



**Western Cape
Government**
Environmental Affairs and
Development Planning

BETTER TOGETHER

Development Management
(Region 3)

REFERENCE: 16/3/3/5/D6/29/0010/18
ENQUIRIES: Marianne Lesch
DATE OF ISSUE: 2018 -09- 20

The Municipal Manager
Mossel Bay Municipality
Private Bag X29
MOSSSEL BAY
6500

Attention: Mr Eric Louw

Tel: (044) 606 5270
E-mail: elouw@mosselbay.gov.za

Dear Sir

APPLICATION FOR AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 AUGUST 2013 FOR THE PROPOSED REGIONAL RESERVOIR FOR MOSSSEL BAY AREA ON THE FARM VAALE VALLEY 219, MOSSSEL BAY

With reference to your application for the amendment of the environmental authorisation issued on 28 August 2013, Reference Number: EG12/2/4/1-D6/27-0014/12, find below the amendment to the Environmental Authorisation in respect of this application.

ADDENDUM TO ENVIRONMENTAL AUTHORISATION

A. DECISION

1. By virtue of the powers conferred on it in terms of Regulation 30 of the Environmental Impact Assessment Regulations, 2014, the Department has decided to amend the Environmental Authorization issued on 28 August 2013, Reference Number: EG12/2/4/1-D6/27-0014/12, as follows –

1.1 Condition 1 of the environmental authorisation issued on 28 August 2013, Reference Number: EG12/2/4/1-D6/27-0014/12, must read as follows:

"This environmental authorisation is valid until 28 August 2023. The holder must undertake at least one of the authorised activities on or before 28 August 2023 or this environmental authorisation lapses and a new application for environmental authorisation must be submitted to the competent authority"

*The development's construction phase must be concluded within ten years **(10) years** from the date on which the first listed activity is commenced."*

2. All other information contained in the Environmental Authorisation issued on 28 August 2013, Reference Number: EG12/2/4/1-D6/27-0014/12 remains unchanged and is still in force.

B. REASONS FOR THE DECISION:

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

1. The application is for a non-substantive amendment to the Environmental Authorisation.
2. The environment and the rights and interests of other parties are not likely to be adversely affected by this decision to amend the Environmental Authorisation.
3. The application for amendment is only for the extension of the validity period and the fact that the approved development will not change in any other way, it is understood that the level and nature of the impacts will remain unchanged.
4. The motivation submitted by the applicant, which explained the reasons for the delay in implementing the EIA listed activities that were authorised by this Department on 28 August 2013.
5. All the relevant information presented to this Department, which formed part of the application for amendment.

C. CONDITIONS

1. The applicant must, in writing, within **14 (fourteen)** calendar days from the date of the Department's decision –
 - 1.1 notify all registered interested and affected parties registered in the previous EIA process of –
 - 1.1.1 the outcome of the application;
 - 1.1.2 the reasons for the decision;
 - 1.1.3 the date of the decision; and
 - 1.1.4 the date of issue of the decision;
 - 1.2 draw the attention of all registered interested and affected parties registered in the previous EIA process to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 in section D below;
 - 1.3 draw the attention of all registered interested and affected parties registered in the previous EIA process to the manner in which they may access the decision.
2. The holder of the environmental authorisation must within thirty (30) calendar days of the issue of this amendment decision, provide the competent authority with written proof of compliance with **Condition 1** above.

D. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (refer to Government Notice R.993 of 8 December 2014).

1. An appellant must –
 - 1.1. submit an appeal in accordance with Regulation 4 to the appeal administrator, within 20 (twenty) calendar days from the date the applicant notified registered I&APs of this decision.
 - 1.2. if the appellant is the applicant, provide any registered I&AP, any Organ of State and the decision-maker with a copy of the appeal lodged with the appeal administrator;

- 1.3. if the appellant is a person other than the applicant, provide any registered I&AP, any Organ of State and the decision-maker with a copy of the appeal lodged with the appeal administrator;
2. The applicant (if not the appellant), the decision-maker, I&APs and Organ of State must submit their responding statement, if any, to the appeal authority and the appellant within 20 days from the date of receipt of the appeal submission.
3. The appeal form/s must be submitted by means of one of the following methods:

By post: Attention: Jaap de Villiers
 Western Cape Ministry of Local Government, Environmental Affairs and
 Development Planning
 Private Bag X9186
 CAPE TOWN
 8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr J. de Villiers (Tel: 021 483 3721)
 Room 809
 8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

By e-mail: Jaap.DeVilliers@westerncape.gov.za

4. A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail Jaap.deVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

E. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Addendum to Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the

conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully



MR. GAVIN BENJAMIN
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)

DATE OF DECISION: 20/09/2018

CC: (1) Ms Cathy Avierinos (EAP)

Fax: 086 542 5248