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Ref: EC08/C/LN1/M/51-2024



Eloise Wells and Stephen Rutland Wells
63 Esmaralda Road
Sea Vista
St Francis Bay
6312

Attention: Ms. Eloise Wells

E-mail: wellseloise@gmail.com

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 AS AMENDED: PROPOSED EXPANSION OF AN EXISTING DWELLING ON ERF 1220, SEA VISTA, ST FRANCIS BAY WITHIN THE KOUGA LOCAL MUNICIPALITY.

1. With reference to the above-mentioned application (Reference **EC08/C/LN1/M/51-2024**), please be advised that the Department has decided to grant authorisation as set out in the attached Environmental Authorisation. The Authorisation Notice and reasons for the decision are attached herewith.
2. In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 as amended, you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of the date of this letter, of the Department's decision in respect of your application.
3. The written notification referred to above must -
 - 3.1. Specify the date on which the Environmental Authorisation was issued;
 - 3.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN R993 of 8 December 2014 as amended in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998 as amended; and
 - 3.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
4. In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as juristic state departments (organ of state with interest in the matter) within 20 days of having been notified in accordance with the requirements stipulated in paragraphs 2 and 3.
4. Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 2 and 3 of the decision.

ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS, AND TOURISM

CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS

Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.

5. An Appeal Submission must be made on a form obtainable from the Departmental Appeal Administrator and/or the Departmental website on www.dedea.gov.za or relevant Regional Office.
6. The Appellant must also serve a copy of the appeal to the regional office that processed the application.
7. The address to which the **originals** of such appeal and any other documents pertaining to the appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, BHISHO , 5605
Hand delivery	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals copies of any appeal and supporting documentation must also be submitted via email as follows:	
Appeal Administration: Mr S. Gqalangile	Siyabonga.Gqalangile@dedea.gov.za
Administrative assistant: Ms P. Gxala	Phumeza.Gxala@dedea.gov.za

8. In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter



DAYALAN GOVENDER

DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS

SARAH BAARTMAN/NMB REGION

DATE: 06 May 2025



Environmental Authorisation

AUTHORISATION REGISTER NUMBER	NOTICE	Provincial: EC08/C/LN1/M/51-2024 NEAS: ECP/EIA/0001649/2024
LAST AMENDED		N/A
HOLDER OF AUTHORISATION		Eloise Wells and Stephen Rutland Wells
LOCATION OF ACTIVITY		Erf 1220 (63 Esmaralda Road), St Francis Bay within Kouga Local Municipality.

DEFINITIONS:

The following definitions are applicable to this Environmental Authorisation:

"Audit" as used in the context of this Environmental Authorisation refers to an audit of compliance with conditions contained in this Environmental Authorisation and the requirements / stipulations of a Construction and / or Operational Environmental Management Programme and not to an Environmental Audit undertaken in terms of an accredited environmental management system by a certified Environmental Management systems auditor.

"CEMP"- Construction Environmental Management Programme titled "Draft Environmental Management Programme Report (Draft EMPr) - Proposed expansion of development footprint on Erf 1220 located within 100 meters of the high-water mark of the sea, St Francis Bay, Kouga local Municipality" dated 10 December 2024 as attached to the FBAR as Appendix F.

"Commencement" – Any physical activity on site that can be viewed as associated with the construction of any portion of the proposed new extensions to the dwelling on Erf 1220.

"EIA regulations" – These are the 2014 Environmental Impact Assessment Regulations as amended and published in Government Notice R326 of 07 April 2017 in terms of Chapter 5 of the National Environmental Management Act, Act 107 of 1998 as amended.

"FBAR" - refers to the Final Basic Assessment Report titled: "Final Basic Assessment Report - Proposed expansion of development footprint on residential Erf 1220 located within 100 meters of the high-water mark of the sea, St Francis Bay, Kouga local Municipality" dated 10 December 2024 as prepared by Eco Route Environmental Consultancy.

"The Department" – The Department of Economic Development, Environmental Affairs and Tourism, Eastern Cape Province.

1. Decision

The Department is satisfied, based on information available to it and subject to compliance with the conditions of this Environmental Authorisation that the applicant should be allowed to undertake the activity specified below. Details regarding the basis on which the Department reached this decision are set out in Section 4.

2. Activities and regulations for which authorisation has been granted

By virtue of the powers conferred on it by the National Environmental Management Act, Act 107 of 1998 and the Environmental Impact Assessment Regulations, 2014 as amended the Department hereby authorises **Eloise Wells and Stephen Rutland Wells** being the legal or natural persons who has applied for this Authorisation, with the following contact details:

Name	Eloise Wells		
Address	63 Esmarald Road, Sea Vista, St Francis Bay		
Telephone	Non supplied	Fax	Non supplied
Contact	Eloise Wells	Cell	Non supplied
		E-mail	wellseloise@gmail.com

To undertake the following activities (hereafter referred to as “the activity”), in terms of the scheduled activities listed in the table below:

<p>Detailed description of activity</p> <p>The proposed activity includes extension of the development footprint on Erf 1220 by approximately 170m². There is an existing house approximately 400m² in extent on Erf 1220 located at 63 Esmaralda Road, St Francis Bay. Erf 1220 is 1192m² in extent and is located within 100 meters of the high-water mark of the sea.</p> <p>The following renovations are proposed:</p> <p>NE section of house (Ocean side)</p> <ul style="list-style-type: none"> • Pool • Decking area <p>North extension</p> <ul style="list-style-type: none"> • Proposed balcony, new chimney flute <p>NW extension house (facing road)</p> <ul style="list-style-type: none"> • Addition (new chimney, flat roof with flat roof overflow, balcony) <p>NW (facing road)</p> <ul style="list-style-type: none"> • Garage and storage area • Pedestrian Gate • Paved driveway <p>Services.</p> <p>Eskom electricity is currently supplied to the house while 16 solar panels with lithium batteries are in place to augment electricity supply.</p> 

There is an existing municipal water supply to the existing dwelling which will be augmented by the installation of rainwater tanks.
Sewage is disposed of via an existing soak-away septic tank.

Listed Activities applied for and authorised

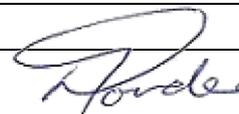
GN R.327 - Activity 19(A)	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from- (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater
GN R. 327 – Activity 54	The expansion of facilities- v) if no development setback exists, within a distance of 100 meters inland of the high-water mark of the sea or an estuary, whichever is the greater; in respect of— (d) rock revetments or stabilizing structures including stabilizing walls; or (e) infrastructure or structures with a development footprint of 50 square meters or more.

Listed activities applied for and not authorised

GN R.327- Activity 17	Development— (v) if no development setback exists, within a distance of 100 meters inland of the high-water mark of the sea or an estuary, whichever is the greater; in respect of— (d) rock revetments or stabilizing structures including stabilizing walls; or (e) infrastructure or structures with a development footprint of 50 square meters or more. This listed activity is not applicable as this is not for the construction of a new dwelling but for expansion of an existing dwelling.
GN R.327- Activity 18	The Planting of vegetation or placing of any material on dunes or exposed sand surfaces of more than 10 square meters, within the littoral active zone, for the purpose of preventing the free movement of sand, erosion or accretion. This listed activity is not applicable as the property is not located within the littoral active zone.

At the locality defined in the Table below, and hereafter referred to as “the property”:

District	Sarah Baartman
Municipal Area	Kouga Local Municipality
Farm Name	N/A



Farm Number and Portion	N/A
Erf Number and Township Extension or Suburb	ERF 1220 (63 Esmaralda Road), St Francis Bay
Co-ordinates of the corner points of Erf 1220	34°10'37.4"S and 24°50'29.1"E. 34°10'37.9"S and 24°50'29.5"E. 34°10'38.5"S and 24°50'29.2"E. 34°10'37.9"S and 24°50'27.4"E. 34°10'37.6"S and 24°50'27.6"E.
Physical address	63 Esmaralda Road, St Francis Bay within Kouga Local Municipality.

This Environmental Authorisation is granted subject to the conditions set out below.

3. Conditions

The Department of Economic Development, Environmental Affairs and Tourism may from time to time review this Environmental Authorisation and on good grounds and after written notice to the holder thereof, suspend or amend such Environmental Authorisation.

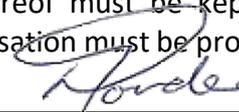
3.1. Duration of authorisation

- 3.1.1. Any development inclusive of the associated infrastructure as described in Section 2 of this Environmental Authorisation must commence within a period of 24 months from the date of issue of this Authorisation. If commencement of the activity does not occur within this period, this Environmental Authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
- 3.1.2. Construction of the proposed additions and associated infrastructure to be completed within 18 months from the date of commencement.
- 3.1.3. Amendment of the Environmental Authorisation to extend the validity thereof may be applied for in writing provided that the Environmental Authorisation is still valid at the time of submission of such application. If no request for amendment is received prior to the date of expiry of this Environmental Authorisation, the Environmental Authorisation will be deemed to have lapsed.
- 3.1.4. On receipt of any such application for extension, the Department reserves the right to request such information as it may deem necessary to consider the application for extension which may include but not limited to:
 - 3.1.4.1. An updated EMP; and
 - 3.1.4.2. Such public participation process as may be deemed necessary at the time of the application for extension
- 3.1.5. Conditions relating to the operation of the project are valid in perpetuity.



3.2. Standard conditions

- 3.2.1. Authorisation is subject to the conditions contained in this Environmental Authorisation which conditions form part of the Environmental Authorisation and are binding on the holder thereof.
- 3.2.2. This Environmental Authorisation applies only to the activities and property described therein.
- 3.2.3. This Environmental Authorisation does not negate the holder thereof of his/her responsibility to **comply with any other statutory requirements** that may be applicable to the undertaking of the activity, including but not limited to:
- 3.2.3.1. The National Environmental Management: Integrated Coastal Management Act, Act 24 of 2008;
- 3.2.3.2. The National Environmental Management: Biodiversity Act, Act 10 of 2004;
- 3.2.3.3. The Provincial Nature Conservation Ordinance, Ordinance 19 of 1974; and
- 3.2.3.4. Municipal Building Regulations and By-Laws.
- 3.2.4. The holder of this Environmental Authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of this Environmental Authorisation.
- 3.2.5. Should any environmental damage be detected, that in the opinion of this Department, is the result of the development, then the applicant shall be required to make good that damage to the satisfaction of the said authority at his/her own expense.
- 3.2.6. In the event of any dispute as to what constitutes environmental damage, this Department's opinion will prevail.
- 3.2.7. This authorisation applies strictly to the project description as outlined in Section 2 of this Authorisation. Should the applicant wish to amend any component or aspect of the project hereby authorised, then approval will be required from this Department. The Department will advise what information is required as well as the process that must be followed in order to apply for an amendment to this Environmental Authorisation or, if needed, for authorisation in terms of the applicable EIA Regulations promulgated in terms of the National Environmental Management Act, Act 107 of 1998.
- 3.2.8. This Environmental Authorisation is issued to the applicant described above. Should the applicant wish to transfer this Environmental Authorisation to another person (whether legal or natural), such transfer is to be affected by means of an amendment to the Environmental Authorisation. Such amendment to be applied for in terms of the relevant provisions contained in the EIA Regulations that may be applicable at the time.
- 3.2.9. This Environmental Authorisation must be made available to any interested and affected party who has registered their interest in the proposed development. The applicant is responsible for ensuring that a copy of this Environmental Authorisation is given to any such interested and affected party within 7 (seven) days of receiving this Environmental Authorisation.
- 3.2.10. This Environmental Authorisation or a certified copy thereof must be kept at the property where the activity will be undertaken. The Authorisation must be produced to

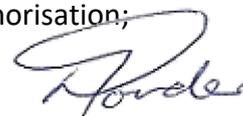


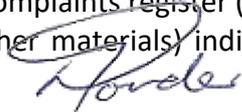
any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the site.

- 3.2.11. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.2.12. In all cases, the holder of the Environmental Authorisation must notify the Department, in writing, within 30 days if a condition of this Authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 3.2.13. 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 107 of 1998 and the regulations.

3.3. Project - specific conditions

- 3.3.1. Fourteen days written notice must be given to the Department that the activity will commence. 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.
- 3.3.2. The Fourteen- day notice contemplated in Condition 3.3.1 may only be submitted once all pre-construction conditions in any, have been complied with and proof of such compliance to be submitted with the fourteen-day notice.
- 3.3.3. A revised layout plan to be submitted to and approved by the Department prior to the commencement of the development as authorised in this Environmental Authorisation. This revised layout to exclude any structures, inclusive of the pool and decking between the 1.5m building line and the property boundary with the Public Open Space between Erf 1220 and the high-water mark.
- 3.3.4. Any recommendations / mitigatory measures contained in the FBAR and its appendices and not explicitly covered under the conditions contained in this Environmental Authorisation, are regarded as conditions in terms of this Environmental Authorisation. In the event that any such recommendation / mitigatory measure is contradictory to a condition contained in this Environmental Authorisation, such condition will be deemed to take precedence.
- 3.3.5. The relevant conditions of this Environmental Authorisation shall form part of any contracts entered between the applicant and any contractor(s) and or any subcontractor(s).
- 3.3.6. The CEMP is hereby approved. The CEMPr must be implemented during construction together with the conditions contained in this Environmental Authorisation.
- 3.3.7. The following environmental management principles/ measures to be implemented during project implementation if not already contained in the CEMPr:
- 3.3.7.1. Applicable conditions of this Environmental Authorisation;



- 3.3.7.2. All recommendations, mitigation measures, responsibilities, key actions and other provisions contained in the FBAR;
 - 3.3.7.3. Copies of all permits / licences issued to the applicant in relation to this project that have relevance to the environment;
 - 3.3.7.4. A general code of conduct for any contractor that may be carrying out any work on the relevant development site;
 - 3.3.7.5. A clear description of the construction activities to be carried out on the site;
 - 3.3.7.6. Details regarding storage of construction material on site;
 - 3.3.7.7. A framework for all contracts associated with the construction phase of the development and the Environmental Method Statements that will be associated with such contracts;
 - 3.3.7.8. No cement/concrete mixing to take place on the soil surface. Cement mixers to be placed on large trays to prevent accidental spills from coming into contact with the soil surface;
 - 3.3.7.9. Generators and fuel supply needed during construction must be placed on trays, which rest on clean sand. Once construction has been completed, this sand must be removed from site and disposed of at a registered waste disposal site;
 - 3.3.7.10. Any substrate contaminated by the spillage of hydrocarbons or other pollutants to be removed from the site and disposed of at a registered waste disposal site;
 - 3.3.7.11. All excess construction material and any waste generated during construction must be removed from site on an ongoing basis;
 - 3.3.7.12. Adequate waste disposal and sanitation facilities to be provided and the applicant must ensure that these facilities are properly used and maintained; and
 - 3.3.7.13. Clear stipulations as to who is responsible and accountable for what actions.
- 3.3.8. An Environmental Control Officer to be appointed to oversee implementation of the CEMPr as well as adherence to the conditions contained within this Environmental Authorisation. Confirmation of appointment of the ECO to be provided to the Department together with the notice of commencement contemplated in Condition. The ECO is amongst others responsible for the following:
- 3.3.8.1. Pre-commencement Audit report to be compiled and submitted to the Department;
 - 3.3.8.2. To keep record of all activities on site, problems identified, transgressions noted as well as a schedule of tasks undertaken by the ECO;
 - 3.3.8.3. To conduct monthly audits during construction and submit a quarterly summarized audit report to the department until construction is completed;
 - 3.3.8.4. To keep and maintain a detailed incident and complaints register (inclusive of any spillages of hazardous substances and other materials) indicating how
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these issues were addressed (including any rehabilitation measures implemented) and preventative measures implemented to avoid re-occurrence of such incidents;

- 3.3.8.5. To keep copies of all reports submitted to the Department on site; and
- 3.3.8.6. To obtain and keep record of all documentation, permits, licenses and authorisation relevant to the project on site.
- 3.3.9. A plant "search and rescue", to be conducted by a suitably qualified botanical specialist prior to commencement of any vegetation clearing for all protected species and species of special concern that may be affected by the development, as well as other indigenous plant specimens which can be relocated. Such specimens are to be relocated and appropriately transplanted, including in rehabilitation initiatives, where applicable and practical on site.
- 3.3.10. Further to Condition 3.3.9 any protected species which need to be removed or relocated require the necessary permits to be obtained from DEDEAT for those species protected under the Cape Nature and Environmental Ordinance (Ordinance 19 of 1974), as well as those species listed under NEMBA.
- 3.3.11. A suitably qualified individual is to carry out a faunal "search and rescue", which fauna are to be relocated to a suitably protected natural area prior to the commencement of vegetation clearing. Should any injured fauna be found, they are to be taken to be examined by a veterinarian and if deemed suitable for rehabilitation, these faunae are to be taken to a suitable faunal rehabilitation centre, in consultation with the Department's Biodiversity Unit. Any species protected in terms of the Cape Nature and Environmental Ordinance (Ordinance 19 of 1974) or NEMBA, Act 10 of 2004 which need to be removed or relocated require the necessary permits to be obtained from DEDEAT.
- 3.3.12. All construction activities to be restricted to normal working hours being 08:00 to 17:00 on weekdays. No construction to take place on weekends and public holidays.
- 3.3.13. Any construction camp sites that may be necessary must be identified with the help of the ECO to ensure that they are in areas of low ecological and/or environmental sensitivity and on the streetside of the property.
- 3.3.14. The development footprint needed for the construction must be restricted to the absolute minimum necessary to facilitate construction of such. Such development footprint to be clearly demarcated with pegs. Construction activities, stockpiling of any building material and the storing of machinery must be accommodated within such demarcated areas and in accordance with the relevant provisions of the CEMPr.
- 3.3.15. The Public Open Space between Erf 1220 and the high-water mark is to be regarded as a no-go area and no transgression of any nature, inclusive of any construction related activities are allowed in this area.
- 3.3.16. Further to Condition 3.3.14 an appropriate physical barrier to be erected on the seaward boundary of the property to ensure the integrity of the Public Open Space.
- 3.3.17. All sand, gravel, stone or other building material to be used are to be obtained from a bona fide source and the building contractor is not allowed to source any such material from the surrounding environment.

- 3.3.18. Any areas disturbed as a result of construction activities to be rehabilitated immediately using vegetation indigenous to the area.
- 3.3.19. The applicant will be held liable in the event of non-compliance by any contractor associated with this activity.
- 3.3.20. Compliance/non-compliance records must be kept and shall be made available on request from the authorities.
- 3.3.21. The South African Heritage Resources Agency (SAHRA) and the Eastern Cape Province Heritage Resources Agency (ECPHRA) must be contacted immediately should any archaeological findings be discovered during the course of the development.
- 3.3.22. Non-compliance with any stipulation in the CEMPr will be regarded as non-compliance in terms of this Environmental Authorisation.
- 3.3.23. Notwithstanding the provisions of any of these conditions, all recommendations, guidelines and standard conditions contained in the Final Basic Assessment Report must be adhered to.

4. Reasons for Decision

4.1. Information considered in making the decision

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

- 4.1.1. The information is contained in the following documentation:
- Completed application form dated 18 September 2024 and received by the Department on 10 October 2024.
 - The Final Basic Assessment Report dated 10 December 2024 and received by the Department on 10 December 2024.
- 4.1.2. The EIA regulations of 2014 as amended and the objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act 107 of 1998.

4.2. Key factors considered in making the decision

- 4.2.1. The proposed activity includes the extension of the existing dwelling on the Erf by approximately 170m². The existing dwelling is approximately 400m² in extent while Erf 1220 is approximately 1192 m² in extent. The total development footprint after project implementation will be 570m²
- 4.2.2. The site is within 100 meters of the HWM and therefore within a coastal dynamic area. With that being said it must be noted that Erf 1220 is approximately 22m above the high-water mark. Furthermore, there is a vegetated strip of coastal vegetation between Erf 1220 and the sea which borders a rocky coastline which is much less susceptible to coastal erosion than the sandy beaches located further north in St. Francis Bay.

There is also no intact natural indigenous vegetation on Erf 1220 and the vegetation on Erf 1220 represents a normal suburban garden. It must also be noted that the majority of the additions to the dwelling will occur on the part of the property that is

between the existing dwelling and the road. The only exception is the proposed installation of a new pool with a patio and deck on the existing lawn area between the existing dwelling and the eastern boundary. The design plans included in the FBAR indicates that the pool and deck will transgress over the 1.5m building line and abut the property boundary.

Condition 3.3.3. in this Environmental Authorisation however requires the submission of revised layout which preclude any structures from being located between the 1.5m building line and the property boundary with the Public Open Space. This is to allow for an appropriate buffer between any structures and Public Open Space in order to prevent any construction creep or future transgression of private garden areas onto the Public Open Space. Furthermore, other conditions contained in this Environmental Authorisation requires the erection of an appropriate physical barrier on the eastern boundary of the Erf where it borders on the Public Open Space to ensure that no construction related activities or future gardening activities transgresses over the boundary of Erf 1220.

- 4.2.3. All services will link to existing service infrastructure in the area and to municipal bulk services which are available as stated in the report. In this regard it was stated that the services demand of the proposed development can be met.
- 4.2.4. The Environmental Impact Assessment process undertaken satisfies the procedural requirements of the EIA Regulations and the National Environmental Management Act, Act 107 of 1998 including the requirements for public participation and how the EAP responded to comments and issues raised by Interested and Affected Parties.
- 4.2.5. Impacts during site establishment and construction will be managed through the implementation of a comprehensive Construction Environmental Management Programme as required in terms of Condition 3.3.6. Implementation of and adherence to this CEMPr as well as compliance to the conditions of this Environmental Authorisation are to be overseen by a dedicated Environmental Control Officer as stipulated in Condition 3.3.8.
- 4.2.6. No fatal flaws were discovered during the Environmental Impact Assessment Process and from an environmental perspective there is nothing that would preclude an authorisation being issued. In addition, several other measures are stipulated in the conditions contained in Section 3 of this Environmental Authorisation that are intended to ensure that potential impacts associated with the development are kept within limits that are compatible with the environmental character of the site. It is further believed that this development does not present any impact that could not be successfully mitigated.
- 4.2.7. The Department is satisfied that the risks to the natural environment and to humans can be adequately managed if all the conditions contained within this Environmental Authorisation are adhered to.
- 4.2.8. The conditions set out in this Environmental Authorisation have been designed to ensure that the negative impacts and risks associated with the project are identified, addressed and/or managed effectively.

- 4.2.9. In conclusion, this Department is satisfied that the benefits associated with the proposed project outweigh the environmental costs and are consistent with sustainable development principles.
- 4.2.10. In general, the environmental process followed is deemed to be satisfactory. It is the opinion of the Department that the information at hand is sufficient and adequate to make an informed decision. In this regard the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management as laid down in Chapter 5 of the National Environmental Management Act, Act 107 of 1998, and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels.

5 Appeal of authorisation

- 5.1 In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 as amended, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) calendar days of the date of this letter, of the Department's decision in respect of your application.
- 5.2 The written notification referred to in Condition 5.1 above must:
- 5.2.1. Specify the date on which the Authorisation was issued;
- 5.2.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN R993 of 8 December 2014 in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998 as amended; and
- 5.2.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
- 5.3. In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as juristic state departments (organ of state with interest in the matter) within 20 days of having been notified in accordance with the requirements stipulated in paragraphs 5.1 and 5.2.
- 5.4. Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 5.1 and 5.2 of the decision.
- Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.*
- 5.5. "An Appeal Submission must be made on a form obtainable from the Department Appeal Administrator and/or the Departmental website on www.dedea.gov.za or relevant Regional Office.
- 5.6. The Appellant must also serve a copy of the appeal to the regional office that processed the application."
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- 5.7. The address to which the **original** of any appeal and any other documents pertaining to the appeal must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs & Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, BHISHO , 5605
Hand delivery	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals copies of any appeal and supporting documentation must also be submitted via email as follows:	
Appeal Administration: Mr S. Gqalangile	Siyabonga.Gqalangile@dedea.gov.za
Administrative assistant: Ms P. Gxala	Phumeza.Gxala@dedea.gov.za

- 5.8. In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter.



LINDELWA TWALA
ENVIRONMENTAL OFFICER: EIM
SARAH BAARTMAN/NMB REGION
DATE: 06 May 2025



DAYALAN GOVENDER
DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS
SARAH BAARTMAN/NMB REGION
DATE: 06 May 2025