



## **environmental affairs**

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia · PRETORIA

**DEA Reference:** 14/12/16/3/3/1/1930

**Enquiries:** Zamalanga Langa

**Telephone:** 012-395-9389 **E-mail:** [zlanga@environment.gov.za](mailto:zlanga@environment.gov.za)

Mr John M. Sayers  
Crabs Creek (Pty) Ltd  
PO Box 41041  
**GRAIGHALL PARK**  
**Gauteng**  
2024

**Tel:** 011 794 8810

**Email:** [johnsayersmeyric@global.co.za](mailto:johnsayersmeyric@global.co.za)

### **PER E-MAIL / MAIL**

Dear Mr Sayers

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: GN R982/983/985, AS AMENDED: FOR THE PROPOSED CRABS CREEK DEVELOPMENT ON PORTION 29 OF THE FARM UITZICHT 216, KNYSNA, WESTERN CAPE PROVINCE.**

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any

organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

**Appeals must be submitted in writing in the prescribed form to:**

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za);

By hand: Environment House  
473 Steve Biko  
Arcadia  
Pretoria  
0083; or

By post: Private Bag X447  
Pretoria  
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at [https://www.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za).

Yours faithfully



**Mr Vusi Skosana**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**

Date: 30/04/2019

CC:	Mr Danie Swanepeel	DEADP	Tel: 044 805 8630	Email: <a href="mailto:dswanepo@pqwc.gov.za">dswanepo@pqwc.gov.za</a>
	Ms Pam Booth	Knysna Municipality	Tel: 044 302 6375	Email: <a href="mailto:pbooth@knysna.gov.za">pbooth@knysna.gov.za</a>



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

The proposed Crabs Creek development on portion 29 of the farm Uitzicht 216, within the Knysna Local Municipality in the Western Cape Province.

### Eden District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/1930
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	CRABS CREEK (PTY) LTD
<b>Location of activity:</b>	WESTERN CAPE PROVINCE: <i>Portion 29 of the Farm Uitzicht No.216, within Ward 5 of Knysna Local Municipality</i>

This Environmental Authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

## Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

### **CRABS CREEK (PTY) LTD**

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Mr John M. Sayers  
Crabs Creeks (Pty) Ltd  
PO Box 41041

**CRAIGHALL PARK**

**Gauteng**

2024

Tel: (011) 794 8810

E-mail: [johnsayersmeyric@global.co.za](mailto:johnsayersmeyric@global.co.za)

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 and Listing Notice 3, as amended (GN R983 and R985, as amended):

Listed activities	Activity/Project description
<p><u>GN R983 Item 12:</u></p> <p>The development of-</p> <p>ii) infrastructure or structures with a physical footprint of 100 square metres or more;</p> <p>Where such development occurs</p> <p>(c) if no development setback exists, within 32 meters of a watercourse, measured from the edge of a watercourse</p>	<p>The new proposed Crabs Creek Development is on the bank of the Knysna Estuary. The position of the old restaurant is measured at approximately 5 meters from Estuary. The new restaurant, farm stall and residential dwelling which will exceed 100m in size within 32 metres of the high mark of the Knysna Estuary: There is no determined setback line on portion 29 of the farm 216 Uitzicht. The Water course is the Knysna river running into the Knysna Estuary.</p>
<p><u>GN R983 Item 17:</u></p> <p>Development-</p> <p>iii) within the littoral active zone</p> <p>v) if no development setback exist, within a distance of 100m inland of the high water mark of the sea or an estuary, whichever is the greater;</p> <p>In respect of-</p> <p>(c) embankments</p> <p>(e) Infrastructure or structure with a development footprint of 50sq/m or more.</p>	<p>The new proposed Crabs Creek Development is on the banks of the Knysna Estuary. The position of the old restaurant is measured at approximately 5 meters from the Estuary.</p> <p>The new restaurant, farm stall and residential dwelling which will exceed 100m<sup>2</sup> in size are within 100 meters of the high water mark of the Knysna Estuary: There is no determined setback line on Portion 29 of the Farm 216 Uitzicht.</p> <p>The Watercourse is the Knysna River running into the Knysna Estuary.</p>

Listed activities	Activity/Project description
<p><u>GN R983 Item 19A:</u></p> <p><i>The infilling or depositing of any material of more than 5 cubic meters into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic meters from –</i></p> <p><i>(ii) the littoral active zone, an estuary or a distance of 100 meters inland of the high-water mark of the sea or an estuary, whichever distance is the greater</i></p>	<p>The new proposed Crabs Creek Development is on the banks of the Knysna Estuary. The new restaurant, farm stall and residential dwelling are within 100 meters of the high water mark of the Knysna Estuary more than 5 cubes of material will be used to construct the new proposed units.</p> <p>There is no determined setback line on Portion 29 of the Farm 216 Uitzicht.</p> <p>The Watercourse is the Knysna River running into the Knysna Estuary.</p>
<p><u>GN R985 Item 06:</u></p> <p><i>The development of resorts, lodges, hotels, tourism or hospitality facilities that sleeps 15 people or more.</i></p> <p><b>i. Western Cape</b></p> <p><i>ii. Outside urban areas</i></p> <p><i>(aa) Critically biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</i></p> <p><i>(bb) within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve.</i></p>	<p>Alternative 2 will consist of 5 sectional title homes. The preferred alternative residential dwelling may be turned into a bed and breakfast accommodation. The property is located on the banks of the Knysna Estuary which is a protected area. Certain areas of the property fall within a CBA and ESA area.</p>
<p><u>GN R985 Item 12:</u></p> <p><i>The clearance of an area of 300 square meters or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance</i></p>	<p>The new proposed Crabs Creek Development is on the banks of the Knysna Estuary. The new restaurant, farm stall and residential dwelling are within 100</p>

Listed activities	Activity/Project description
<p><i>purposes undertaken in accordance with a maintenance management plan.</i></p> <p><b>i. Western Cape</b></p> <p><i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004.</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans.</i></p> <p><i>iii. Within the littoral active zone or 100 meters inland from the high water mark of the sea or estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind a development setback line on erven in urban areas</i></p>	<p>meters of the high water mark of the Knysna Estuary.</p> <p>GIS mapping indicates the vegetation as being Knysna Sand Fynbos with an ecosystem threat status of critically endangered.</p> <p>However it must be noted that allot of the site has been previously disturbed and that most of the construction will occur on already disturbed areas</p>
<p><u>GN R985 Item 14:</u></p> <p><i>The development of –</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10m<sup>2</sup> or more:</i></p> <p><i>Where such development occurs</i></p> <p><i>(c) if no development setback has been adopted within 32 metres of a watercourse measured from the edge of a watercourse.</i></p> <p><b>i. Western Cape</b></p> <p><i>i. Outside urban areas:</i></p> <p><i>(aa) A protected Area identified in terms of NEMPAA, excluding conservancies.</i></p>	<p>The new proposed Crabs Creek Development is on the banks of the Knysna Estuary. The new restaurant, farm stall and residential dwelling are within 32 meters of the high water mark of the Knysna Estuary. The proposed development including the infrastructure will exceed 10m<sup>2</sup> in size.</p> <p>Part of the property is earmarked as a protected area. Certain sections of the property fall within a CBA and ESA area. However these maps have not yet been adopted by the competent authority.</p> <p>No Setback line has been determined.</p>

Listed activities	Activity/Project description
<p><i>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</i></p> <p><i>(ff) Critical biodiversity area or ecosystem areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans</i></p> <p><i>(hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</i></p>	

as described in the Basic Assessment Report (BAR) dated October 2018 at:

Farm Name: Portion 29 of Farm Uitzicht No. 216

21 Digit SG code:

C	0	3	9	0	0	0	1	0	0	0	0	0	2	1	6	0	0	0	2	9
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Alternative 1 (Preferred)	Latitude	Longitude
Starting point of activity	34° 01' 59.76"S	22° 59' 32.62"E

- for the proposed Crabs Creek development on portion 29 of the farm Uitzicht 216, within the Knysna Local Municipality in the Western Cape Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- a Restaurant 400m<sup>2</sup>
- Farm Stall 200m<sup>2</sup>
- Residential Dwelling 500m<sup>2</sup>
- Parking Bays



## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The preferred alternative 1 for the proposed Crabs Creek development of portion 29 of the farm Uitzicht 216 within Ward 5 of the Knysna Local Municipality in the Western Cape Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of five (05) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

### **Notification of authorisation and right to appeal**

10. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
11. The notification referred to must –
  - 11.1. specify the date on which the authorisation was issued;
  - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and give the reasons of the Competent Authority for the decision.

### **Commencement of the activity**

12. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

### **Management of the activity**

13. A final site layout plan submitted as part of the BAR **is not approved**. A final site layout plan must be amended to remove infrastructures (i.e parking bays) that are within the 1:100 year flood line. All available biodiversity information must be used in the finalisation of the layout map. A copy of the final site layout map must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity with the amended EMPr.
14. The Environmental Management Programme (EMPr) submitted as part of the EIAr is **not approved** and must be amended to include the provisions of this environmental authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final

EMPr must be submitted to SANParks for approval. A copy of approval from SANParks and copy of the final EMPr must also be submitted to the Department for written approval prior to commencement of the activity. Once approved the EMPr must be implemented and adhered to.

15. The EMPr amendment must also include the following:
  - 15.1. All recommendations and mitigation measures recorded in the BAR
  - 15.2. All mitigation measures as listed in the specialist reports within the BAR.
  - 15.3. The final site layout map.
  - 15.4. An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
  - 15.5. A storm water management plan to be implemented during the construction and operation of the facility.
  - 15.6. An erosion management plan for monitoring and rehabilitation of erosion events.
  - 15.7. A fire management plan to be implemented during the construction and operational phases.
  - 15.8. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
16. The final amended EMPr (once approved) must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
17. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
18. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

#### **Frequency and process of updating the EMPr**

19. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the Environmental Authorisation or EMPr.
20. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.

21. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R982 of 04 December 2014, as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
22. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R982 of 04 December 2014, as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
23. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R982 of 04 December 2014, as amended.

### **Monitoring**

24. The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
  - 24.1. The ECO must be appointed before commencement of any authorised activities.
  - 24.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 24.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 24.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

### **Recording and reporting to the Department**

25. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this Environmental Authorisation, must be submitted to the Director: Compliance Monitoring of the Department at Directorcompliance@environment.gov.za.
26. The holder of the Environmental Authorisation must, for the period during which the Environmental Authorisation and EMPr remain valid, ensure that project compliance with the conditions of the Environmental Authorisation and the EMPr are audited, and that the audit reports are submitted to the Director: Compliance Monitoring of the Department at Directorcompliance@environment.gov.za.
27. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R982 of 04 December 2014, as amended.
28. The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
29. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014, as amended, and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the Environmental Authorisation conditions as well as the requirements of the approved EMPr.
30. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and Competent Authority in respect of this development.

### **Notification to authorities**

31. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

### **Operation of the activity**

32. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

### **Site closure and decommissioning**

33. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

### **Specific conditions**

34. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
35. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping. Copies of the permit/s must be included in the final EMP to be submitted to this Department for approval before commencement of construction activities.
36. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
37. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the Specialist Studies contained in the BAR dated October 2018 must be implemented to reduce the risk of erosion and the invasion of alien species.
38. Continuous clearing during rehabilitation and landscaping of emerging invasive must be done particularly surrounding the site.
39. The re-establishment of salt marsh vegetation and an ecotone must be encouraged and monitored.
40. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
41. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction, work in the immediate vicinity of the find must be stopped, South African Heritage

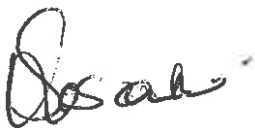
Resources Agency Archaeological, Palaeontology and Meteorites Unit (SAHRA APM) and SAHRA Burial Grounds and Graves (BGG) Unit must be informed and the services of an accredited heritage professional obtained for an assessment of the heritage resources to be made.

42. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

### **General**

43. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMP, must be made available for inspection and copying-
- 43.1. at the site of the authorised activity;
  - 43.2. to anyone on request; and
  - 43.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
44. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

**Date of Environmental Authorisation:** 30/04/2019



**Mr Vusi Skosana**

**Acting Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs**

## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the BAR dated October 2018;
- b) The comments received from Cape Nature, SANParks, Department of Environmental Affairs and Development Planning, Department of Agriculture Forest and Fisheries, Department of Health, Eskom, SNRAL and Interested and affected parties as included in the BAR dated October 2018;
- c) Mitigation measures as proposed in the BAR dated October 2018 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the BAR; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act No.107 of 1998, as amended.

### 2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The proposed project will provide employment opportunities for local residence. The proposed development will also benefit tourist and local residents.
- c) The BAR dated October 2018 identified all legislation and guidelines that have been considered in the preparation of the BAR dated October 2018.
- d) The methodology used in assessing the potential impacts identified in the BAR dated October 2018 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014, as amended, for public involvement.



### 3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the BAR dated October 2018 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) The information contained in the BAR dated October 2018 is accurate and credible.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, Act No. 107 of 1998, as amended, and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X447 PRETORIA 0001 Environment House - 473 Steve Biko Road, Arcadia- PRETORIA  
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Enquiries: Mr Ishaam Abader Telephone: 012 399 9330 E-mail: iabader@environment.gov.za

Mr. Vusi Skosana  
Director: Strategic co-ordination planning and support

Dear Mr. V Skosana

### **APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 17 APRIL 2019 UNTIL 30 APRIL 2019.**

I hereby inform you that I have decided to appoint you as the Acting Chief Director: integrated environmental authorisations for the period 17 April 2019 until 30 April 2019 whilst Mr. Sabelo Malaza is on annual leave and away on business (Australia IAIA conference).

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorisations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of this legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

  
Mr Ishaam Abader

DDG : LACE

Date: 15/04/2019

#### **ACKNOWLEDGEMENT**

I ~~ACCEPT~~ / ~~DO NOT ACCEPT~~ appointment as Acting Chief Director: integrated environmental authorisations

Signed: 

Date: 17/04/2019