



**EIA REFERENCE NUMBER:** 16/3/3/5/A7/4/3005/22  
**NEAS REFERENCE NUMBER:** WCP/EIA/AMEND/0000586/2022  
**ENQUIRIES:** Mr. R. Chambeau  
**DATE OF ISSUE:** 04 March 2022

The Director  
V&A Waterfront Holdings (Pty) Ltd.  
19 Dock Road  
Waterfront (Foreshore)  
**CAPE TOWN**  
8000

**For Attention: Mr. A. Cronje**

Cell: (071) 679 1576

E-mail: [acronje@waterfront.co.za](mailto:acronje@waterfront.co.za)

Dear Sir

**APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PART 1 AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED BY THIS DEPARTMENT ON 14 DECEMBER 2020 (REF. NO. 16/3/3/1/A7/4/3014/20) FOR THE PROPOSED REDEVELOPMENT OF THE V & A WATERFRONT SERVICE STATION ON 'PARCEL N' (A PORTION OF ERF 149294-RE) IN THE CANAL DISTRICT OF THE V&A WATERFRONT, CAPE TOWN.**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** an amendment of the Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered interested and affected parties ("I&APs") are provided with access to the decision and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the Environmental Authorisation below.

Yours faithfully

**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

Copied to: (1) Ms. I. Eggert (inClover Environmental Consulting)  
(2) Ms. S. Hustwick (City of Cape Town: ERM)

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## ENVIRONMENTAL AUTHORISATION

**APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PART 1 AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED BY THIS DEPARTMENT ON 14 DECEMBER 2014 (REF. NO. 16/3/3/1/A7/4/3014/20) FOR THE PROPOSED REDEVELOPMENT OF THE V & A WATERFRONT SERVICE STATION ON 'PARCEL N' (A PORTION OF ERF 149294-RE) IN THE CANAL DISTRICT OF THE V&A WATERFRONT, CAPE TOWN.**

With reference to your application, find below the amended environmental authorisation in respect of this application.

### A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment Regulations, 2014 (as amended), the Department hereby **grants** the amendment of the Environmental Authorisation ("EA") issued by this Department on 14 December 2020 (Ref. No. 16/3/3/1/A7/4/3014/20) in terms of Part 1 of the EIA Regulations, 2014 (as amended). The EA (Ref. No. 16/3/3/1/A7/4/3014/20) is amended as set out below:

1. Section B. LIST OF ACTIVITY AUTHORISED of the EA (Ref. No. 16/3/3/1/A7/4/3014/20), which reads:

*“Access will be via a one-way system that provides access to the site from the West Quay Road signalised intersection and a single egress onto 'Road A' that leads down to the Dock Road signalised intersection”.*

**is herewith amended as follows:**

*“Access will entail inbound and outbound traffic via Road A (off the Dock Road signalized intersection), and outbound only via a one-way system to West Quay Road signalized intersection”.*

2. Please find herewith attached a copy of the EA issued by this Department on 14 December 2020 (Ref. No. 16/3/3/1/A7/4/3014/20) (attached as Annexure A) and the revised Site Development Plan (dated 05 May 2021) (attached as Annexure B).

### B. REASONS FOR THE DECISION:

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

1. The information contained in the application for the amendment dated 31 January 2022 and received by this Department on 07 February 2022.

2. The application is for the non-substantive amendment to the description of the access to the proposed site. A Part 1 amendment process in terms of the NEMA EIA Regulations, 2014 (as amended) was considered due to the following:
  - 2.1. The proposed amendment will not result in a change to the scope of the EA (Ref. No. 16/3/3/1/A7/4/3014/20) where such change will result in an increased level or change in the nature of the impact.
  - 2.2. The proposed amendment will allow for traffic flow to be best accommodated through the reverse of the traffic direction through the proposed development and will allow for an additional egress at 'Road A'.
  - 2.3. The revised Site Development Plan (dated 05 May 2021) has been approved by the City of Cape Town (Application Number: 000070573675).
3. The environment and the rights and interests of interested and affected parties are not likely to be adversely affected by this decision.
4. All other conditions of the EA issued on 14 December 2020 (Ref. No. 16/3/3/1/A7/4/3014/20) remain unchanged and applicable.

### **C. CONDITIONS**

1. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 1.1. Notify all registered interested and affected parties ("I&APs") of –
    - 1.1.1. the outcome of the application;
    - 1.1.2. the reasons for the decision as included in Section B;
    - 1.1.3. the date of the decision; and
    - 1.1.4. the date when the decision was issued.
  - 1.2. Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of National Appeal Regulations, 2014 (as amended) detailed in Section E below;
  - 1.3. Draw the attention of all registered I&APs to the manner in which they may access the decision; and
  - 1.4. Provide the registered I&APs with:
    - 1.4.1. the name of the holder (entity) of this Environmental Authorisation;
    - 1.4.2. name of the responsible person for this Environmental Authorisation;
    - 1.4.3. postal address of the holder;
    - 1.4.4. telephonic and fax details of the holder;
    - 1.4.5. e-mail address, if any, of the holder; and
    - 1.4.6. the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).
2. A minimum of seven (7) calendar days' notice must be given to the Competent Authority before commencement of construction activities associated with the access to the site. The said notice must also include proof of compliance with Condition 1 described in Section C of this Amended Environmental Authorisation.

3. All other conditions contained in the EA issued on 14 December 2020 (Ref. No. 16/3/3/1/A7/4/3014/20) remain unchanged and in force.

#### D. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant must –
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
  - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
  - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal form/s must be submitted by means of one of the following methods:

By post:           Attention: Marius Venter  
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. M. Venter (Tel: 021 483 3721)  
Room 809  
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001
5. The 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 [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@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 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 environment is greatly appreciated.

Yours faithfully

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**MR. ZAAHIR TOEFY**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DATE OF DECISION: 04 March 2022**

Copied to: (1) Ms. I. Eggert (inClover Environmental Consulting)  
(2) Ms. S. Hustwick (City of Cape Town: ERM)

E-mail: [ingrid@inclover.co.za](mailto:ingrid@inclover.co.za)  
E-mail: [Sandra.hustrickHustrick@capetown.gov.za](mailto:Sandra.hustrickHustrick@capetown.gov.za)

## **ANNEXURE A**

A copy of the Environmental Authorisation issued by this Department on 14 December 2020 (Ref. No. 16/3/3/1/A7/4/3014/20).

**ANNEXURE B**

Proposed revised Site Development Plan (dated 05 May 2021)