



Western Cape
Government

Environmental Affairs and
Development Planning

DIRECTORATE: DEVELOPMENT MANAGEMENT
REGION 1

REFERENCE: 16/3/3/1/F1/14/2023/18

ENQUIRIES: AYESHA HAMDULAY

DATE: 2018 -07- 12

The Board of Directors
Kliphoek Rivier Oord Aandele-Block (Pty) Ltd
P O Box 168
VELDDRIF
7365

Attention: Mr. J. Kotzé

Tel.: (022) 783 0822

Email: kliphoekinfo@kliphoek.co.za

Dear Sir

ACKNOWLEDGEMENT OF RECEIPT OF THE BASIC ASSESSMENT REPORT FOR DECISION-MAKING IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") (AS AMENDED) AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED EXPANSION OF THE KLIPHOEK RIVER RESORT ON PORTION 1 OF FARM NO. 1196 AND FARM NO. 1196, VELDDRIF

1. The abovementioned document with cover letter dated 06 July 2018, received by this Department on the same date, refers.
2. This letter serves as an acknowledgement of receipt of the aforementioned document by this Department.
3. Please note that this Department will consider the Basic Assessment Report in accordance with the prescribed timeframes and advise you accordingly.
4. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.
5. Please note that the activity must not be commenced with prior to an Environmental Authorisation being granted by this Department. It is prohibited in terms of Section 24F of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Failure to comply in terms of this prohibition will result in the matter being referred to the Environmental Law Enforcement Directorate of this Department for possible prosecution. A person convicted of an offence in terms of the above is

liable for a fine not exceeding R10 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

6. This Department reserves the right to revise or withdraw comments and request further information from you based on the information received.

Yours faithfully

pp/ J. Thabane

HEAD OF COMPONENT

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to: (1) Mr N. Hanekom/ Ms N. Loebenberg (Eco Impact Consulting (Pty) Ltd.) Fax: (021) 671 9976



PRE-APPLICATION REFERENCE NUMBER: 16/3/3/6/7/1/F1/14/2210/16
EIA REFERENCE NUMBER: 16/3/3/1/F1/14/2023/18
NEAS REFERENCE NUMBER: WCP/EIA/0000417/2018
ENQUIRIES: AYESHA HAMDULAY
DATE OF ISSUE: 2018 -10- 23

The Proponent
Kliphoek Rivier Oord
P O Box 168
VELDDRIF
7365

Attention: Mr. J. Kotzé

Tel.: (022) 783 0822

Email: kliphoekinfo@kliphoek.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF THE KLIPHOEK RIVER RESORT ON PORTION 1 OF FARM NO. 1196 AND FARM NO. 1196, VELDDRIF

1. With reference to the above application, this Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014 (as amended), you are hereby instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered Interested and Affected Parties ("I&APs") are provided with access to 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 Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

MR ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT – REGION 1

Copied to: (1) Mr. N. Hanekom/ Ms. N. Loebenberg (Eco Impact Consulting (Pty) Ltd.)

Fax: (021) 671 1660



PRE-APPLICATION REFERENCE NUMBER: 16/3/3/6/7/1/F1/14/2210/16
EIA REFERENCE NUMBER: 16/3/3/1/F1/14/2023/18
NEAS REFERENCE NUMBER: WCP/EIA/0000417/2018
ENQUIRIES: AYESHA HAMDULAY
DATE OF ISSUE: 2018 -10- 23

ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF THE KLIPHOEK RIVER RESORT ON PORTION 1 OF THE FARM NO. 1196 AND THE FARM NO. 1196, VELDDRIF

With reference to your application for the abovementioned, find below the outcome with respect to this application.

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 ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to the preferred Alternative that is described in the Basic Assessment Report ("BAR") received by this Department on 06 July 2018.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

Kliphoek Rivier Oord
C/O Mr J. Kotzé
P O Box 168
VELDDRIF
7365

Tel.: (022) 783 0822

Email: kliphoekinfo@kliphoek.co.za

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

B. LISTED ACTIVITIES AUTHORISED

Listed Activities	Project Description
<p>Item 12 of GN No. R.983 (as amended) <i>"The development of—</i></p> <ul style="list-style-type: none"> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i> <p><i>where such development occurs—</i></p> <ul style="list-style-type: none"> <i>(a) within a watercourse;</i> <i>(b) in front of a development setback; or</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</i> <p><i>excluding—</i></p> <ul style="list-style-type: none"> <i>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i> <i>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</i> <i>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</i> <i>(dd) where such development occurs within an urban area;</i> <i>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</i> <i>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared. "</i> 	<p>The development proposal entails the following infrastructure or structures with a total footprint of more than 100m² within 32m of the Berg River:</p> <ul style="list-style-type: none"> The development of nine (9) new jetties, of which one (1) jetty will have a deck. The expansion of an existing jetty. The upgrading and restoration of three (3) jetties on the same historical footprint. The development of a new lapa and braai facilities on an existing foundation.
<p>Item 17 of GN No. R.983 (as amended) <i>"Development—</i></p> <ul style="list-style-type: none"> <i>(i) in the sea;</i> 	<p>The development proposal entails the development of infrastructure or structures with a total footprint of more than 100m² within 32m</p>

<p>(ii) in an estuary;</p> <p>(iii) within the littoral active zone;</p> <p>(iv) in front of a development setback; or</p> <p>(v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</p> <p>in respect of—</p> <p>(a) fixed or floating jetties and slipways;</p> <p>(b) tidal pools;</p> <p>(c) embankments;</p> <p>(d) rock revetments or stabilising structures including stabilising walls; or</p> <p>(e) infrastructure or structures with a development footprint of 50 square metres or more —</p> <p>but excluding—</p> <p>(aa) the development of infrastructure and structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) the development of temporary infrastructure or structures where such structures will be removed within 6 weeks of the commencement of development and where coral or indigenous vegetation will not be cleared; or</p> <p>(dd) where such development occurs within an urban area."</p>	<p>of the Berg River.</p> <p>The development of nine (9) new jetties, of which one (1) jetty will have a deck.</p> <p>The expansion of an existing jetty.</p> <p>The upgrading and restoration of three (3) jetties on the same historical footprint.</p> <p>The development of a new lapa and braai facilities on an existing foundation.</p> <p>The development of five (5) new cottages.</p> <p>The development of a new boat storage area.</p> <p>The development of a new entertainment hall and ablution facility on an existing foundation.</p> <p>The development of new ablution facilities on an existing foundation.</p> <p>The development of approximately 16 camping stands of approximately 1.1ha.</p> <p>The conversion of the existing old quarry into a dam.</p> <p>The development of a BMX track of approximately 1.1ha.</p> <p>The development of a bird hide on the island and associated access trail to the trail.</p>
<p>Item 19 of GN No. R.983 (as amended)</p> <p>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this</p>	<p>The development proposal entails the removal or moving of more than 10m³ of material within the floodplain of the Berg River.</p> <p>The development of nine (9) new jetties, of which one (1) jetty will have a deck.</p> <p>The expansion of an existing jetty.</p> <p>The upgrading and restoration of three (3) jetties on the same historical footprint.</p> <p>The development of a bird hide on the island and associated access trail to the trail.</p>

<p>Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies."</p>	
<p>Item 19A of GN No R.983 (as amended)</p> <p>"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—</p> <p>(i) the seashore;</p> <p>(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; or</p> <p>(iii) the sea; —</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies."</p>	<p>The development proposal entails the removal or moving of more than 5m³ of material within the floodplain of the Berg River.</p> <p>The development of nine (9) new jetties, of which one (1) jetty will have a deck.</p> <p>The expansion of an existing jetty.</p> <p>The upgrading and restoration of three (3) jetties on the same historical footprint.</p> <p>The development of a bird hide on the island and associated access trail to the trail.</p>
<p>Item 28 of GN No R.983 (as amended)</p> <p>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger</p>	<p>The development proposal entails the development of infrastructure or structures with a total footprint of more than 100m² within 32m of the Berg River.</p> <p>The development of a new lapa and braai facilities on an existing foundation.</p> <p>The development of five (5) new cottages.</p>

<p>than 5 hectares; or</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes."</p>	<p>The development of a new boat storage area.</p> <p>The development of a new entertainment hall and ablution facility on an existing foundation.</p> <p>The development of new ablution facilities on an existing foundation.</p> <p>The development of approximately 16 camping stands covering approximately 1.1ha.</p> <p>The conversion of the existing old quarry into a dam.</p> <p>The development of a BMX track of approximately 1.1ha.</p>
<p>Item 48 of GN No. R.983 (as amended) "The expansion of—</p> <p>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</p> <p>(ii) dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more;</p> <p>where such expansion occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding—</p> <p>(aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such expansion activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such expansion occurs within an urban area; or</p> <p>(ee) where such expansion occurs within existing roads, road reserves or railway</p>	<p>The development proposal entails the expansion of infrastructure or structures with a total footprint of more than 100m² within 32m of the Berg River.</p> <p>The development of nine (9) new jetties, of which one (1) jetty will have a deck.</p> <p>The expansion of an existing jetty.</p> <p>The upgrading and restoration of three (3) jetties on the same historical footprint.</p> <p>The development of a bird hide on the island and associated access trail to the trail.</p>

<p>line reserves."</p>	
<p>Item 54 of GN No. R.983 (as amended) <i>"The expansion of facilities—</i> <i>(i) in the sea;</i> <i>(ii) in an estuary;</i> <i>(iii) within the littoral active zone;</i> <i>(iv) in front of a development setback; or</i> <i>(v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</i> <i>in respect of—</i> <i>(a) fixed or floating jetties and slipways;</i> <i>(b) tidal pools;</i> <i>(c) embankments;</i> <i>(d) rock revetments or stabilising structures including stabilising walls; or</i> <i>(e) infrastructure or structures where the development footprint is expanded by 50 square metres or more,</i> <i>but excluding—</i> <i>(aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i> <i>(bb) where such expansion occurs within an urban area."</i></p>	<p>The development proposal entails the expansion of infrastructure or structures with a total footprint of more than 50m² within 100m of the Berg River.</p> <p>The development of nine (9) new jetties, of which one (1) jetty will have a deck.</p> <p>The expansion of an existing jetty.</p> <p>The upgrading and restoration of three (3) jetties on the same historical footprint.</p> <p>The development of a bird hide on the island and associated access trail to the trail.</p>
<p>Item 14 of GN No R.985 (as amended) <i>"The development of—</i> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</i> <i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</i> <i>where such development occurs—</i> <i>(a) within a watercourse;</i> <i>(b) in front of a development setback; or</i> <i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i> <i>excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</i></p>	<p>The development proposal entails the development of infrastructure or structures with a total footprint of more than 10m² within 32m of the Berg River.</p> <p>The development of nine (9) new jetties, of which one (1) jetty will have a deck.</p> <p>The expansion of an existing jetty.</p> <p>The upgrading and restoration of three (3) jetties on the same historical footprint.</p> <p>The development of a new lapa and braai facilities on an existing foundation.</p> <p>The development of a bird hide on the island and associated access trail to the trail.</p>

<p>i. Western Cape</p> <p>i. Outside urban areas:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Sites or areas listed in terms of an international convention;</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(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."</p>	
<p>Item 17 of GN No R.985 (as amended) <i>"The expansion of a resort, lodge, hotel, tourism or hospitality facilities where the development footprint will be expanded and the expanded facility can accommodate an additional 15 people or more.</i></p> <p>i. Western Cape</p> <p>i. Inside a protected area identified in terms of NEMPAA;</p> <p>ii. Outside urban areas:</p> <p>(aa) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</p> <p>(bb) Within 5km from national parks, world heritage sites, areas identified in terms of</p>	<p>The development proposal entails the expansion of the existing Kliphoek Resort.</p> <p>The development of nine (9) new jetties, of which one (1) jetty will have a deck.</p> <p>The expansion of an existing jetty.</p> <p>The upgrading and restoration of three (3) jetties on the same historical footprint.</p> <p>The development of a new lapa and braai facilities on an existing foundation.</p> <p>The development of five (5) new cottages.</p> <p>The development of a new boat storage area.</p>

<p style="text-align: center;"><i>NEMPAA or from the core area of a biosphere reserve;</i></p> <p style="text-align: center;">-</p> <p><i>excluding the conversion of existing buildings where the development footprint will not be increased."</i></p>	<p>The development of a new entertainment hall and ablution facility on an existing foundation.</p> <p>The development of new ablution facilities on an existing foundation.</p> <p>The development of approximately 16 camping stands of approximately 1.1ha.</p> <p>The conversion of the existing old quarry into a dam.</p> <p>The development of a BMX track of approximately 1.1ha.</p> <p>The development of a bird hide on the island and associated access trail to the trail.</p>
<p>Item 23 of GN No R.985 (as amended) <i>"The expansion of—</i></p> <p><i>(i) dams or weirs where the dam or weir is expanded by 10 square metres or more;</i> <i>or</i></p> <p><i>(ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;</i> <i>where such expansion occurs—</i></p> <p><i>(a) within a watercourse;</i> <i>(b) in front of a development setback adopted in the prescribed manner; or</i> <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><i>excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</i></p> <p>i. Western Cape</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><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(cc) World Heritage Sites;</i></p> <p><i>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5</i></p>	<p>The development proposal entails the expansion of infrastructure or structures with a total footprint of more than 10m² within 32m of the Berg River.</p> <p>The conversion of the existing old quarry into a dam.</p>

<p style="text-align: center;"><i>of the Act and as adopted by the competent authority;</i></p> <p>(ee) <i>Sites or areas listed in terms of an international convention;</i></p> <p>(ff) <i>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p>(gg) <i>Core areas in biosphere reserves; or</i></p> <p>(hh) <i>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>	
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The abovementioned activities are hereinafter referred to as **"the listed activities"**.

The holder is herein authorised to undertake the following alternative that includes the listed activities relating to the development proposal:

The expansion of the existing Kliphoek River Resort situated approximately 5.5km from Velddrif on the southern bank of the Berg River alongside the Berg River Estuary. The development proposal includes both expansion and development activities as new infrastructure and structures are proposed in addition to the expansion of the existing resort facilities and associated infrastructure on Portion 1 of Farm No. 1196 and on Farm No. 1196, Velddrif.

The expansion of the existing Kliphoek River Resort with a total development footprint of 2.4ha and entails the following:

- The development of nine (9) new floating jetties anchored to the banks of the Berg River with a total footprint of approximately 90m², of which one (1) floating jetty will have a deck and another existing floating jetty will be expanded.
- The upgrading and restoration of three (3) floating jetties anchored to the banks of the Berg River with a footprint of approximately 30m² on the same historical footprint.
- The development of a new lapa and braai facilities with a footprint of approximately 120m² on an existing foundation.
- The development of five (5) new cottages with a footprint of approximately 200m².
- The development of a new boat storage area with a footprint of approximately 0.2ha.
- The development of a new entertainment hall and ablution facility with a footprint of approximately 0.1ha on an existing foundation.
- The development of new ablution facilities with a footprint of approximately 200m² on an existing foundation.
- The development of approximately 16 camping stands covering approximately 1.1ha.
- The conversion of the existing old quarry into a dam.
- The development of a BMX track with a footprint of approximately 1.1ha.
- The development of an elevated bird hide on stilts with a footprint of approximately 20m² which will be accessed from an existing hiking trail on the island.

- Electricity will be supplied by ESKOM.
- Closed septic tanks will be installed at the back of the proposed cottages above the 5m mean sea level ("amsl") contour. The septic tanks will be five in number and will each be of 5m³ capacity.
- Water will be supplied by the local Municipality.
- Solid waste will be collect by the local Municipality and disposed of accordingly.
- An existing access road will be utilised to gain access to the site.

C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Portion 1 of the Farm No. 1196 and on the Farm No. 1196, Velddrif.

The SG 21 digit codes are: C046000000011960000001
 C046000000011960000000

The co-ordinates for the properties are given below:

Property	Latitude (S)	Longitude (E)
Portion 1 of the Farm No. 1196, Velddrif	32° 49' 53.54"	18° 12' 48.66"
Farm No. 1196, Velddrif	32° 49' 52.22"	18° 12' 30.29"

Refer to Annexure 1: Locality Plan(s).

Refer to Annexure 2: Site Map(s).

The above property is hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Eco Impact Legal Consulting (Pty) Ltd
C/O Mr Nicolaas Hanekom
P O Box 45070
CLAREMONT
7735

Tel.: (021) 671 1660

Fax: (086) 671 9976

E. CONDITIONS OF ENVIRONMENTAL AUTHORISATION

Scope of Authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred alternative described in Section B above.
2. The holder must commence with the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the Competent Authority.

3. This Environmental Authorisation is granted for–
 - 3.1. A period of five (5) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - 3.2. A period of ten (10) years, from the date the holder commenced with the authorised listed activities, during which period the authorised listed activities for the development phase, must be concluded.
4. The listed activities that have been authorised must only be carried out on the site described in Section C above in terms of the approved Environmental Management Programme ("EMPr").
5. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including an implementing agent, sub-contractor, employee or any person rendering a service to the holder.
6. Any changes to, or deviations from the scope of the alternative described in section B above must be approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether or not to grant such approval, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Written Notice to the Competent Authority

7. A written notice of seven (7) calendar days must be given to the Competent Authority before construction work can be commenced with.
 - 7.1. The notice must make clear reference to the site details and EIA Reference number given above.
 - 7.2. The notice must include proof of compliance with the following conditions described herein:

Conditions: 8, 13 and 22

Notification of Environmental Authorisation and Administration of Appeal

8. The holder must in writing, within fourteen (14) calendar days of the date of this decision–
 - 8.1. notify all registered Interested and Affected Parties ("I&APs") of –
 - 8.1.1. the decision reached on the application;
 - 8.1.2. the reasons for the decision as included in Annexure 3;
 - 8.1.3. the date of the decision; and
 - 8.1.4. the date when the decision was issued.
 - 8.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
 - 8.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 8.4. provide the registered I&APs with the:
 - 8.4.1. name of the holder (entity) of this Environmental Authorisation,
 - 8.4.2. name of the responsible person for this Environmental Authorisation,
 - 8.4.3. postal address of the holder,
 - 8.4.4. telephone and fax details of the holder,
 - 8.4.5. e-mail address, if any, of the holder,

- 8.4.6. 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 Appeals Regulations, 2014 (as amended).

Commencement

9. The listed activities, including site preparation, must not be commenced with within twenty (20) calendar days from the date the applicant notified the registered I&APs of this decision.
10. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided.

Management of Activities

11. The EMPr (submitted with the BAR to this Department on 06 July 2018) is hereby approved and must be implemented.
12. The EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

13. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before the listed activities can be commenced with, to ensure compliance with the EMPr and the conditions contained herein.
14. A copy of the Environmental Authorisation, EMPr, ECO reports, audit reports and compliance monitoring reports must be kept at the contractor's site office, and must be made available to anyone on request.
15. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see the reports for the purposes of assessing and/or auditing compliance with the conditions contained herein.

Auditing

16. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr and submit Environmental Audit Reports to the Competent Authority. The Audit Reports must be prepared by an independent person and must contain all the information required in Appendix 7 of the EIA Regulations, 2014 (as amended).

The holder must appoint an independent environmental auditor to undertake an environmental audit twice a year and submit Environmental Audit Reports to the Competent Authority within one calendar month of undertaking the environmental audits until the completion of the authorised development. The first environmental audit must be undertaken within three (3) months of the authorised listed activities being commenced with. The final Environmental Audit Report must be submitted to the Competent Authority within one calendar month of the final environmental audit being undertaken.

The holder must, within seven (7) calendar days of the submission of the Audit Report to the Competent Authority, notify all potential and registered I&APs of the submission and make the Audit Report available to anyone on request.

Specific Conditions

17. Should any heritage remains be exposed during excavations or any other actions on the site, this must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

18. A qualified archaeologist and/or paleontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
19. The impacted areas must be re-vegetated with indigenous vegetation within three (3) months after completion of construction activities. Rehabilitated areas must be irrigated if required.
20. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed.
21. The holder of the Environmental Authorisation must ensure that adequate training is provided in the appropriate language to all on-site personnel, to help ensure that the conditions of the Environmental Authorisation are complied with and the EMPr requirements are met.
22. The exact boundary of the development footprint must be clearly demarcated before the authorised listed activities can be commenced with. All construction work must, as far as possible, be limited to within the authorised development footprint.
23. The positioning on the proposed jetties must consider tidal influences and high flows in the Berg River Estuary. Additionally, the type of materials used in construction must avoid making use of harmful chemical finishes and wood preservatives. Care must be taken in terms of sedimentation due to the reduction of flow velocities during the periods to avoid these jetties impeding the river flow. Design and placement of jetties around inlets must take into account multiple hydraulic conditions such as, *inter alia*, tidal prism, channel dimensions, storm-surge influence and wind induced currents.
24. Prior to departure/closure from the site, the contractor must ensure that all rubble, debris, cement deposits/residue, effluent, wash-off, building materials, builder's infrastructure, signage, machinery etc., associated with the development proposal and contractors' camp site are removed and the affected areas are cleaned appropriately.

F. GENERAL MATTERS

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a Condition of this Environmental Authorisation or EMPr may render the holder liable for criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be lodged with the Competent Authority.
4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.
5. Please note that an amendment of the Environmental Authorisation is not required for a change in the contact details of the holder. In such a case, the Competent Authority must only be notified of such changes.
6. The manner and frequency for updating the EMPr must be as follows:
 - 6.1. Amendments to the EMPr must be made in accordance with Regulations 35 to 37 of GN No. R. 982 (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

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

1. An appellant (if the holder of the decision) must, within twenty (20) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 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 twenty (20) 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 twenty (20) calendar days from the date of receipt of the appeal submission.

4. The appeal and the responding statement must be submitted to the address listed below:
- By post: 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 Jaap de Villiers (Tel.: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority at the address listed above and/ or via e-mail to Jaap.DeVilliers@westerncape.gov.za.

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

H. 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 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 greatly appreciated.

Yours faithfully



MR ZAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT – REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 23/10/2018

Copied to: (1) Mr. N. Hanekom/ Ms. N. Loebenberg (Eco Impact Legal Consulting (Pty) Ltd.)

Fax: (021) 671 1660

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER:

16/3/3/1/F1/14/2023/18

NEAS EIA REFERENCE NUMBER:

WCP/EIA/0000417/2018

ANNEXURE 1: LOCALITY PLAN

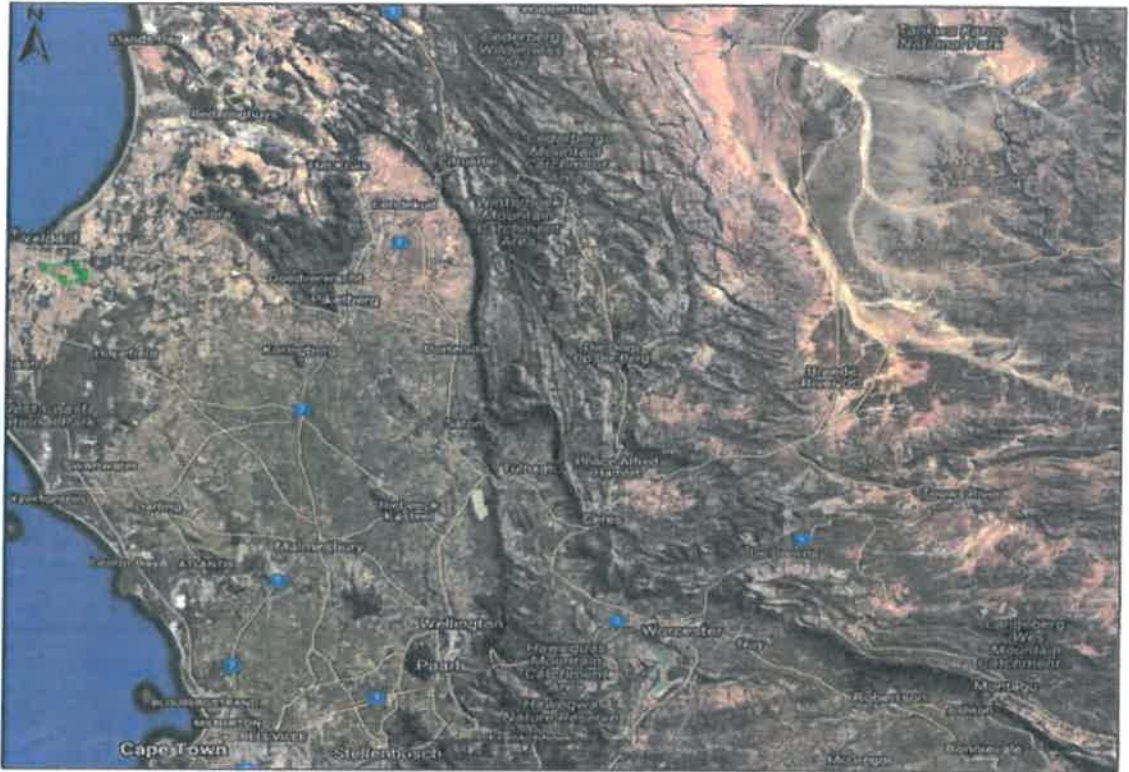


Figure 1: Locality of Kliphoek Rivieroord on the West Coast



Figure 2: Kliphoek Rivieroord locality along the Berg River.

ANNEXURE 2: SITE MAPS



SITE DEVELOPMENT PLAN: FARM KLIPHOEK No. 1196

NOTES:

- | | |
|--|--|
| <p>A. Existing Camping Ground (8 camp sites)</p> <p>B. Existing Dwelling</p> <p>C. Existing Dwelling to be renovated into 4 units</p> <p>D. 11 Existing dwellings and 5 existing foundations (5 dwellings to be constructed on existing foundations).</p> <p>E. Existing building & tennis court (to be renovated into restaurant and conference facility).</p> <p>F. Existing building (to be renovated into events facility).</p> <p>G. Existing Vlo veldhuise</p> <p>H. Existing Jetties</p> <p>I. Existing Jetties (which need restoration)</p> <p>J. Existing Slipway/Boat launching facility</p> <p>K. Existing access to hiking trail and bird watching area</p> <p>L. Hiking trail</p> | <p>M. Existing Dwelling (to be renovated).</p> <p>N. Existing Dwelling (to be renovated for exhibition facility and entertainment hall).</p> <p>O. Existing Lapa (to be restored).</p> <p>1. Proposed recreational area</p> <p>2. Proposed dam in existing gravel quarry</p> <p>3. Proposed New camping ground (20 camp sites and 8 caravan stands)</p> <p>4. Proposed bicycle trail</p> <p>5. Proposed Boat storage facility</p> <p>6. Newly proposed Jetties</p> <p>7. Newly proposed Bird hide</p> <p>8. 5 Newly proposed Dwellings</p> |
|--|--|

*All jetties placed according to GPS coordinates

SCALE:



PHYSICAL ADDRESS:

FARM KLIPHOEK No 1196 PIKETBERG RD

NOTE:

ALL AREAS AND DISTANCES ARE SUBJECTED TO SURVEYING

COMPILED BY:



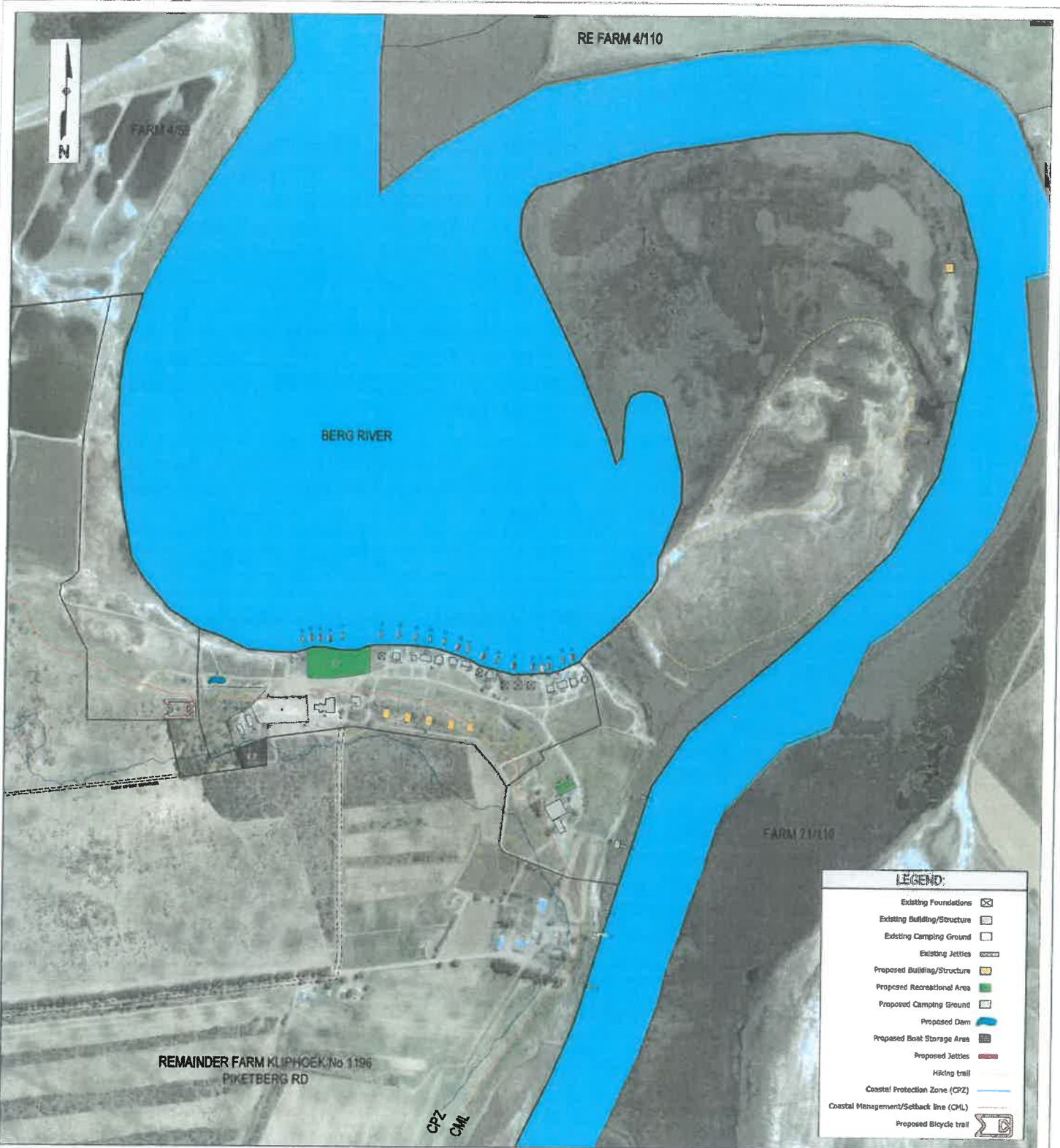
C.K. RUMBOLL & VENNOTE
TOWN PLANNERS
PROFESSIONAL SURVEYORS
16 RAINIER STREET, MALMESBURY
Tel: 022 - 4821845
Fax: 022 - 4871861
Email: leap@rumboll.co.za

DATE:
OCTOBER 2017

REF:
VEL/9353/AC/NG

AUTHORITY:
BERGRIVIER
MUNICIPALITY

PROPERTY COORDINATES:
Lat: -32.830078 | Lon: 18.222058



SITE DEVELOPMENT PLAN: FARM KLIPHOEK No. 1196

NOTES:

- | | |
|---|--|
| <p>A. Existing Camping Ground (8 camp sites)</p> <p>B. Existing Dwelling</p> <p>C. Existing Dwelling to be renovated into 4 units</p> <p>D. 13 Existing dwellings and 5 existing foundations (5 dwellings to be constructed on existing foundations).</p> <p>E. Existing building & tennis court (to be renovated into restaurant and conference facility).</p> <p>F. Existing building (to be renovated into events facility).</p> <p>G. Existing Vsa vlekhuts</p> <p>H. Existing Jetties</p> <p>I. Existing Jetties (which need restoration)</p> <p>J. Existing Slipway/Boat launching facility</p> <p>K. Existing access to hiking trail and bird watching area</p> <p>L. Hiking trail</p> | <p>M. Existing Dwelling (to be renovated).</p> <p>N. Existing Dwelling (to be renovated for ablation facility and entertainment hall).</p> <p>O. Existing Lapa (to be restored).</p> <p>1. Proposed recreational area</p> <p>2. Proposed dam in existing gravel quarry</p> <p>3. Proposed New camping ground (20 camp sites and 8 caravan stands)</p> <p>4. Proposed bicycle trail</p> <p>5. Proposed Boat storage facility</p> <p>6. Newly proposed Jetties</p> <p>7. Newly proposed Bird hide</p> <p>8. 5 Newly proposed Dwellings</p> |
|---|--|
- *All jetties placed according to GPS coordinates



PHYSICAL ADDRESS:
FARM KLIPHOEK No 1196 PIKETBERG RD

NOTE:
ALL AREAS AND DISTANCES ARE SUBJECT TO SURVEYING

COMPILED BY:

C.K. RUMBOLL & VENNOTE
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DATE:
OCTOBER 2017

AUTHORITY:
BERGRIVIER
MUNICIPALITY

REF:
VEL/9353/AC/NG

PROPERTY COORDINATES:
Lat: -32.630076 | Long: 18.212058

ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, *inter alia*, the following:

- a) The information contained in the Application Form received by this Department on 17 April 2018, and the EMPr submitted together with the BAR on 06 July 2018;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and the responses thereto, included in the BAR;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) No site visit was conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

1. Public Participation

The Public Participation Process ("PPP") undertaken during the pre-application and formal EIA application process:

- Fixing a site notice at a place conspicuous to and accessible by potential I&APs from 03 February 2017;
- Giving written notification to potential I&APs to provide comment on the development proposal on 03 February 2017;
- Advertisements were placed in the 'Westlander' on 09 February 2017;
- and
- Making the pre-application BAR available for a commenting period of 30 days.
- Copies of the consultation BAR were provided to representatives of the relevant State Departments and other Organs of State for their review and comment.
- A copy of the consultation BAR was submitted to the Competent Authority to request comment as is required in terms of Regulations 32(a)(aa) and (bb) and 40(3) of GN R.982 (as amended).

The following authorities were provided with an opportunity to comment on the development proposal:

- CapeNature;
- BirdLife South Africa;
- Heritage Western Cape;
- Berg River Local Municipality;
- The West Coast District Municipality;
- Western Cape Government: Agriculture;
- The National Department of Water and Sanitation;
- This Department's Directorate: Waste Management; and
- This Department's Directorate: Pollution and Chemicals Management.

The EAP adequately responded to the comments made on the BAR by, *inter alia*, making reference to relevant provisions in the EMPr, specialist recommendations contained in the specialist reports appended to the BAR and the mitigation hierarchy used to address potential impacts. Where impacts could not altogether be avoided, they will be mitigated to acceptable levels.

2. Alternatives

The layout/design alternatives considered are two in number. Initially the proposed BMX track was approximately 2.4ha and located within a sensitive area in close proximity to the banks of the Berg River. Additionally, two camp sites were proposed. The one camp site had a footprint of approximately 1.6ha and the other camp site was situated within a sensitive area along the eastern edge of the Berg River.

Subsequent to input from specialists and relevant authorities, changes were made to the applicant's preferred layout alternative in order to avoid sensitive areas. To this end, the proposed BMX track was reduced to approximately 1.1ha and shifted next to the proposed camp site on ploughed agricultural land. Additionally, the footprint of the proposed camp site was reduced to approximately 1.1ha and the other proposed camp site that was situated within a sensitive area along the eastern edge of the Berg River is no longer included in the applicant's preferred alternative. Furthermore, the five (5) proposed cottages shifted further east away from sensitive areas. The development proposal will tie in with existing facilities, avoiding sensitive areas and was therefore deemed feasible and reasonable.

Preferred Alternative (Herewith Authorised)

The expansion of the existing Kliphoek River Resort situated approximately 5.5km from Velddrif on the southern bank of the Berg River alongside the Berg River Estuary. The development proposal includes both expansion and development activities as new infrastructure and structures are proposed in addition to the expansion of the existing resort facilities and associated infrastructure on Portion 1 of Farm No. 1196 and on Farm No. 1196, Velddrif.

The expansion of the existing Kliphoek River Resort with a total development footprint of 2.4ha and entails the following:

- The development of nine (9) new floating jetties anchored to the banks of the Berg River with a total footprint of approximately 90m², of which one (1) floating jetty will have a deck and another existing floating jetty will be expanded.
- The upgrading and restoration of three (3) floating jetties anchored to the banks of the Berg River with a footprint of approximately 30m² on the same historical footprint.
- The development of a new lapa and braai facilities with a footprint of approximately 120m² on an existing foundation.
- The development of five (5) new cottages with a footprint of approximately 200m².
- The development of a new boat storage area with a footprint of approximately 0.2ha.
- The development of a new entertainment hall and ablution facility with a footprint of approximately 0.1ha on an existing foundation.
- The development of new ablution facilities with a footprint of approximately 200m² on an existing foundation.
- The development of approximately 16 camping stands covering approximately 1.1ha.
- The conversion of the existing old quarry into a dam.
- The development of a BMX track with a footprint of approximately 1.1ha.
- The development of an elevated bird hide on stilts with a footprint of approximately 20m² which will be accessed from an existing hiking trail on the island.
- Electricity will be supplied by ESKOM.
- Closed septic tanks will be installed at the back of the proposed cottages above the 5m mean sea level ("amsl") contour. The septic tanks will be five in number and will each be of 5m³ capacity.
- Water will be supplied by the local Municipality.
- Solid waste will be collect by the local Municipality and disposed of accordingly.
- An existing access road will be utilised to gain access to the site.

No-Go Alternative

The No-Go option means maintaining the status quo by continuing to utilise the existing Kliphoek Rive Resort without expanding on the resort facilities. The need to expand the existing Kliphoek River Resort was informed by the operations of the resort over several years. The holder of this Environmental Authorisation will not be able to realize the full economic potential of his property should the existing Kliphoek River Resort not be expanded.

3. Key Factors Affecting the Decision

In reaching its decision to grant authorisation for the development proposal, this Department took into account the following:

3.1 Need and Desirability

The site for the expansion of the Kliphoek River Resort is situated within an area already developed and rezoned for resort purposes. The need to expand the existing Kliphoek River Resort was informed by the operations of the resort over several years. The proposed expansion of the existing Kliphoek River Resort will cater for higher numbers of tourists.

3.2 Site and Surrounds

All proposed infrastructure and structures, with the exception of the proposed jetties and bird hide, will be situated outside of the 1:100 year floodline as well as the 5m amsl contour line. The proposed jetties and bird hide are situated within an aquatic estuarine Critically Biodiversity Area. The site is approximately 5km south of Velddrif on the southern bank of the Berg River along the Berg River Estuary.

The Berg River Estuary has a tidal influence measurable up to approximately 70km inland from the mouth. The Berg River Estuary is one of only three permanently open estuaries on the west coast with a total area of 61km². The extensive floodplains, extensive dry pans, tidal flats and marsh areas in the middle and upper reaches of the system and the estuary's shallow gradient makes the Berg River Estuary unique in relation to most South African estuaries.

The estuary is considered one of the most important estuaries in South Africa in terms of conservation value as the Berg River Estuary has been identified as an Important Bird Area ("IBA"), and is also considered to be of high national conservation importance for estuarine fish, invertebrates and vegetation.

Anthropogenic threats to the system include water abstraction at the four major dams within the Berg River Estuary catchment, agricultural and urban encroachment specifically in terms of changes in hydrodynamics and water quality, frequency and intensity of the flooding of the Berg River Estuary's floodplain and the reduction of natural vegetation within the floodplain.

3.3 Biodiversity and Freshwater Impacts

The Berg River Estuary meets the ocean at St Helena Bay, a region that is characterized by the upwelling of colder nutrient-rich deep water of the Benguela Current System. The Berg River Estuary has a permanently open mouth that was canalised in the late 1960s in an attempt to develop the estuary into a fishing harbor and presently ensures a relatively unconstructed exchange of water between the Berg River Estuary and the ocean.

A consequence of this stabilised mouth is a strong tidal current in the lower and middle reaches of the Berg River Estuary. Sediment in the lower reaches is found to be extremely

soft and indicative of a high percentage of fine sediment particles and high organic content.

The Kliphoek River Resort vegetation includes supratidal salt marsh, and reed and sedge marsh areas. The eastern and south eastern proposed development area where existing jetties are to be restored is characterised by low gradients and extensive beds of *Phragmites australis*, which form persistent and dense monospecific stands that outcompete other indigenous species associated with the Berg River Estuary and encroaches into the open water.

In terms of benthic invertebrates, the site is dominated by the polychaetes *Capitella capitata*, *Desdemona ornata*, *Ceratonereis erythraeensis*, Anomuran *Callianassa kraussi* and the amphipod *Grandidierella lutosa*. Although the numbers of fish species present in west coast estuaries are low, they do represent 79 percent of the total West Coast inshore fish community, many of which are endemic to southern Africa and some of which are considered threatened.

Fish

Marine migrant fish species in the Berg River Estuary are mostly represented by juveniles. Approximately 127 passerine and non-passerine species have been recorded in the Berg River Estuary and associated floodplain. The area is host to significant populations of several threatened bird species, including the African marsh harrier, Caspian tern, lesser flamingo, black harrier, African black oystercatcher, eastern white pelican, cape cormorant, greater flamingo, greater painted snipe and chestnut-banded plover.

Waders are particularly attracted to the floodplain pans and artificial salt pans as their water levels drop, feeding on the newly exposed shorelines and shallow water. The Kliphoek River Resort is considered a very important winter feeding ground for wading birds and waterfowl. As such, the Berg River Estuary is considered to be of top priority in terms of its overall biodiversity conservation importance.

Birds

Since 1975, approximately 250 bird species have been recorded on and adjacent to the lower Berg River Estuary, of which 127 are water birds. The most important habitats for foraging birds are the estuarine mudflats and ephemeral floodplain pans, while for breeding the riparian marshes and the commercial salt pans are key. On average, more than 12 000 non-passerine water birds populate the estuary during summer and 6 000 non-passerine water birds during winter. In combination, the Berg River Estuary and floodplain regularly support more than 20 000 birds.

IBA trigger species

Globally threatened species are the Cape Cormorant (maximum 1 787 individuals), Crowned Cormorant (maximum 70 individuals), Lesser Flamingo, African Black Oystercatcher, Black Harrier *Circus Maurus* and Chestnut-banded Plover.

Regionally threatened species are Greater Flamingo, Great White Pelican, Caspian Tern, African Marsh Harrier, Lanner Falcon *Falco biarmicus* and Greater Painted-snipe. Biome-restricted species common in the IBA include Cape Spurfwowl *Pternistis capensis* and Cape Bulbul *Pycnonotus capensis*, while Karoo Lark *Calendulauda albescens* is locally common.

Red-knobbed Coot (maximum 1 400 individuals) meets the 1% or more congregatory threshold, and African Spoonbill and Chestnut-banded Plover meet the 0.5% or more congregatory threshold. Species that have not met the 1% or more threshold but should be kept on probation and reviewed in future assessments are Cape Shoveler, Kittlitz's Plover, Curlew Sandpiper, Pied Avocet, Kelp Gull, Hartlaub's Gull, Swift Tern, Sandwich Tern *Thalasseus sandvicensis* and White-winged Tern *Chlidonias leucopterus*. Species that should be reviewed for the 0.5% or more threshold are Great Crested Grebe, Black-necked Grebe, Little Stint and South African Shelduck.

The findings of the Estuarine Specialist's impact assessment indicate that the relatively small sections of riparian vegetation that may be lost during the construction phase of the development proposal are represented elsewhere in the greater Berg River Estuary and are not unique in terms of species composition, biomass or abundance when compared to the rest of the area. Furthermore, it is noteworthy that the site is already moderately disturbed by ongoing tourism and recreational activities of the existing Kliphoek River Resort. Whilst some artificial hard-substratum will be lost during the construction phase, the construction of the proposed new jetties will create new habitat that will be colonised by marine invertebrates shortly after construction.

The impacts of the development proposal on the Berg River Estuary and associated fish and bird species are either of 'low', 'very low' or 'insignificant' significance with the implementation of mitigation measures proposed by the estuarine specialist and included in the EMPr.

3.4 Heritage Resources

It is confirmed in correspondence from Heritage Western Cape dated 03 August 2017, that no heritage impact assessment is required, as the site has no heritage significance.

Additionally, the applicant will comply with Conditions 17 and 18 of this Environmental Authorisation. This will help to ensure the protection of any heritage resources that may be encountered on the site.

3.5 Dust and Noise Impacts

The applicant is required to implement the dust and noise control measures contained in the EMPr. The implementation of these measures will help to ensure that the potential dust and noise impacts of the development proposal are adequately mitigated.

3.6 Socio-economic

The proposed development will allow for the creation of some temporary and permanent employment opportunities during the development and operational phases as well as skills acquisition.

The development proposal will therefore somewhat alleviate unemployment in the area.

The proposed development will result in both negative and positive impacts.

The twelve (12) potential environmental impacts assessed by the estuarine specialist ranged from habitat loss to operational effects. Of these twelve (12) impacts, five (5) were of 'insignificant' significance rating and do not require mitigation. A single impact (the generation and disposal of waste) was rated as having 'medium' significance, but the significance rating was reduced to 'very low' after mitigation. No impact was rated as 'high'. The implementation of mitigation measures is expected to reduce these significance ratings to 'very low' or 'insignificant'.

Negative impacts include:

- Disturbance to or alteration of soft sediment estuarine habitat;
- Temporary loss of artificial wood/concrete habitat;
- Movement of contaminants in terrestrial sediments through construction activities and subsequent run-off into the estuary;
- Movement of sediment in the water column;
- Clearing of some vegetation (including intact vegetation, ecologically important species and species of conservation concern);
- Inhibition of ecological processes associated with the loss of intact vegetation, ecologically important species and species of conservation concern;
- Generation and disposal of waste;
- Altered quay design affecting hydrodynamics and sediment movement;
- Increased foot and vessel traffic will disturb sensitive biota;
- Increased noise and vibration; and
- Possible spillage of hazardous substances.

The Competent Authority took into consideration the abovementioned negative impacts and although some impacts cannot altogether be prevented/avoided, they can be mitigated/reduced to acceptable levels.

Positive impacts include:

- The proposed development will create some temporary employment opportunities during the development phase, thereby alleviating unemployment in the area to a certain extent.

4. National Environmental Management Act, 1998 (Act No. 107 of 1998) Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures; and
- the selection of the best practicable environmental option.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the undertaking of the listed activities can be mitigated to acceptable levels.

-----END-----

