf No	Portion	Latitude	Longitude	Property Type
1	KLIPPLAAT DRIFT	1009	0	29°2'1.76S	29°49'3.1E	Farm
2	KLIPPLAAT DRIFT	1009	51	29°2'20.27S	29°47'58.15E	Farm Portion
3	KLIPPLAAT DRIFT	1009	7	29°1'44.15S	29°47'29.65E	Farm Portion

2. DECLARATION

I, Noel Peter le Roux declare that I:

- am the independent biodiversity assessment practitioner in this application;
- do not have and will not have any vested interest (either business, financial, personal or other) in the undertaking of the proposed activity, other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2014;
- will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant;
- declare that there are no circumstances that may compromise my objectivity in performing such work;
- have expertise in conducting fauna and flora assessments, including knowledge of the relevant legislation, regulations and any guidelines that have relevance to the proposed activity;
- undertake to disclose to the applicant and the KZN Department of Economic Development, Tourism & Environmental Affairs all material information in my possession that reasonably has or may have the potential of influencing its decision with respect to this application;
- will provide the competent authority with access to all information at my disposal regarding the biodiversity study, whether such information is favourable to the applicant or not; and
- will only provide information that is true and to the best of my ability is correct, as I am aware that a person is guilty of an offence in terms of Regulation 48 (1) of the EIA Regulations, 2014, if that person provides incorrect or misleading information. A person who is convicted of an offence in terms of sub-regulation 48(1) (a)-(e) is liable to the penalties as contemplated in section 49B(1) of the National Environmental Management Act, 1998 (Act 107 of 1998).



Signature

SACNASP Reg. No. 122299

Trading name: NP le Roux (Sole proprietor)

3. PROPERTY LOCALITY AND DEVELOPMENT LAYOUT

3.1 Locality and site plan

- a) Cadastral information and locality of the properties, as provided in Figure 1 below, were obtained from the Site Sensitivity Screening Report compiled by Metamorphosis Environmental Consultants (April 2021).
- b) The development layout (Figure 2, also obtained from the Screening report) indicated the extent of the development footprint, which covered approximately 10 ha (66 % of the study site).

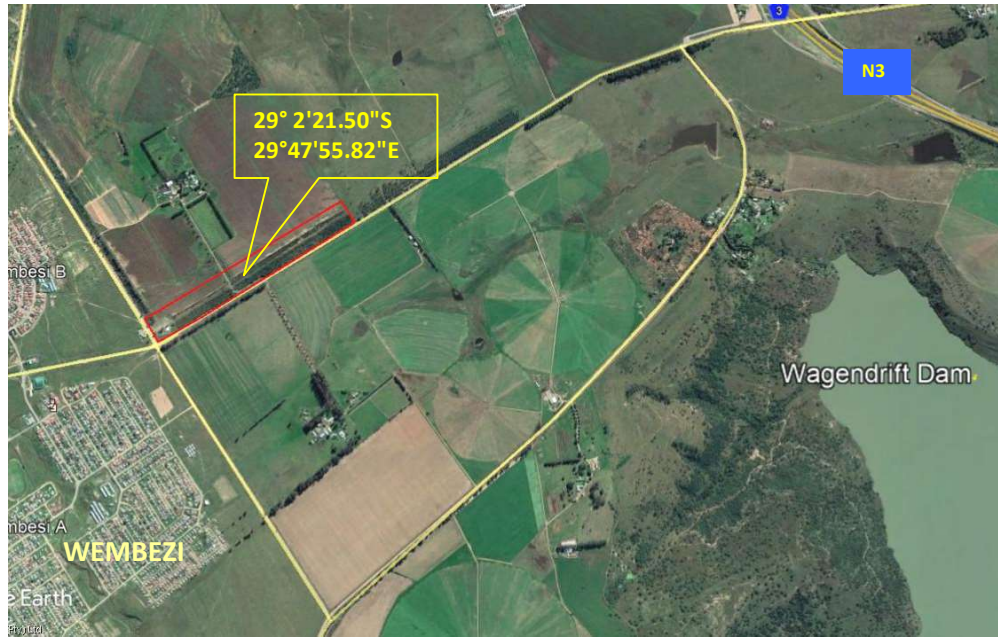


Figure 1. Locality and co-ordinates of the proposed 15 ha development site.



Figure 2. The development footprint covered approximately 66% of the 15 ha site (image from the Sensitivity Screening Report by Metamorphosis Environmental Consultants).

3.2 Vegetation Types and SANBI BGIS ecological status

- a) The KZN Biodiversity Sector Plan (SANBI BGIS 2014) indicated the vegetation type on the study site and surrounds was KZN Highland Thornveld (Figure 3).

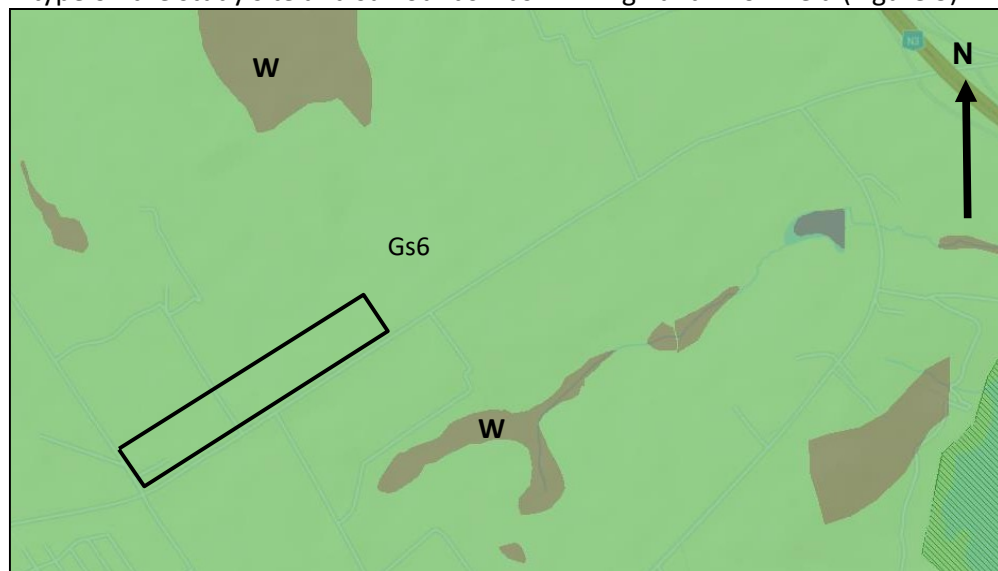


Figure 3. The vegetation type on and around the study site was Gs6 KZN Highland Thornveld; W = Wetlands.

- b) The project area size was measured using Google Earth Pro; Ecological status and Level of protection for the site were obtained from the revision by Jewitt (2018), as summarized below:
 - Vegetation Type: KZN Highland Thornveld (Veg. Code 37);
 - Conservation Status: *Least Threatened*
 - Degree of Protection: *Poorly Protected*
- c) The KZN Biodiversity Sector Plan (SANBI BGIS Vegetation Types, 2016) indicated no Critical Biodiversity Areas on or near the study site, neither were any Ecological Support Areas or important corridors for flora or fauna associated with the site.
- d) The distance from the study site to the boundary of Wagendrift Dam Nature Reserve measured 2.3 km.

3.3 Sensitivity Screening

- a) A Sensitivity Screening Report was compiled by Metamorphosis Environmental Consultants (26 April 2021) and revealed the following for Plant species sensitivity:

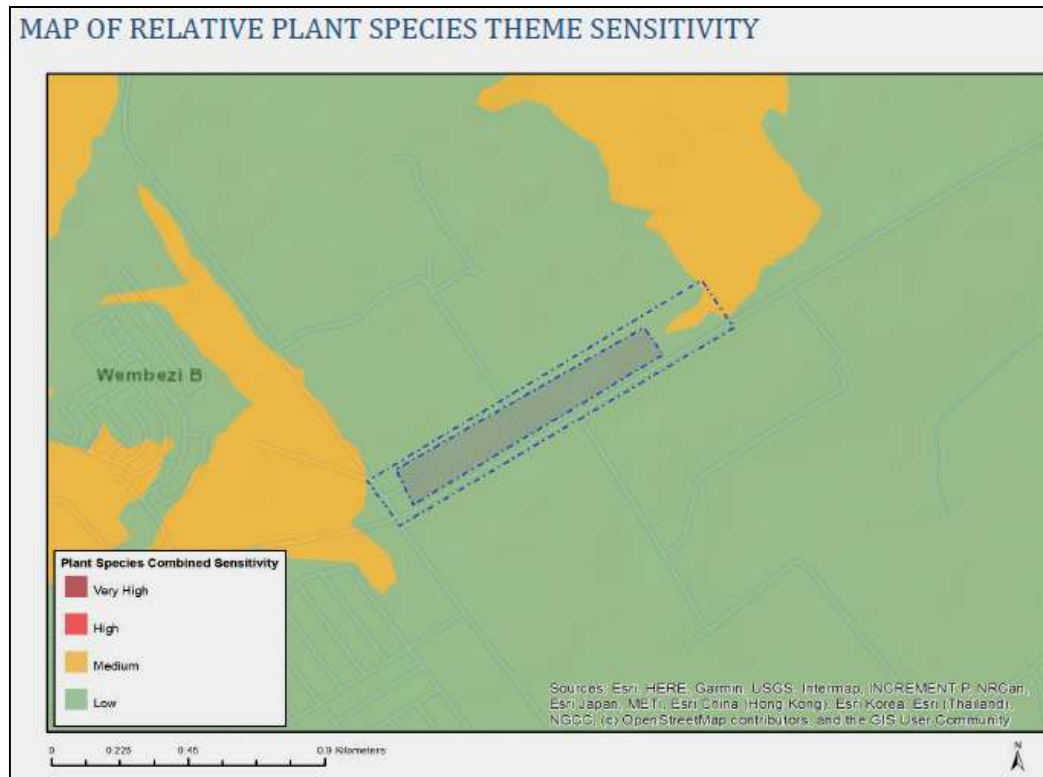


Figure 4. Plant species sensitivity was *Low* for the site, with no species of conservation concern listed.

- b) The Animal species Sensitivity Screening Report (Figure 5) indicated *High* sensitivity for one bird species and *Medium* for one mammal and two invertebrates (Table 1):

Table 1. Animal Species Sensitivity

Sensitivity	Feature(s)
High	Aves-Grus carunculata
Medium	Invertebrate-Conocephalus zlobini
Medium	Invertebrate-Thoracistus aureoportalis
Medium	Mammalia-Ourebia ourebi ourebi

- c) The Terrestrial Biodiversity Combined Sensitivity Screening Report indicated a *Low* sensitivity category for the entire site.

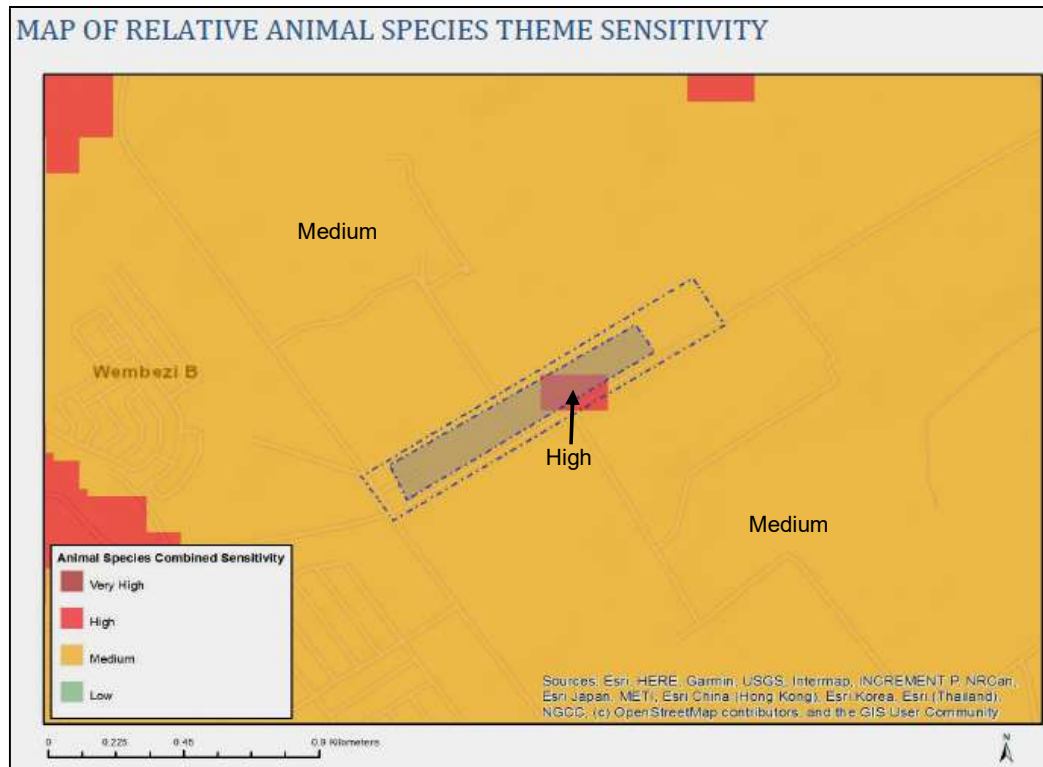


Figure 5. Animal species sensitivity was High for part of the site and Medium for the remainder, with four species of conservation concern listed in Table 1.

3.4 Summary of Environmental Status and Sensitivity screening

- a) No Critical Biodiversity Areas, Ecological Support Areas or terrestrial corridors were indicated in the SANBI BGIS Biodiversity Sector Plan on or near the study site.
The BGIS maps indicated that the study site fell within Vegetation Type 37: KZN Highland Thornveld, with Conservation Status *Least Threatened* and Degree of Protection *Poorly Protected*.
- b) No wetlands were indicated on the BGIS map.
- c) Sensitivity screening results indicated the following:
 - (i) Terrestrial Biodiversity Combined Sensitivity was listed as *Low*.
 - (ii) Plant species sensitivity was *Low* for the site, with no species of conservation concern listed.
 - (iii) Animal species sensitivity was *High* for part of the site and *Medium* for the remainder, with four species of conservation concern listed.

4. SITE ASSESSMENT

4.1 Methods

- a) The 15 ha site was visited on 17 August 2021, with emphasis on identifying plant and animal species; the weather was warm and sunny, but soils were dry.
- b) The site assessment was undertaken on foot by walking along the length of the site on the northern boundary and inspecting the site along frequent diagonal transects into the vegetation. Access by vehicle was possible along a track that bisected the centre of the property from west to east.
- c) Plants that were difficult to identify were photographed and material was collected, to allow for later identification.
- d) The mapping of discrete plant communities was done by drawing on an appropriately scaled aerial image from Google Earth, for later digital plotting.

- e) Where the vegetation was relatively homogeneous, the mapped polygons were merged; clusters smaller than 200 m² were considered as the minimum practical size for mapping units.
- f) GPS co-ordinates were used for locating site boundaries to ensure that the entire site was inspected.

4.2 Assumptions and uncertainties

- a) It was recognised that not all species would have been encountered during a once-off survey in mid winter, but the plants identified were considered adequate for describing the vegetation and assessing whether or not it was representative of the BGIS vegetation type indicated in the 2014 KZN Biodiversity Sector Plan.
- b) Woody vegetation on the site comprised alien trees, which were mapped as a closed-canopy *Eucalyptus* plantation; indigenous trees were scarce on the site.
- c) The time scale on Google Earth was assumed to be reliable for indicating vegetation changes over time; similarly, digitized area sizes were assumed to be approximate, but were adequate for this study.

5. FINDINGS

5.1 Vegetation

- a) The original vegetation according to the SANBI BGIS vegetation types comprised KZN Highland Thornveld; there was no evidence of this vegetation on the assessed area, as illustrated in Figures 6 and 7.

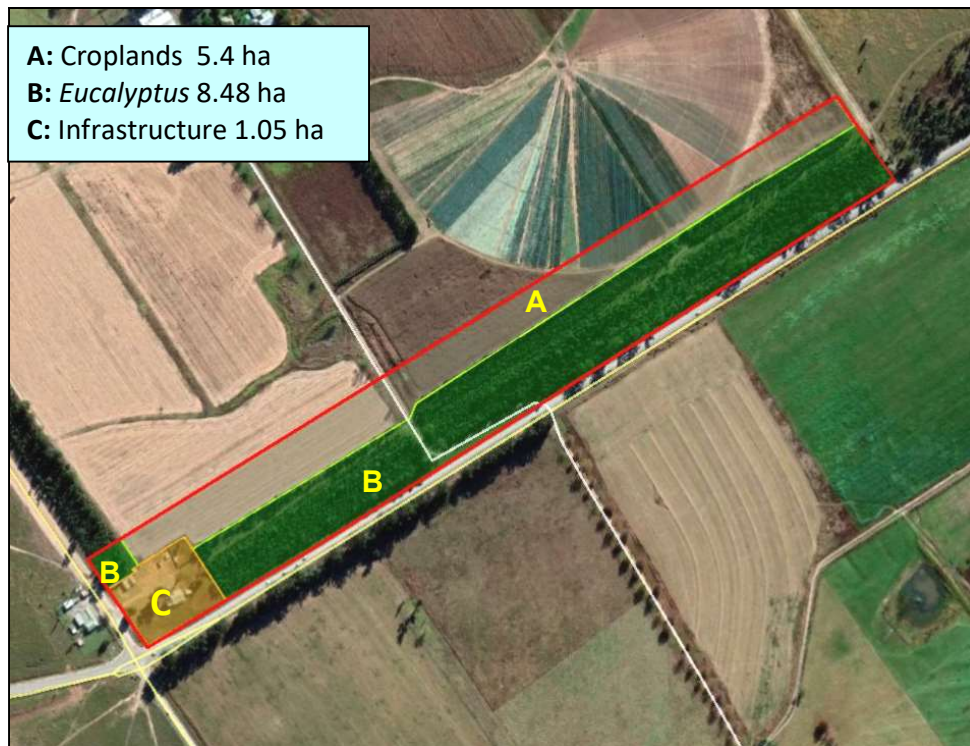


Figure 6. Vegetation and features of the study site – see comments below.

- b) Area A: It was evident from earlier Google Earth images that Area A had been cultivated over many years (Figure 7a).
- c) Area B: Although distinct rows indicated initial planting of gum trees in the larger Area B, some harvesting had occurred leaving a mixture of old trees, regrowth from stumps, and new growth from seeds or root suckers (Figure 7b).

- d) Area C: The site comprised buildings, storage sites for construction materials and cleared land; all trees on the site were alien species.



Figure 7a.
Area A (5.4 ha) was agricultural land containing recently harvested vegetables on irrigated croplands. Note distinct boundary with gum trees in background.



Figure 7b.
Area B (8.48 ha) Both the large area and the very small portion were irreversibly modified sites comprising unmanaged *Eucalyptus* plantations, with large trees, regrowth and young saplings. A track with pioneer grasses traversed the centre and in some sections power lines traversed the site from east to west.



Figure 7c.
Area C (1.05 ha) was an irreversibly modified site with buildings and temporary structures associated with nearby road construction. Lawn grasses and pioneer species occurred on portions that were not cleared.

5.2 Vegetation: summary, legislation and conclusions

- a) The 15 ha site was irreversibly modified and no representative examples of KZN Highland Thornveld were identified; small patches of secondary grassland species occurred, mostly occurring along a track through the gum trees.

- b) The Screening Tool ranked Plant Species Sensitivity as *Low* which was verified by the findings of the site assessment.
- c) Despite the above, it was noted that GNR 327 Listing Notice 1 Activity 28 was triggered because the area size of the proposed development exceeded 1 ha of agricultural land) – see text box below.

28.	<p>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, <u>game farming</u>, <u>equestrian purposes</u> or afforestation on or after 01 April 1998 and where such development:</p> <ul style="list-style-type: none"> (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p>
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- d) From the findings it was concluded that there were no vegetation related constraints to the proposed development.

5.3 Fauna

- a) Signs of the following common mammal species were recorded in the croplands:
 - Southern Reedbuck *Redunca arundinum*
 - Common Duiker *Sylvicapra grimmia*
 - Porcupine *Hystrix africae australis*
- b) Mounds of the Common Molerat *Cryptomys hottentotus* were seen alongside the track through the gum trees.
- c) The following avifauna occurred (seen or heard on the site, or flying over).
 - Black-collared Barbet *Lybius torquatus*
 - Black-headed Heron *Ardea melanocephala*
 - Cape Turtle Dove *Streptopelia capicola*
 - Cape wagtail *Motacilla capensis*
 - Cattle Egret *Bubulcus ibis*
 - Common Fiscal (Shrike) *Lanius collaris*
 - Egyptian Goose *Alopochen aegyptiaca*
 - Fork-tailed Drongo *Dicrurus adsimilis*
 - Hadedda *Bostrychia hagedash*
 - Hamerkop *Scopus umbretta*
 - Helmeted Guinea-fowl *Numida meleagris*
 - Natal Spurfowl (Francolin) *Pternistis natalensis*
 - Pied Crow *Corvus albus*
- d) No invertebrates were seen or heard, although this situation was attributed to the dry winter conditions.

5.4 Fauna: Summary, legislation and conclusions

- a) The 15 ha site was irreversibly modified and the few small patches containing secondary grassland species were unsuitable for supporting faunal species of conservation concern.
- b) The Terrestrial Biodiversity Combined Sensitivity Screening Report indicated *Low sensitivity* for the entire site and this was verified by the findings of the site visit.

- c) The Animal Species Sensitivity Screening Report indicated *High sensitivity* for one bird species (Wattled Crane), *Medium* for one mammal (Oribi) and two invertebrates (Bush Crickets), as listed below:

Sensitivity	Feature(s)
High	Aves-Grus carunculata
Medium	Invertebrate-Conocephalus zlobini
Medium	Invertebrate-Thoracistus aureoportalis
Medium	Mammalia-Ourebia ourebi ourebi

- d) Given the extensive and irreversible modification of the site through infrastructure, crop production and alien tree plantations, no suitable habitat occurred for the four species listed above; accordingly the *High* sensitivity for one bird species (Wattled Crane), *Medium* for one mammal (Oribi) and two invertebrates, was not verified.
- e) In terms of linkages for both flora and fauna, the site was irreversibly modified and therefore of low value as an ecological corridor.
- f) It was concluded that the entire site was suitable only for a few common species of fauna and there were no faunal constraints to development of the site or any portions thereof.
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6. REFERENCES

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APPENDIX 1: SPECIALIST DECLARATION

DECLARATION OF INTEREST BY SPECIALIST



KWAZULU-NATAL PROVINCE
 ECONOMIC DEVELOPMENT, TOURISM
 AND ENVIRONMENTAL AFFAIRS
 REPUBLIC OF SOUTH AFRICA

	(For official use only)
Provincial Reference Number:	
NEAS Reference Number:	KZN / EIA /
Waste Management Licence Number (if applicable):Date Received by Department:	

DETAILS OF SPECIALIST AND DECLARATION OF INTEREST

Submitted in terms of section 24(2) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) or for a waste management licence in terms of section 20(b) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

KINDLY NOTE:

1. This form is current as of May 2021. It is the responsibility of the Applicant / Environmental Assessment Practitioner ("EAP") to ascertain whether subsequent versions of the form have been released by the Department.

PROJECT TITLE

Wembezi JunXion Commercial Development
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DISTRICT MUNICIPALITY:

uThukela District Municipality

1. SPECIALIST INFORMATION

Specialist name:	Noel Peter le Roux		
Contact person:	Mr Peter le Roux		
Postal address:	7 Pin Oak Gardens, 31 Warwick Rd, Ferncliffe, Pietermaritzburg		
Postal code:	3201	Cell:	082 331 5950
Telephone:		Fax:	
E-mail:	mwpler@mweb.co.za		
Professional affiliation(s) (if any)	SACNASP		

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	Details of the Specialist and Declaration of Interest	May 2021 V1
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GROWING KWAZULU-NATAL TOGETHER

DECLARATION OF INTEREST BY SPECIALIST

Project Consultant / EAP:	Metamorphosis Environmental Consultants		
Contact person:	Ms Vicki King		
Postal address:	P. O. Box 2116, Link Hills		
Postal code:	3625	Cell:	076 420 1441
Telephone:	031 – 756 7554	Fax:	
E-mail:	Vicki@metamorphosisenv.co.za		
Professional affiliation(s) (if any)	IAIAsa, Reg EAP (EASPAPA), IWM, ELA		

2. DECLARATION BY THE SPECIALIST

I, NOEL PETER LE ROUX

General declaration:

- I act as the independent specialist in this application;
- do not have and will not have any vested interest (either business, financial, personal or other) in the undertaking of the proposed activity, other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2014;
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant;
- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting the specialist report relevant to this application, including knowledge of the Act, regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, regulations and all other applicable legislation;
- I have no, and will not engage in, conflicting interests in the undertaking of the activity;
- I undertake to disclose to the applicant and the competent authority all material information in my possession that reasonably has or may have the potential of influencing - any decision to be taken with respect to the application by the competent authority; and - the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority;
- all the particulars furnished by me in this form are true and correct; and
- I am aware that a person is guilty of an offence in terms of Regulation 48 (1) of the EIA Regulations, 2014, if that person provides incorrect or misleading information. A person who is convicted of an offence in terms of sub-regulation 48(1) (a)-(e) is liable to the penalties as contemplated in section 49B(1) of the National Environmental Management Act, 1998 (Act 107 of 1998).



Signature of the specialist

NP LE ROUX SOLE PROP.

Name of company:

Date: 7 SEPTEMBER 2021

Department of Economic Development, Tourism & Environmental Affairs, KwaZulu-Natal	Details of the Specialist and Declaration of Interest	May 2021 V1
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GROWING KWAZULU-NATAL TOGETHER

CURRICULUM VITAE

Noel Peter le Roux

ADDRESS: 7 Pin Oak Gardens, 31 Warwick Rd, Ferncliffe, Pietermaritzburg
3201

CONTACT DETAILS: e-mail: mwpler@mweb.co.za

Cell: 082 331 5950

NATIONALITY: South African

DATE OF BIRTH: 19th July 1948

DRIVERS LICENCE: Motor vehicle and motor cycle

TERTIARY EDUCATION:

- MSc (Agriculture) 1995. Dept of Grassland Science, University of Natal, Pietermaritzburg.
Thesis: Classification, Inventory and Monitoring of Coastal Grasslands in KZN.
- BSc (Agriculture) 1983. University of Natal, Pietermaritzburg.
Major subject: Grassland Science, focusing on Rangeland management.
Also completed a Botany major.
- Commercial Banking Diploma (Institute of Bankers, 1971).

CORE EXPERTISE (see Annexure 1 for examples of projects undertaken to date).

1. Specialist assessments of flora and fauna; description and mapping of vegetation on areas earmarked for development; producing specialist reports (risk assessment and mitigation) as part of the EIA process.
2. Pre-development screening of land and advising on feasibility and ecological constraints of development layouts.
3. Preparing Rehabilitation Plans for development sites, including revegetation and invasive alien plant management.
4. Preliminary assessments of agricultural land to guide development planning and identifying options for land use.
5. Preparing Environmental Management Plans for development sites and performing duties as Environmental Compliance Official (ECO).
6. Producing Management plans and optimizing productivity of wildlife on game ranches, with emphasis on biodiversity conservation, assessing habitats, managing vegetation and meeting the resource requirements of key animal species.
5. Developing technical guidelines and editing environmental management plans.

ACCREDITATION

- South African Council for Natural Scientific Professions (SACNASP): Professional Natural Scientist (Environmental Science).

WORK HISTORY

November 2001 to present:

- Specialist biodiversity assessments of sites earmarked for development; producing reports on flora and fauna in grasslands, forests, wetlands and other natural areas.
- Producing Environmental Management Plans for developments (Construction and Operational phases), as well as post-construction rehabilitation plans.
- Land-use planning; assessment of agricultural land; advising on development potential and ecological constraints; acting as Environmental Compliance Official.

- Specialist advisor on nature reserve and game ranch management, including feasibility studies, management plans and guidance through establishment and implementation.

July 1991 to October 2001:

Deputy Director, Scientific Services: Head of Ecological Advice Division, KZN Wildlife (formerly Natal Parks Board).

Resigned to take up a career in wildlife management and environmental consulting.

1984 to 1991:

Regional Ecologist (Natal Parks Board) for Coastal and Midlands protected areas.

1980 to 1983:

Full-time student at University of Natal, Pietermaritzburg (BSc Agric. degree).

1977 to 1979:

Research Assistant with the Department of Nature Conservation, Namibia.

Resigned to undertake studies at university.

1968 to 1976:

Commercial banker with Nedbank Ltd, including two years on Internal Audit (Cape Town Head Office) and two years as Branch Accountant (Sea Point, Cape Town).

Resigned to commence a career in nature conservation.

ANNEXURE 1: EXAMPLES OF SPECIALIST ASSESSMENTS ON PROPOSED DEVELOPMENT SITES

PROJECT (all are Biodiversity Assessments unless stated otherwise)	LOCALITY	CLIENT/EAP	DATE
Amazon Alley and Engedi: Caravan Park and other developments.	Kelso Beach	Guy Nicolson Consulting	2015 & 2016
Development proposal: Rem of Ptn 34 of the Farm Uitkomst and Doornrug 852	Cato Ridge	Green Door Environmental	2015 & 2017
Burnlea, Underberg: dairy, four dam sites, six grassland sites for cultivation.	Himeville	Green Door Environmental	2013 & 2015
El Dorado Farm Dam & cultivation	Winterton	Nature Stamp	2015
Greenfields proposed cultivation	Mooi River	Green Door Environmental	2016, 2017
Loskop and Injisuthi proposed dam sites	Loskop	Green Door Environmental	2015
Mayibuye (Mkhambatini) Community Game Reserve and housing development.	Camperdown	Guy Nicolson Consulting	2008, 2012, 2017
Nsuzo Rural Irrigation Scheme: selection of agriculture sites.	Nkandla/Tugela	Green Door Environmental	2012
Ofafa and Mahehle Clinic sites	Kokstad	Michelle Simon	2015
Shortts Estate Industrial Development Site: Scoping, EIA report and ECO duties.	Mkhondeni	Collins Construction	2003 to 2016
Smallhoek Dam irrigation scheme.	Ladysmith	Nature Stamp	2015
Value Logistics: Proposed Warehouse, Ptn 30 of the Farm Uitkomst and Doornrug 852.	Cato ridge	Guy Nicolson Consulting	2014
Victoria Country Club Hospital & Boutique Hotel.	Pietermaritzburg	Green Door Environmental	2015
Proposed developments for a new town centre between Pomeroy and Tugela Ferry.	Msinga Local Municipality	Green Door Environmental	2017
Greenfield Farm proposed cultivation	Mooi River	Green Door Environmental	2016, 2017
Proposed housing development: PTN 23 of Farm Lot H Weston 13026.	Bruntville, Mooi River	Nature Stamp	2018
Hilcove Hills: residential & commercial development & nature reserve.	Ashburton	Guy Nicolson Consulting	2012 & 2017
Proposed subsidised housing developments on two sites.	Colenso, KwaZulu-Natal	K2M Environmental	June 2019
Proposed R33 Filling Station	Albert Falls	Green Door Environmental	March 2020
Ezakheni Stimela D Integrated Housing Development	Ladysmith, KZN	K2M Environmental	March 2020
Ecological Assessment: New Crematorium	Port Shepstone	Kantey & Templer	June 2020
RETROSPECTIVE BIODIVERSITY ASSESSMENTS			
Unauthorised cultivation on Collegiate and Sussex farms, Lower Lotheni Road	Lotheni	Green Door Environmental	2013
Unauthorised clearing of land – Ashburton 132. Assessment and Rehabilitation Plan	Ashburton	Green Door Environmental	2015 & 2016
Unauthorised development, Buffels Drift Rd. Vegetation assessment and Rehabilitation Plan.	Camperdown	Guy Nicolson Consulting	2017
Assessment of unauthorised farm dams and irrigation sites.	Creighton	Green Door Environmental	2017
Unauthorised clearing of vegetation: Vegetation assessment and Rehabilitation Plan	Otto's Bluff 13013	Green Door Environmental	2018, 2019
Assessment of unauthorised farm dam and irrigation pipelines.	Estcourt	Green Door Environmental	2021