



NOTICE OF INTENT TO SUBMIT AN APPLICATION FOR AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION

for

MOQUINI BEACH APARTMENTS

on

Erf 14796 Dana Bay

In terms of the

National Environmental Management Act (Act No. 107 of 1998, as amended) & 2014 Environmental Impact Regulations



Applicant: Moquini Beach Hotel (Pty) Ltd)

Date: 9 April 2026

Author of Report:

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Report Reference:

MOS084b/01

Department Reference:

EG12/2/3/1-D6/27-454/06 Erf 14796 Mossel Bay

Case Officer:

TBC

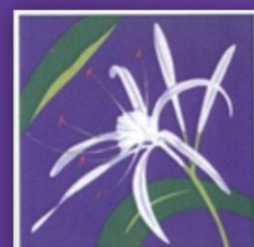
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PURPOSE OF THIS REPORT:

Review by competent authority

APPLICANT:

Moquini Beach Hotel (Pty) Ltd

CAPE EAPRAC REFERENCE NO:

MOS084b/03

SUBMISSION DATE

09 April 2026

NOTICE OF INTENT TO SUBMIT AN APPLICATION FOR AMENDMENT OF ENVIRONMENTAL AUTHORISATION

in terms of the
National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended &
Environmental Impact Regulations 2014

MOQUINI BEACH APARTMENTS

Erf 14796 Dana Bay

Submitted for:

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17 Progress Street
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ORDER OF REPORT

| | | | | |
|--------------------|---|------|-----|-----|
| Appendix A: | Specific Fee Reference Number | ✓YES | NO | N/A |
| Appendix B: | Consent Form - Landowner¹ | YES | ✓NO | N/A |
| Appendix C: | EA Holder's Endorsement Form | YES | ✓NO | N/A |
| Appendix D: | Screening Tool Report | ✓YES | NO | N/A |
| Appendix E: | Site Sensitivity Verification Report | ✓YES | NO | N/A |
| Appendix F: | Notice of Intent to Develop (NID) from Heritage Western Cape² | YES | ✓NO | N/A |
| Appendix G: | Existing approval(s)³ | ✓YES | NO | N/A |
| Appendix H: | Locality map (at scale of 1: 50 000 or less, including a KMZ File) | ✓YES | NO | N/A |
| Appendix I: | Site Development Plan / Map (including Shape Files) | ✓YES | NO | N/A |
| Appendix J: | Zoning map | ✓YES | NO | N/A |
| Appendix K: | Application Project Plan⁴ | YES | ✓NO | N/A |
| Appendix L: | Proposed Public Participation Process | ✓YES | NO | N/A |
| Appendix M | Any other attachments must be included as subsequent appendices. | | | |
| Appendix M1 | Approved Site Development Plan | ✓YES | NO | N/A |
| Appendix M2 | Proposed Site Development Plan | ✓YES | NO | N/A |
| Appendix M3 | Confirmation of Commencement. | ✓YES | NO | N/A |

¹ The applicant is the landowner and as such landowner consent is not required.

² This will form part of the Application Form

³ This includes the Environmental Authorisation and Approval of the EMPr and Site Development Plan

⁴ The project plan will be submitted with the application form.

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**Western Cape
Government**

Department of Environmental Affairs and
Development Planning

NOTICE OF INTENT FORM

Notice of intent to submit an application in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2014 for:

1. An Environmental Authorisation;
2. The Amendment of a valid Environmental; and
3. Authorisation or Amendment of an approved Environmental Management Programme

APRIL 2024

| DEPARTMENTAL DETAILS | |
|---|--|
| CAPE TOWN OFFICE: DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 1) (City of Cape Town, West Coast District, Cape Winelands District & Overberg District) | GEORGE REGIONAL OFFICE: DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 3) (Central Karoo District & Garden Route District) |
| <p>The completed Form must be sent via electronic mail to: DEADPEIAAdmin@westerncape.gov.za</p> <p>Queries should be directed to the Directorate: Development Management (Region 1) at: E-mail: DEADPEIAAdmin@westerncape.gov.za Tel: (021) 483-5829</p> <p>Western Cape Government Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 1) Private Bag X 9086 Cape Town, 8000</p> | <p>The completed Form must be sent via electronic mail to: DEADPEIAAdmin.George@westerncape.gov.za</p> <p>Queries should be directed to the Directorate: Development Management (Region 3) at: E-mail: DEADPEIAAdmin.George@westerncape.gov.za Tel: (044) 814-2006</p> <p>Western Cape Government Department of Environmental Affairs and Development Planning Attention: Directorate: Development Management (Region 3) Private Bag X 6509 George, 6530</p> |

LIST OF ABBREVIATIONS:

| | |
|-----------------|--|
| AEL | Air Emissions Licence in terms of NEM:AQA. |
| BA | Basic Assessment |
| CARA | Conservation of Agricultural Resources Act, 1982 (Act. No 43 of 1982). |
| CML | Coastal Management Line |
| CPP | Coastal Public Property |
| EA | Environmental Authorisation |
| EIA | Environmental Impact Assessment |
| EIA Regulations | Environmental Impact Assessment Regulations, 2014 as published in terms of Chapter 5 of National Environmental Management Act, 1998. |
| EAP | Environmental Assessment Practitioner |
| EAPASA | Environmental Assessment Practitioner Association of South Africa. |
| EMPr | Environmental Management Programme |
| NEMA | National Environmental Management Act, 1998 (Act No. 107 of 1998). |
| NEM:AQA | National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004). |
| NEM:BA | National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004) |
| NEM:ICMA | National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008). |
| NEM:PAA | National Environmental Management Protected Areas Act, 2003 (Act No. 57 of 2003). |
| NEM:WA | National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008). |
| NID | Notice of Intent to Develop |
| NOI | Notice of Intent |
| NWA | National Water Act, 1998 (Act No. 36 of 1998) |
| POPIA | Protection of Personal Information Act, 2013 (Act No. 4 of 2013) |
| SACNASP | South African Council for Natural Scientific Professions |
| S&EIR | Scoping and Environmental Impact Report |
| SSVR | Site Sensitivity Verification Report. |
| STR | Screening Tool Report. |

IMPORTANT INFORMATION TO BE READ PRIOR TO COMPLETING THE ATTACHED FORM:

1. Purpose

Proponents are encouraged to undertake a pre-application consultation process with this Department before starting with the formal application procedures.

The purpose of the form is to provide a format for the submission of a Notice of Intent to start the process to obtain an Environmental Authorisation or for the Amendment of a valid Environmental Authorisation or amendment of an approved Environmental Management Programme ("EMPr") in terms of the National Environmental Management Act, 19998 (Act No. 107 of 1998) ("NEMA") and Environmental Impact Assessment ("EIA") Regulations, 2014.

The information provided in the attached form is required in terms of the EIA Regulations and must be submitted to the competent authority to inform the nature and extent of any of the processes that may or must be followed or decision support tools that must be used in order to comply with the NEMA and the EIA Regulations. This will allow the Department to provide appropriate guidance to the proponent / applicant regarding their proposed application.

2. General

2.1 Submission of documentation, reports and other correspondence:

The Department has adopted a digital format for corresponding with proponents/applicants or the general public. If there is a conflict between this approach and any provision in the legislation, then the provisions in the legislation prevail. If there is any uncertainty about the requirements or arrangements, the relevant Competent Authority must be consulted.

The Directorate: Development Management has created generic e-mail addresses for the respective Regions, to centralise their administration (i.e. notifying clients of decisions and receiving EIA applications, Notice of Intent form; request for fee reference numbers, etc.) Please make use of the relevant general administration e-mail address below when submitting documents:

DEADPEIAAdmin@westerncape.gov.za

Directorate: Development Management (Region 1):
City of Cape Town; West Coast District Municipal area;
Cape Winelands District Municipal area and Overberg District Municipal area.

DEADPEIAAdmin.George@westerncape.gov.za

Directorate: Development Management (Region 3):
Garden Route District Municipal area and Central Karoo District Municipal area

General queries must be submitted via the general administration e-mail for EIA related queries. Where a case-officer of DEA&DP has been assigned, correspondence may be directed to such official and copied to the relevant general administration e-mail for record purposes.

All correspondence, comments, requests and decisions in terms of applications, will be issued to either the proponent/applicant/requester in a digital format via email, with digital signatures, and copied to the Environmental Assessment Practitioner (where applicable).

2.2 The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The tables may be expanded where necessary. Please make use contrasting colours in the answer blocks to improve the visibility and highlight information. Only submit the completed Parts of the NOI Form which are applicable to your intended application.

2.3 Unless protected by law all information contained in, and attached to this application, will become public information on receipt by the Department. Upon request, the Applicant/EAP must provide any interested and affected party with the information contained in or submitted with this Form.

Protection of Personal Information Act, 2013 (Act No. 4 of 2013) ("POPIA"):

Your attention is drawn to POPIA which is a comprehensive data protection legislation enacted in South Africa and came into effect on 1 July 2020. POPIA aims to give effect to the constitutional right to privacy, whilst balancing this against competing rights and interests, particularly the right of access to information. Please note that your personal information will only be used as far as it relates to the EIA process. By including your personal details in the Form and any subsequent reports and documents it will be deemed as giving consent to use this information as far as it relates to the EIA process.

2.4 This form is current as of **April 2024**. It is the responsibility of the Proponent/EAP to ascertain whether subsequent versions of the form have been released by the Department. Visit the Department's website at <http://westerncape.gov.za/eadp> to check for the latest version of this Form.

2.5 This Form must be **duly dated and signed** by the Applicant and/or EAP (wherever applicable) and must be submitted to the Department at the details provided below. Please note that a new declaration must be completed and submitted for each specific form or report.

2.6 **Where a Waste Management Licence in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) ("NEM:WA" / "the Waste Act") is required, and this Department is also the competent authority in terms of the Waste Management Licence Application, the Form for an Integrated Environmental Authorisation must be completed (when**

available) and not this Form. Forms are available on the departmental website at the following address <https://www.westerncape.gov.za/eadp/about-us/meet-chief-directorates/environmental-quality/waste-management>.

- 2.7 Please note that it is an offence for a person to provide incorrect or misleading information in any form, including any document submitted in terms of the EIA Regulations to a competent authority or omits information that may have an influence on the outcome of a decision of a competent authority.

3. Administrative requirements

- 3.1 This NOI Form must be used to initiate the pre-application consultation and where applicable those pre-application assessment processes prescribed in terms of the EIA Regulations, where this Department is the competent authority, that must be subjected to a:
- Basic Assessment process;
 - Scoping & Environmental Impact Reporting process
 - Part 1 or Part 2 amendment process for the Amendment of a valid Environmental Authorisation; or
 - Part 4 amendment process for the Amendment of an approved EMPr.

Whereas a Part 1 amendment process for the Amendment of a valid Environmental Authorisation, need not follow any pre-application assessment processes, the Department considers it necessary for the proponent to compile a Notice of Intent ("NOI") form to assist the Department to confirm whether the application is considered as a Part 1 or Part 2 amendment. However, in instances where an amendment application is for the change of ownership or transfer of rights and obligations, an application form may be submitted without the need to submit a NOI. In such instances a specific request for a fee reference number for a Part 1 Amendment Application is available.

- 3.2 An **application fee may be applicable**. Where an application fee must be paid, a Request for a Specific Fee Reference Number form (Appendix A) must be completed and submitted to the Competent Authority together with the Notice of Intent form. Therefore, the application fee must be paid prior to the submission of an Application Form and proof thereof must be submitted together with the **Application Form**.

The information provided in this Form will be used to confirm the applicable application process that must be followed and the appropriate fee.

4. Circulars, Guidelines and Tools

- 4.1 The Department's latest Circulars pertaining to the "One Environmental Management System" and the EIA Regulations, and guidelines must be taken into account when completing this Form.
- 4.2 The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the Screening Tool link <https://screening.environment.gov.za/screeningtool> to generate the Screening Tool Report ("STR"). The STR must be attached to this Form as Appendix D.
- 4.3 The general requirements for undertaking site sensitivity verification and the Protocols for the assessment and minimum report content requirements of environmental impacts for environmental themes for activities requiring environmental authorisation, must be considered and applied in the EIA process (where applicable). The STR provides a summary of the assigned sensitivity ratings for each theme. A Site Sensitivity Verification Report ("SSVR") for each identified theme should be attached to this Form as Appendix E, wherein the STR sensitivity rating for each theme is either confirmed or refuted.

5. Other Legislative Requirements

The proponent must comply with any other statutory requirements that may be applicable to the undertaking of the proposed activities. Where another law relating to a matter affecting the environment is applicable to the proposed activities and the application for environmental authorisation, the relevant organ of state administering that law must be consulted during the environmental impact assessment (EIA) process. Furthermore, the EAP managing the application for environmental authorisation must (to the extent required) ensure the synchronisation of the consideration of the respective applications in terms of the NEMA and the specific other law.

Where applicable, this Department's operational agreement regarding the synchronisation of processes in terms of CARA; NWA; NHRA and NEMA must be considered and implemented. Also, please refer to this Department's Circular EADP 0028/2014: One Environmental Management System in terms of the synchronisation of the consideration of the applications in terms of the NEMA and the NWA.

Kindly note that any omission of any reports/information required in terms of such other law that may apply; or delay as a result of the synchronisation process in terms of the application process in terms of that law, may prejudice the success of an application for environmental authorisation.

The following section provides a list of legislation affecting the environment and which may be applicable to the proposed activities (application); however, this is **not** an exhaustive list. The onus is on the proponent/applicant to ensure that all the applicable legislative requirements are complied with prior to undertaking the proposed activities.

- 5.1 *National Water Act, 1998 (Act No. 36 of 1998) ("NWA")*
Relevant where a water use licence or general authorisation will be required for any activities identified in terms of Section 21 of the NWA.
- 5.2 *National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) ("NEM:AQA")*
Where an air emissions licence ("AEL") will be required in terms of the NEM:AQA for the proposed activity, specific attention must be given to the synchronisation of the application processes and consultation with the relevant licensing authority.

- 5.3 National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004) ("NEM:BA")
If the proposed activities will include the need for a permit in terms of Section 71 and 73 of NEM:BA, regarding their duty of care relating to listed invasive species, namely an implementing an invasive species control plan, the synchronisation of the application processes and consultation with the relevant licensing authority is important.
- 5.4 *National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (NEM:ICMA):*
Should a Coastal Authorisation is required for reclaiming land or a Coastal Waters Discharge Permit will be required, the synchronisation of the application processes and consultation with the relevant licensing authority is important.
- Where the development will include coastal activities, the EAP must ensure that information pertaining to the provisions of Section 63 of NEM:ICMA is provided demonstrating how the proposed development conforms or complies with such requirements.
- 5.5 National Heritage Resources Act, 1999 (Act No. 25 of 1999) ("NHRA")
Please note that section 38 of the NHRA sets out the requirements regarding the integration of the decision-making processes with that of the EIA Regulations, 2014, however, under the proviso that the necessary information is submitted and any comments and recommendations of the relevant heritage resources authority (HWC) with regard to such development, have been provided and taken into account prior to the granting of the authorisation.
- 5.6 *Conservation of Agricultural Resources Act, 1982 (Act No.43 of 1982)*
If the Where an application for the cultivation of virgin soil is required in terms of the Regulations promulgated under CARA ("CARA Regulations"), the EAP must ensure that the EIA and CARA permitting processes are synchronised and all specialist reports submitted as part of the CARA process must be submitted to the Competent Authority for consideration in the EIA process.
- 5.7 *National Forests Act, 1998 (Act No. 84 of 1998) ("NFA")*
Where the proposed activity may result in the removal of protected tree species or indigenous forest, the applicability of the NFA must be confirmed by the Department of Forestry, Fisheries and the Environment: Western Cape Forestry - Directorate: Forestry Management Other Regions (Western Cape) in writing.
- 5.8 *Regulations Relating to the Management of Human Remains (GN. R363 of 22 May 2013)*
If the proposed development will include a cemetery or burial sites, the applicability of this legislation must be determined. The relevant authority must be consulted regarding the above and written comment must be obtained from the Department of Health on how all the provisions of the Regulations Relating to the Management of Human Remains (GN. R363 of 22 May 2013), apply to the proposed development and whether exemption from said regulations is applicable.

GENERAL REQUIREMENTS

1. Proponents | Applicants | EAPs and Specialists

A proponent or applicant must appoint an EAP at own cost to manage the application: Provided that an EAP need not be appointed for an application to amend an environmental authorisation where no environmental impact assessment or part thereof is required as part of such amendment application. A Specialist may need to be appointed, at the cost of the proponent or applicant, if the level of assessment is of a nature requiring the appointment of a specialist.

The proponent or applicant must take all reasonable steps to verify whether the EAP and specialist complies with requirements set out in the EIA Regulations; and provide the EAP and specialist with access to all information at the disposal of the proponent or applicant regarding the application, whether or not such information is favourable to the application.

An EAP appointed to manage an application must be registered with an appointed registration authority contemplated in terms of section 24H of the NEMA. The appointed EAP must be able to provide proof that their registration is up to date and current.

An appointed Specialist performing work in accordance with the minimum information requirements specified in a Protocol published under Sections 24(5)(a), (h) and 44 of the NEMA, **must** be registered with the South African Council for Natural Scientific Professions (SACNASP). The appointed specialist must be able to provide proof of the relevant expertise as well as the SACNASP registration number.

2. Application Fees

- (a) An Applicant must pay a fee for the processing of EIA applications as set out in the Fee Regulations published in terms of sections 24(5) and 44(1) of the National Environmental Management Act, 1998 (Act No. 107 of 1998). It is acceptable for the appointed EAP to make the required payment on behalf of the Proponent/Applicant.
- (b) **An Applicant is exempt from having to pay the application fee if:**
- The application is for a community based project funded by a government grant; or
 - The Applicant is an Organ of State.
- (c) A fee of **R2 000** is applicable to an application which must be subjected to Basic Assessment and a fee of **R10 000** is applicable to an application which must be subjected to Scoping and Environmental Impact Reporting. Application fees for combined applications or integrated process for environmental authorisation may be more than the aforementioned amount. Whereas a fee of **R2 000** is applicable to an application for a Part1, Part 2 or Part 4 Amendment process.

- (d) Where a combined application is submitted as contemplated in the EIA Regulations, 2014 or integrated process for environmental authorisation is required, the proponent must, prior to submission of the application, confirm with the competent authority the fee payable in terms of the applicable regulations for such combined application.
- (e) If the relevant application fee was not confirmed with the Department and a Specific Fee reference Number has not yet been obtained:

- Complete the request for a Specific Fee Reference Number and e-mail it to the relevant Directorate. The Specific Fee Reference Number Form is attached as Appendix A of this form.

Note: In instances where an amendment application is for the change of ownership or transfer of rights and obligations, an application form may be submitted without the need to submit a NOI Form. In such instances a specific request for a fee reference number for a Part 1 Amendment Application is available.

- Where an integrated process for environmental authorisation is required, an Application Form for an Integrated Environmental Authorisation must be completed.
- Where an Applicant is **not required** to pay a fee, the Applicant must inform the Department in writing by attaching proof thereof and a motivation to the Application Form.

Department of Environmental Affairs and Development Planning banking details:

| | |
|---------------------------|--|
| Bank: | Nedbank |
| Branch Code: | 145209 |
| Account Number: | 145 204 5003 |
| Type of Account: | Current Account |
| Status: | Tax exempted |
| Deposit Reference: | Confirmed Specific Fee Reference Number |

NB: Your confirmed Specific Fee Reference Number MUST be used as a deposit reference when making a payment.

3. Locality Map and Site Development Plan

A locality map must be attached to this Form, as Appendix H. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must include the following:

- an accurate indication of the project site position as well as the positions of the alternative sites, if any;
- road names or numbers of all the major roads as well as the roads that provide access to the site(s)
- a north arrow;
- a legend;
- the prevailing wind direction; and
- GPS co-ordinates (Indicate the position of the proposed activity with the latitude and longitude at the centre point for each alternative site). The co-ordinates should be in degrees, minutes and seconds. The minutes and seconds should be to at least three decimal places. The projection that must be used in all cases is the Hartebeesthoek94 WGS84 coordinate system;
- a digital copy of the GPS coordinates must also be provided in a KMZ File (.kmz) format. The KMZ File may be converted to a PDF format and submitted as such.

The EIA Regulations require that a map (i.e., a site development plan) at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers; be submitted with the relevant EIA reports.

If the project has progressed to a point where a site development plan ("SDP") has been designed, the final plan must be submitted in a digital format with the NOI Form. The Shape Files (.shp) for the site development plans must be in the Hartebeesthoek94 WGS84 co-ordinate system, and such plans must be included in an electronic copy of the report submitted to the competent authority).

4. Application Project Plan

A project schedule must be submitted as an Appendix K, and must include milestones for:

- public participation (dates for advertisements, workshops and other meetings, obtaining comment from organs of state including state departments);
- the commencement of parallel application processes required in terms of other statutes (WULA, Heritage and any other Department) and where relevant, the alignment of these application processes with the EIA process;
- the submission of the key documents (e.g. Basic Assessment Report, Scoping Reports, EIA Reports and Environmental Management Programmes).

Note: All the above dates must take into account the reckoning of days as prescribed in the EIA Regulations, the statutory timeframes applicable to the Applicant and EAP, as well as the timeframes applicable in terms of authority responses as prescribed in the EIA Regulations. Possible appeals may impact on project timeframes/milestones.

NOTICE OF INTENT FORM

NOTICE OF INTENT TO SUBMIT AN APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR: AN ENVIRONMENTAL AUTHORISATION; THE AMENDMENT OF A VALID ENVIRONMENTAL AUTHORISATION OR THE AMENDMENT OF AN ENVIRONMENTAL MANAGEMENT PROGRAMME,

APRIL 2024

GENERAL PROJECT DESCRIPTION

(This must include an overview of the project including the Farm name/Portion/Erf number)

The proposed Moquini Beach Hotel Development was authorised under reference number EG12/2/3/1-D6/27-454/06 Erf 14796 Mossel Bay. The project was originally authorised to consist of apartments and a hotel.

On 14 November 2011, the Minister Granted Authorisation for the proposed Moquini Beach Hotel and Apartments. This EA granted Authorisation for a 64 room hotel, 67 apartments (split into 3 separate blocks), a restaurant and associated infrastructure including a single boardwalk for beach access, basement parking bays, gatehouse and internal roads and services.

Construction of the Moquini Beach Hotel and Apartments commenced in July 2016. At this stage the full extent of the 2.16 ha authorised footprint was mechanically cleared and biomass was chipped and spread across the authorised footprint. In October 2016, construction continued, with the installation of bulk sewer and water networks, preparation of building platforms as well as the box cuts and layer works for the internal road.

On 06 December 2016, the Minister issued a letter confirming commencement of all activities listed in terms of the authorisation. Please refer to Appendix G for a copy of the confirmation of commencement of all listed activities.

The applicant wishes to amend the EA to reconfigure the layout to remove the Hotel and Restaurant component and replace with apartments. Please note that the proposed amendment does not propose any changes to the footprint of the Development (i.e. The 2.16ha allowable footprint (as previously cleared of vegetation) remains unchanged.

The total coverage of the hotel and apartments was previously 6575m² (14%) and the proposed coverage with this amendment is 6452m² (13%)

Please refer to Appendix E for a copy of the Approved Site Layout plan and Appendix F for a copy of the proposed site layout plan (i.e. the layout proposed as part of this application).

It is important to note from the onset that this environmental application does not propose any changes to the environmental parameters determined in the previous application, most notably:

1. There are no proposed changes to the maximum height restriction.
2. There are no proposed changes to the position of the road in relation to the buildings.
3. There CSIR coastal setback line is not encroached upon.
4. The sensitive vegetation is not encroached upon.
5. The total footprint remains unchanged.
6. The view corridors between buildings remain unchanged.

PRE-APPLICATION CONSULTATION

The information submitted with this Form will allow for the Department to provide informed guidance to a proponent and the EAP on the process to be followed. It is recommended that the EAP/Proponent consult the relevant Directorate prior to submitting the Application for Environmental Authorisation.

| | | |
|---|------|-----|
| Do you intend to request a pre-application consultation meeting with the Department? ⁵ | ✓YES | NO |
| Do you intend to follow a pre-application assessment process including public participation? | YES | ✓NO |

A pre- application meeting was held between the Department, EAP and applicant on -8 July 2024, where the following advice was provided by Mr Naude of DEA&DP (The Departments Advice is reflected in *Italics* and the response is reflected in **bold** text).

- *Given the background and status of the Environmental Authorisation (EA), the Holder is required to provide a "review" (similar to an audit) of the implementation of the EA and EMPr. This may be undertaken by the ECO and should be informed by previous ECO monitoring reports. A clear description of the progress.*

The activities that have taken place in respect of the existing environmental authorisation are summarised as follows:



⁵ The pre-application meeting was held in July 2024.

Figure 1: The Total Extent of the authorized footprint was cleared in June 2016.

All vegetation from site clearing was chipped and spread over the extent of the authorized footprint. Since this time, the applicant undertaken periodic brush cutting and removal of invasive alien species on the site. This clearing was undertaken in terms of a Licence in terms of the National Forest Act as granted by the then Department of Forestry, Fisheries and the Environment.



Figure 2: The bulk sewer line for the development and the connection to the existing municipal sewer outfall was completed.



Figure 3: The building platform of the South Western apartment block was completed.



Figure 4: The full extent of the road was constructed.

The gatehouse and security structures and parking were also completed.



Figure 5: Google Earth Imagery dated February 2017, clearly showing the clearance of vegetation, access road, building plat form and security gatehouse.

The ECO reports⁶ in respect of these activities were submitted to the Ministers Office and are available to the Department upon request.

During the pre application meeting, the Department requested that the EAP undertake a review of the relevant conditions of the EA to ensure that these remain relevant to the proposed amendment. Please see table below for this discussion:

| EA Condition | Discussion |
|--|--|
| <p>1 . The applicant must, in writing, within 10 days of the issue of this authorisation, confirm acceptance of the conditions of this authorisation, failing which the Environmental Authorisation may be suspended until such time that these conditions of authorisation are accepted,</p> | <p>This was undertaken and a copy of this acceptance letter was submitted to the Ministers office and records of this are available.</p> |
| <p>2. One week's notice, in writing, must be given to the Directorate: Land Management (Region I), (hereinafter referred to as "this Directorate"), before commencement of construction activities. 2.1 Such notice shall make clear reference to the site location details and reference number given above. 2.2 The said notice must also include proof of compliance with the following conditions described herein: Conditions: 1, 5, 6, 7 & 14</p> | <p>This notice was submitted and a record thereof is available.</p> |

⁶ Please note that Cape EAPrac were appointed in 2016 as ECO for the clearance of vegetation, and installation of bulk services only. Cape EAPrac are not appointed as ECO for the construction of the Buildings.

| | |
|---|--|
| <p>3. The development footprint must be limited to 2,13 hectares and the remaining extent of Erf 14796 must be managed as a nature area with on appropriate zoning and specific focus on biodiversity conservation.</p> | <p>The clearing previously undertaken remained within this 2.13ha development footprint. The proposed amendments remain restricted to this area.</p> |
| <p>5. The applicant must compile and submit an Environmental Management Programme CEMP-)to fulfil the requirements of this environmental Authorisation.</p> | <p>This was completed and approved. Records are available.</p> |
| <p>6. The holder of the Authorisation must appoint a suitably experienced Environment Control officer for the construction phase of the development. before commencement of any land clearing or construction activities to ensure compliance with the conditions of the EA and provisions of the EMP.</p> | <p>An ECO was appointed for the clearing, road construction and bulk services installations. A new ECO will need to be appointed when the holder of the EA continues with the construction of the buildings.</p> |
| <p>7, A Landscaping pion should be developed, which addresses inter alia the creation of a vegetation barrier (using locally indigenous species) between the development and the sensitive foredune.)</p> | <p>This plan was completed and remains applicable to the proposed amendments.</p> |
| <p>9. All recommendations and upgrades as suggested in the Traffic Impact Assessment ("TIA") must be Implemented and adhered to subject to negotiation with the local authority. Details of these upgrades ore to be included in the Services Agreement with the local authority.</p> | <p>A revised Traffic Impact Assessment has been compiled as part of this application for amendment. This will be presented to the Department and Local Authorities as part of this application for EA Amendment.</p> |
| <p>11 .An Archaeologist must be present on site during the construction phase of the activity.</p> | <p>An archaeologist did monitor the initial earthworks. An archaeologist will need to be appointed when the Holder of the EA continues with the construction of the buildings.</p> |
| <p>13. The holder of this authorization must submit on Environmental Audit Report. ("audl1 · report") to this Dir0ctorate (six months) after construction has been completed and also one year after the commencement of operations.</p> | <p>This will still have to take place once the construction is complete.</p> |
| <p>The applicant must in writing. within 12 (twelve) calendar days of the date of the decision on the application - 14.1 notify all registered interested and affected parties of the outcome of the application, the reasons for the decision: and, the date of the decision;</p> | <p>This was undertaken and records are available.</p> |
| <p>16. Any changes to, or deviations from. the project description set out in this authorisation must be approved, in writing. by the competent authority before such changes or deviations may be effected. In assessing whether to grant such approve! or not, the Competent authority may request such information as It deems necessary to evaluate the significance and impacts of</p> | <p>This application for amendment is the mechanism that is being utilized to affect the proposed changes.</p> |

| | |
|--|--|
| such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations. | |
|--|--|

A copy of the Environmental Authorisation is attached in appendix D of this report.

- *The Holder / EAP must submit a NOI Form,*

This NOI is herewith submitted.

- *The NOI form must please contain all the necessary information and attachments. Once this has been received the Department will be in a position to provide more guidance on the processes and requirements.*

All necessary supporting documentation is appended to this NOI. Please refer to list of appendices above.

- *Although the NOI will be intended for a Part 2 Amendment Application, you must clearly demonstrate that the proposed changes will not constitute a listed activity on their own. If the changes do constitute a listed activity, then a new application will need to be submitted.*

As demonstrated in the sections below, the proposed amendments / changes do not constitute a listed activity and as such can be administered as part of this application for EA amendment.

- *A clear description of all the proposed changes to the site development plan (SDP) must be provided. This must also be supported by a comparison of the approved SDP and the proposed/new SDP. If there are any alternatives to the proposed changes, these will need to be described as such.*

The proposed Side Development Plan (revision 9) is attached in Appendix F. The Amendment Assessment report will provide all necessary details regarding the alternatives under consideration.

- *Any other changes to the EA, such as conditions etc. should be considered and described.*

The proposed changes to the EA are limited to changes to the project description. These are described below.

- *Any changes to the EMPr must be considered and described. Where necessary an application in terms of Part 4 of Chapter 5 of the EIA Regulations, 2014 will need to be submitted.*

The EMPr as approved remains valid for the changes proposed as part of this application for EA Amendment. Once the new Site Development Plan is approved as part of this Application for EA amendment, it will need to be appended to the approved EMPr. This does not affect the Environmental Impact Management Outcomes of the EMPr and as such can be effected immediately without needing an application. Should the outcome of the public participation process identify the need to amend the EMPr, this will be done in terms of part 4 of Chapter 5 of the regulations.

- *More detail must be provided on the proposed boardwalk. A clear description must be provided of the site (i.e., all even upon which it would be constructed), and a more detailed layout plan of this component must be provided. It is not apparent that the EA includes development on coastal public property, this must be clarified.*

This application for EA amendment does not propose any changes to the Boardwalk as approved in the current Site Development Plan. Should the applicant wish to implement the approved boardwalk, they will be required to ensure that any necessary additional approvals are obtained.

- *A reasoned opinion whether the EA currently includes operational aspects; or only includes non-operational aspects.*

The EA includes only non operational aspects. This will be elaborated on in the application and amendment assessment report. The Amendment Application form will therefore include a date by which all listed activities must be concluded.

- *An implementation programme will need to be provided (at the latest during the application phase). This is necessary to inform the amendments to the EA, the EA must comply with Regulation 26 of the EIA Regulation 2014.*

An Implementation programme will be appended to the Application Form. This will be used to determine the date by which all listed activities must be concluded.

Please complete the form and only submit the relevant Parts / Sections from this page onward.

SECTIONS TO BE COMPLETED AND INFORMATION TO BE APPENDED

NOTE:

The Parts and Sections of the Form applicable to the proposed application type are marked with "●" and must be completed.

The appendices applicable to each application type are marked with "●" and must be attached to the NOI as per the list below.

"N/A" depicts sections or appendices that are not applicable to the specific application type.

Please indicate "YES" or "NO" to indicate whether the Appendix is attached to the NOI Form.

| APPLICATION TYPE: | PART | | | | APPENDIX: | | | | | | | | | | |
|--|------|-----|-----|---|-----------|---|-----|-----|-----|-----|---|-----|-----|---|-----|
| | 1 | 2 | 3 | 4 | A | B | C | D | E | F | G | H | I | J | K |
| Application for EA subject to Basic Assessment | ● | ● | N/A | ● | ● | ● | N/A | ● | ● | ● | ● | ● | ● | ● | N/A |
| Application for EA subject to S&EIR | ● | ● | N/A | ● | ● | ● | N/A | ● | ● | ● | ● | ● | ● | ● | N/A |
| PART 1 AMENDMENT | ● | N/A | ● | ● | ● | ● | ● | N/A | N/A | N/A | ● | N/A | N/A | ● | N/A |
| ✓PART 2 AMENDMENT | ● | N/A | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● |
| PART 4 AMENDMENT | ● | N/A | ● | ● | ● | ● | N/A | ● | ● | ● | ● | ● | ● | ● | ● |

Please highlight the List of documents Appended to this Form:

| | | | | |
|-------------|---|------|-----|-----|
| Appendix A: | Specific Fee Reference Number | ✓YES | NO | N/A |
| Appendix B: | Consent Form - Landowner ⁷ | YES | ✓NO | N/A |
| Appendix C: | EA Holder's Endorsement Form | YES | ✓NO | N/A |
| Appendix D: | Screening Tool Report | ✓YES | NO | N/A |
| Appendix E: | Site Sensitivity Verification Report | ✓YES | NO | N/A |
| Appendix F: | Notice of Intent to Develop (NID) from Heritage Western Cape ⁸ | YES | ✓NO | N/A |
| Appendix G: | Existing approval(s) ⁹ | ✓YES | NO | N/A |
| Appendix H: | Locality map (at scale of 1: 50 000 or less, including a KMZ File) | ✓YES | NO | N/A |
| Appendix I: | Site Development Plan / Map (including Shape Files) | ✓YES | NO | N/A |
| Appendix J: | Zoning map | ✓YES | NO | N/A |
| Appendix K: | Application Project Plan ¹⁰ | YES | ✓NO | N/A |
| Appendix L: | Proposed Public Participation Process | ✓YES | NO | N/A |

⁷ The applicant is the landowner and as such landowner consent is not required.

⁸ This will form part of the Application Form

⁹ This includes the Environmental Authorisation and Approval of the EMPr and Site Development Plan

¹⁰ The project plan will be submitted with the application form.

| | | | | |
|--------------------|---|------|----|-----|
| Appendix M | Any other attachments must be included as subsequent appendices. | | | |
| Appendix M1 | Approved Site Development Plan | ✓YES | NO | N/A |
| Appendix M2 | Proposed Site Development Plan | ✓YES | NO | N/A |
| Appendix M3 | Confirmation of Commencement. | ✓YES | NO | N/A |

NOTE:

Basic Assessment (BA) is the process contemplated in regulation 19 and 20 of the EIA Regulations.

S&EIR process is contemplated in regulation 21 to regulation 24 of the EIA Regulations.

A **Part 1** amendment will not change the scope of a valid Environmental Authorisation, nor increase the level or nature of the impact which was initially assess as part of the valid Environmental Authorisation or refers to a proposed change of ownership or transfer or rights and obligations. Refer to the requirements detailed in Regulation 29 and 30 of the EIA Regulations.

A **Part 2** amendment will result in a change to the scope of a valid Environmental Authorisation where such change will result in an increased level of impact or change in the nature of impact, where such level or change in nature of impact was not assessed and included in the initial application for environmental authorisation; or taken into consideration in the initial environmental authorisation. Refer to the requirements and process detailed in Regulation 31, 32 and 33 of the EIA Regulations.

A **Part 4** amendment relates to an amendment to the impact management outcomes of an EMPr before an audit is required in terms of the Environmental Authorisation. Refer to the process detailed in Regulation 37 of the EIA Regulations.

PART 1: ADMINISTRATIVE DETAILS

SECTION A: DETAILS OF PROPONENT | EAP | LANDOWNER | MUNICIPALITY

| | | | | |
|--|--|---|---|------------|
| Highlight the Departmental Region and District in which the intended application will fall | CAPE TOWN OFFICE (REGION 1) | | ✓GEORGE REGIONAL OFFICE (REGION 3) | |
| | City of Cape Town | Cape Winelands District | Central Karoo District | |
| | West Coast District | Overberg District | ✓Garden Route District | |
| Duplicate this section where there is more than one Proponent | | | | |
| 1. | Name of Proponent: | Moquini Beach Hotel (Pty) Ltd | | |
| | Contact person name (if other): | Mr Costa Zervas | | |
| | Company/ Trading name State Department/Organ of State: | Moquini Apartments | | |
| | Company Registration Number: | | | |
| | Postal address & Postal code: | 902 Pretorius Street, Arcadia, Pretoria | Cod e | 0001 |
| | Contact numbers: | Tel. (012) 430 6556 | Cell: | 0832504084 |
| | E-mail: | costa@czp.co.za | | |
| 2. | Company of EAP: | Cape Environmental Assessment Practitioners (Pty) Ltd – Cape EAPrac | | |
| | EAP / Candidate EAP name: | Dale Holder | | |
| | EAPASA registration no: | 2019/301 | | |
| | Postal address & Postal code: | PO Box 2070, George | Cod e | 6530 |
| | Contact numbers: | Tel. 044 874 0365 | Cell: | 0824489225 |
| | E-mail: | dale@cape-eaprac.co.za | | |
| Duplicate this section where there is more than one Landowner | | | | |
| 3. | Name of landowner: | Moquini Beach Hotel (Pty) Ltd | | |
| | Name of contact person for landowner (if other): | Mr Costa Zervas | | |
| | Postal address & Postal code: | 902 Pretorius Street, Arcadia, Pretoria | Cod e | 0001 |

| | | | | | |
|---|--|---|----------------|-------|--------------|
| | Contact numbers: | Tel. | (012) 430 6556 | Cell: | 0832504084 |
| | E-mail: | dale@cape-eaprac.co.za | | | |
| <p>Note: The written consent form must be attached as Appendix B to this Form. If there is more than one cadastral, written consent must be provided for each cadastral unit by all landowners. The consent of the landowner or person in control of the land is not required for: a) linear activities; b) an activity directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral resource; or c) strategic integrated projects ("SIPs") as contemplated in the Infrastructure Development Act, 2014 (Act No. 23 of 2014).</p> | | | | | |
| 4. | Name of Person in control of the land: | Moquini Beach Hotel (Pty) Ltd | | | |
| | Contact person for 'person in control of the land' (if other): | Mr Costa Zervas | | | |
| | Postal address & Postal code: | 902 Pretorius Street, Arcadia, Pretoria | Cod e: | 0001 | |
| | Contact numbers: | Tel. | (012) 430 6556 | Cell: | 0832504084 |
| | E-mail: | dale@cape-eaprac.co.za | | | |
| Duplicate this section where there is more than one Municipal Jurisdiction | | | | | |
| 5. | Municipality in whose area of jurisdiction the proposed activity will be undertaken: | Mossel Bay Municipality | | | |
| | Name of contact person: | Eddie Kruger | | | |
| | Postal address & Postal code: | 4e Vloer, Montague Place Gebou, Montague Street | Cod e: | 4567 | |
| | Contact numbers: | Tel. | 084 603 0448 | Cell: | 084 603 0448 |
| | E-mail: | ekruger@mosselbay.gov.za | | | |

SECTION B: NATIONAL SECTOR CLASSIFICATION LIST

Highlight the main sector the proposed development falls under and insert "1" in the relevant block in the sector list below. This will be the same sector indicated in the National Web Based Environmental Screening Tool which should be utilised to generate the Screening Tool Report.

Note: Where more than one sector may be applicable, for the purpose of identifying all the relevant / applicable specialist studies, also indicate the "secondary sector(s)" applicable to the proposed development by inserting a "2" in the relevant block in the sector list below with "2". Screening Tool Reports must be generated for each of the applicable sectors.

| | | | | |
|--|---|---|---|---|
| Infrastructure/Transport Services/Roads—Public | | Utilities Infrastructure/Telecommunications/Radio-Broadcasting—Tower | Services/Waste Management Services/Storage Facilities—Nuclear | |
| Infrastructure/Transport Services/Roads – Private | ✓ | Utilities Infrastructure/Telecommunications/Radio-Broadcasting—Mast | Services/Burial and cemeteries—Cemeteries | |
| Infrastructure/Transport Services/Rail—Public | | Utilities Infrastructure/Telecommunications/Radio-Broadcasting—Receivers | Services/Burial and cemeteries—Cremators | |
| Infrastructure/Transport Services/Rail—Private | | Utilities Infrastructure—Marine cables | Services/Water services/Storage—Reservoirs | |
| Infrastructure/Transport Services/Airport/Runways/Landing Strip/Helipad—Commercial | | Utilities Infrastructure/Electricity/Generation/Non-Renewable/Hydrocarbon—Petroleum | Services/Water services—Desalination | |
| Infrastructure/Transport Services/Airport/Runways/Landing Strip/Helipad—Private | | Utilities Infrastructure/Electricity/Generation / Non-Renewable/Hydrocarbon—Coal | Services/Water services—Treatment and Wastewater | |
| Infrastructure/Transport Services/Airport/Runways/Landing Strip/Helipad—Public Services | | Utilities Infrastructure/Electricity/Generation/Non-Renewable—Nuclear | Services—Hospitality | |
| Infrastructure/Transport Services—Ports | | Utilities Infrastructure/Electricity/Generation/Renewable—Hydro | Agriculture/Forestry/Fisheries—Crop production | |
| Infrastructure/Transport Services—Inland waterways | | Utilities Infrastructure/Electricity/Generation/Renewable/Solar—PV | Agriculture/Forestry/Fisheries—Animal production | |
| Infrastructure/Transport Services—Marina | | Utilities Infrastructure/Electricity/Generation/Renewable/Solar—CSP | Agriculture/Forestry/Fisheries—Afforestation | |
| Infrastructure/Transport Services—Canal | | Utilities Infrastructure/Electricity/Generation/Renewable—Wind | Agriculture/Forestry/Fisheries—Aquaculture | |
| Infrastructure/Localised infrastructure—Infrastructure in the sea/Estuary/Littoral active zone/Development setback/100m inland/ or coastal public property | | Utilities Infrastructure/Electricity/Generation/Renewable—Biomass/Biofuels | Agriculture/Forestry/Fisheries—Agro-processing | |
| Infrastructure/Localised infrastructure—Zip lines and Foeffe slides | | Utilities Infrastructure/Electricity/Generation/Renewable—Wave | Transformation of land—Indigenous vegetation | ✓ |
| Infrastructure/Localised infrastructure—Cableway and Funiculars | | Utilities Infrastructure/Electricity/Distribution and Transmission—Powerline | Transformation of land—From open space or Conservation | |
| Infrastructure/Localised infrastructure—Billboards | | Utilities Infrastructure/Electricity/Distribution and Transmission—substation | Transformation of land—From Agriculture or Afforestation | |
| Infrastructure/Localised infrastructure—Depot for dangerous goods | | Services/Waste Management Services/Disposal Facilities—Hazardous | Transformation of land—From mining or heavy industrial areas | |
| Infrastructure/Localised infrastructure—Filling station or Tanks for Dangerous goods | | Services/Waste Management Services/Disposal Facilities—Nuclear | Any activities close to or within a watercourse | |
| Utilities Infrastructure/Pipelines—Fresh/Storm water urban | | Services/Waste Management Services/Disposal Facilities—General | Any activity in an estuary, on the seashore, in the littoral active zone, or in the sea | |
| Utilities Infrastructure/Pipelines—Fresh/Storm water rural | | Services/Waste Management Services/ Treatment Facilities—Hazardous | Activity requiring a permit or license in terms of National or Provincial legislation governing | |

| | | | | |
|--|--|--|--|--|
| | | | the release or generation of emissions – emissions | |
| Utilities Infrastructure/Pipelines – Wastewater | | Services/Waste Management Services/ Treatment Facilities – General | Activity requiring permit or license – Marine effluent/freshwater effluent | |
| Utilities Infrastructure/Pipelines – Dangerous goods urban | | Services/Waste Management Services/ Storage Facilities – General | Activity requiring permit or license – Freshwater effluent | |
| Utilities Infrastructure/Pipelines – Dangerous goods rural | | Services/Waste Management Services/ Storage Facilities – Hazardous | Release genetically modified organisms | |

Note: Mining categories have been excluded from the above list.

PART 2: APPLICATION FOR ENVIRONMENTAL AUTHORISATION

SECTION A: PROJECT DETAILS

Please "highlight" the appropriate answer by shading the relevant block or providing the answer in the space provided.

| 1. | This NOI is for a: (please highlight) | Basic Assessment Process | Scoping & EIR Process | Integrated Application | |
|--|--|--------------------------|-----------------------|------------------------|------------|
| 2. | Is this a strategic infrastructure projects ("SIPs") as contemplated in the Infrastructure Development Act, 2014 (Act No. 23 of 2014)? | | | YES | ✓NO |
| 3. | Is the proposed activity a 'new development' or an 'expansion of an existing development / facility'? | | | ✓New | Expansion |
| | Is the proposed site(s) a brownfield or greenfield site? | | | ✓Brownfield | Greenfield |
| 4. | Please explain. | | | | |
| Prior to the environmental authorisation, the site was considered a brownfields site. Subsequent to authorisation, the applicant has commenced with the activities authorised in both the 2006 and 2010 regulations as outlined below: | | | | | |
| <u>2006 EIA REGULATIONS:</u> | | | | | |
| GN R386 Activity 1 (k): The construction of facilities or infrastructure, including associated structures or infrastructure for the bulk transportation of sewerage and water including stormwater in pipelines or channels with: | | | | | |
| (i) An internal diameter of 0.36 metres or more: or | | | | | |
| (ii) A peak throughput of 120 litres per second or more. | | | | | |
| The holder of the EA has commenced with this activity by means of the installation of the Bulk sewer line for the development. This is connected to the existing municipal sewer outfall as per Figure 1 below. | | | | | |

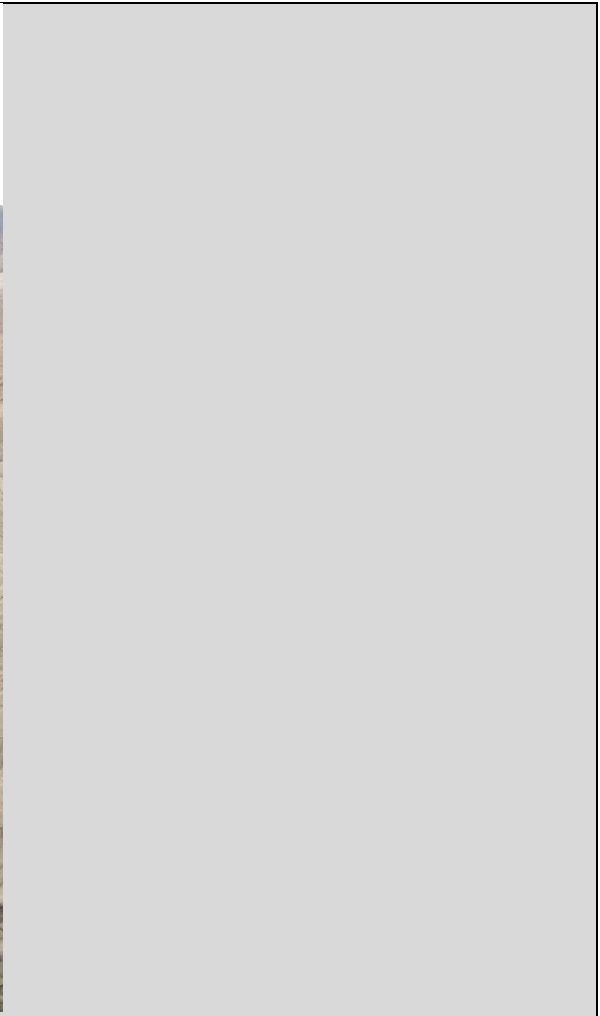




Figure 6: Installation of the bulk sewer pipe and connection the bulk municipal sewer outfall on site.

It is therefore concluded that the holder of the EA is deemed to have commenced with GN R386 Activity 1 (k).

GN R386 Activity 2: Construction or Earth Moving Activities in the sea or within 100m inland of the high-water mark of the sea in respect of-

- (a) Facilities for the storage of material and the maintenance of vessels
- (b) Fixed or floating jetties or slipways
- (c) Tidal pools
- (d) Embankments;
- (e) Stabilising walls
- (f) Buildings;
- (g) Infrastructure.

The holder of the EA has undertaken the bulk earthworks and established the building platform for the South Western most building as shown in Figure 2 below.



Figure 7: Showing the establishment of the Building Platform for the South Western most building

It is therefore concluded that the holder of the EA is deemed to have commenced with GN R386 Activity 2.

GN R386 Activity 3: The prevention of the free movement of sand, including erosion and accretion, by means of planting vegetation, placing a synthetic material on dunes or exposed sand surfaces within a distance of 100m of the high water mark of the sea.

As highlighted in previous correspondence, the entire development area was cleared of vegetation. This vegetation, including the seed bank contained therein was chipped and spread onto the exposed sand surfaces for the purpose of establishing a vegetative layer and to avoid wind blown erosion of the mobile sands. This was undertaken simultaneously with the clearing of the site in May 2016 and at the time of compiling this report a significant vegetative covering had been achieved. Please see Figure 3 below. It must be noted that the applicant will plant additional vegetation as part of the rehabilitation and landscaping of the site, but that this will only continue towards the end of the construction period.



Figure 8: Showing the chipping of vegetation and the initial establishment of vegetation onto the exposed sand surfaces.

It is therefore concluded that the holder of the EA is deemed to have commenced with GN R386 Activity 3.

GN386 Activity 6: The excavation, moving, removal, depositing or compacting of soil, sand, rock and rubble covering an area exceeding 10 square metres in the sea or within 100 metres inland of the high water mark of the sea.

The holder of the EA has undertaken the bulk earthworks and established the building platform for the South Western most building as shown in Figure 2 above.

It is therefore concluded that the holder of the EA is deemed to have commenced with GN R386 Activity 6.

GN R386 Activity 15: The construction of a road that is wider than 4m or that has a reserve wider than 6 metres excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30m long.

The holder of the EA has commenced with the Box cut for the access road situated north of the buildings as per figure 4 below. This road will remain as a gravel road for the duration of construction and will be surfaced on completion of construction.



Figure 9: Showing construction of the Box Cut for the access road situated North of the Building platform.

It is therefore concluded that the holder of the EA is deemed to have commenced with GN R386 Activity 15.

GN R386 Activity 16: The transformation of undeveloped , vacant or derelict land to –

- (a) Establish infill development covering an area of 5ha or more, but less than 20ha
- (b) Residential use where such development does not constitute infill and where the total area to be transformed is bigger than 1ha.

The clearing and de-stumping of the site shown in Figure 5 below along with the creation of the residential building platforms shown in Figure 2 above have been undertaken. The total development footprint has thus already been transformed for the purposes of the development.



Figure 10: Showing the clearing and de-stumping of the site. The total authorised development footprint has been cleared and de-stumped.

It is therefore concluded that the holder of the EA is deemed to have commenced with GN R386 Activity 16.

2010 EIA Regulations

GN R544 Activity 3: The planting of vegetation or placing of any vegetation on dunes and exposed sand surfaces, within the littoral active zone for the purposes of preventing the free movement of sand, erosion or accretion, excluding where the placement of vegetation relates to the restoration and maintenance of indigenous coastal vegetation.

The same as GN R386 Activity 3 discussed above applies to this similarly listed activity.

It is therefore concluded that the holder of the EA is deemed to have commenced with GN R544 Activity 3.

GN R544 Activity 16: Construction or earth moving activities in the sea, or within the littoral active zone or a distance 100m inland of the highwater mark of the sea or estuary, whichever is greater in respect of:

(v) Buildings

(vi) Infrastructure

The same as GN R386 Activity 2 discussed above applies to this similarly listed activity.

It is therefore concluded that the holder of the EA is deemed to have commenced with GN R544 Activity 2.

GN R544 Activity 18: The infilling or depositing of more than 5 cubic metres of any material into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from the littoral active zone, an estuary or a distance of 100m inland of the high water mark of the sea or an estuary, whichever distance is greater.

The same as GN R386 Activity 2 discussed above applies to this activity.

It is therefore concluded that the holder of the EA is deemed to have commenced with GN R544 Activity 18.

GN R546 Activity 6: The construction of resorts, lodges or other tourism accommodation facilities that sleep more than 15 people or more within urban areas within 1km of the high-water mark of the sea.

The same as GN R386 Activity 16 discussed above applies to this similarly listed activity.

| | |
|---|--|
| It is therefore concluded that the holder of the EA is deemed to have commenced with GN R544 Activity 6. | |
| GN R546 Activity 9: The construction of facilities or infrastructure exceeding 1000m in length for the bulk transportation of water, sewerage or stormwater | |
| (I) With an internal diameter of 0.36 metres or more; or | |
| (II) with a peak throughput of 120 litres per second or more. | |
| The same as GN R386 Activity 1 (k) discussed above applies to this similarly listed activity | |
| It is therefore concluded that the holder of the EA is deemed to have commenced with GN R544 Activity 9. | |
| GN546 Activity 12: The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation. | |
| The entire development footprint has been cleared of vegetation and as such, this activity is deemed to be completed. | |
| The same as GN R386 Activity 1 (k) discussed above applies to this similarly listed activity | |
| It is therefore concluded that the holder of the EA is deemed to have completed GN R544 Activity 12. | |
| GN546 Activity 23: The transformation of undeveloped, vacant or derelict land to – | |
| (I) Residential, retail, commercial, recreational, industrial or institutional use, outside of an urban area and where the total area to be transformed is bigger than 1 ha but less than 20. | |
| The same as GN R386 Activity 3 discussed above applies to this similarly listed activity. | |
| 5. | For Linear activities or developments |
| 5.1. | Provide the Farm(s)/Farm Portion(s)/Erf number(s) for all routes: |
| 5.2. | Development footprint of the proposed development for each alternative. -m² |
| 5.3. | Provide a description of the proposed development (e.g. for roads the length, width and width of the road reserve in the case of pipelines indicate the length and diameter) for all alternatives. |
| 5.4. | Indicate how access to the proposed routes will be obtained for all alternatives. |
| 5.5. | SG Digit codes of the Farms/Farm Portions/Erf numbers for all alternatives (description of cadastral unit) |
| 5.6. | Starting point co-ordinates for all alternatives |
| | Latitude (S) ° ' " |
| | Longitude (E) ° ' " |
| | Middle point co-ordinates for all alternatives |
| | Latitude (S) ° ' " |
| | Longitude (E) ° ' " |
| | End point co-ordinates for all alternatives |
| | Latitude (S) ° ' " |
| | Longitude (E) ° ' " |
| Note | For Linear activities or developments longer than 500m, a map indicating the co-ordinates for every 100m along the route must be attached to this NOI as an Appendix. |
| 6. | Other developments |
| 6.1 | Property size(s) of all proposed cadastres: 46,394m² |
| 6.2 | Developed footprint of the existing facility and associated infrastructure (if applicable): 31600m² |
| 6.3 | Development footprint of the proposed development and associated infrastructure size(s) for all alternatives: 31600m² |

| | | | | | | | | | | | | | | | | | | | | | |
|--|---|---|---|---|------------|---|---|---|---|---|---|---|------------|---|---|---|------------|---|---|---|---|
| 6.7 SG Digit code(s) of the proposed site(s) for all alternatives: (replace with description of cadastral unit) | | | | | | | | | | | | | | | | | | | | | |
| | 2 | 3 | 4 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 1 | 6 | 0 |
| 6.8 Coordinates of the proposed site(s) for all alternatives: | | | | | | | | | | | | | | | | | | | | | |
| Latitude (S) | | | | | 32° | | | | | | | | 12' | | | | 31" | | | | |
| Longitude (E) | | | | | 22° | | | | | | | | 01' | | | | 36" | | | | |

SECTION B: LISTED ACTIVITIES TO BE APPLIED FOR

All activities listed in of the EIA Regulations that are associated with the proposed development must be provided below.

| Activity No(s): | Provide the relevant Basic Assessment Activities as set out in Listing Notice 1 | Describe the portion of the <u>proposed development</u> to which the applicable listed activity relates. |
|--|---|--|
| None All listed activities associated with the proposed Development have already been authorised and commenced with as outlined below. | | |
| <p><u>2006 EIA REGULATIONS:</u></p> | | |
| <ul style="list-style-type: none"> • GN R386 Activity 1 (k): The construction of facilities or infrastructure, including associated structures or infrastructure for the bulk transportation of sewerage and water including stormwater in pipelines or channels with:(i)An internal diameter of 0.36 metres or more: or (ii)A peak throughput of 120 litres per second or more. • GN R386 Activity 2: Construction or Earth Moving Activities in the sea or within 100m inland of the high-water mark of the sea in respect of-(a)Facilities for the storage of material and the maintenance of vessels,(b)Fixed or floating jetties or slipways,(c)Tidal pools(d)Embankments;(e); Stabilising walls; (f)Buildings;(g)Infrastructure. • GN R386 Activity 3: The prevention of the free movement of sand, including erosion and accretion, by means of planting vegetation, placing a synthetic material on dunes or exposed sand surfaces within a distance of 100m of the high water mark of the sea. • GN386 Activity 6: The excavation, moving, removal, depositing or compacting of soil, sand, rock and rubble covering an area exceeding 10 square metres in the sea or within 100 metres inland of the high water mark of the sea. • GN R386 Activity 15: The construction of a road that is wider than 4m or that has a reserve wider than 6 metres excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30m long. • GN R386 Activity 16: The transformation of undeveloped , vacant or derelict land to – (a)Establish infill development covering an area of 5ha or more, but less than 20ha; (b)Residential use where such development does not constitute infill and where the total area to be transformed is bigger than 1ha. | | |
| <p><u>2010 EIA Regulations</u></p> | | |
| <ul style="list-style-type: none"> • GN R544 Activity 3: The planting of vegetation of placing of any vegetation on dunes and exposed sand surfaces, within the littoral active zone for the purposes of preventing the free movement of sand, erosion or accretion, excluding where the placement of vegetation relates to the restoration and maintenance of indigenous coastal vegetation. • GN R544 Activity 16: Construction or earth moving activities in the sea , or within the littoral active zone or a distance 100m inland of the highwater mark of the sea or estuary, whichever is greater in respect of: (v) Buildings; (vi) Infrastructure; The same as GN R386 Activity 2 discussed above applies to this similarly listed activity. • GN R544 Activity 18: The infilling or depositing of more than 5 cubic metres of any material into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock from the littoral active zone, an estuary or a distance of 100m inland of the high water mark of the sea or an estuary, whichever distance is greater. • GN R546 Activity 6: The construction of resorts, lodges or other tourism accommodation facilities that sleep more than 15 people or more within urban areas within 1km of the high-water mark of the sea. • GN R546 Activity 9: The construction of facilities or infrastructure exceeding 1000m in length for the bulk transportation of water, sewerage or stormwater (l)With an | | |

| | | |
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| <p>internal diameter of 0.36 metres or more; or (II) with a peak throughput of 120 litres per second or more.</p> <ul style="list-style-type: none"> • GN546 Activity 12: The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation. • GN546 Activity 23: The transformation of undeveloped, vacant or derelict land to – (I) Residential, retail, commercial, recreational, industrial or institutional use, outside of an urban area and where the total area to be transformed is bigger than 1 ha but less than 20. | | |
| Activity No(s): | Provide the relevant Basic Assessment Activities as set out in Listing Notice 3 | Describe the portion of the proposed development to which the applicable listed activity relates. |
| None | | |
| Activity No(s): | Provide the relevant Scoping and EIR Activities as set out in Listing Notice 2 | Describe the portion of the proposed development to which the applicable listed activity relates. |
| None | | |
| <p>Note:</p> <ul style="list-style-type: none"> • Only those activities listed which will be applied for shall be considered for authorisation. The onus is on the Applicant to ensure that all applicable listed activities are included in the application. Environmental Authorisation must be obtained prior to commencement with each applicable listed activity. If a specific listed activity is not included in an Environmental Authorisation, a new application for Environmental Authorisation will have to be submitted. • The Minister responsible for mineral resources is the Competent Authority to deal with all applications where the listed or specified activity is directly related to- <ul style="list-style-type: none"> (a) prospecting or exploration of a mineral or petroleum resource; or (b) extraction and primary processing of a mineral or petroleum resource. | | |

SECTION C: SPECIALIST INPUT

Note:

Please note that the submission of a report generated from the National Web Based Environmental Screening Tool in terms of Section 24(5)(h) of the NEMA and Regulation 16(1)(b)(v) of the EIA Regulations, 2014, is compulsory when submitting an application for environmental authorisation in terms of Regulation 19 and 21 of the EIA Regulations, 2014.

The Screening Tool developed by the National Department of Environmental Affairs must be used to generate a screening report. Please use the link <https://screening.environment.gov.za/screeningtool> to generate the Screening Tool Report. The Screening Tool Report(s) must be attached to this Form as Appendix D.

In terms of Sections 24(5)(a), (h) and 44 of the NEMA the Minister has prescribed general requirements for undertaking site sensitivity verification and for protocols for the assessment and minimum report content requirements of environmental impacts for environmental themes for activities requiring environmental authorisation. When the requirements of a protocol apply, the requirements of Appendix 6 of the Environmental Impact Assessment Regulations, (EIA Regulations), promulgated under sections 24(5) and 44 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), are replaced by these requirements. Please provide information provided in this section to demonstrate how the minimum information requirements will be met.

| | | | |
|------------------|--|------|----|
| 1. | Explain which environmental themes and protocols are applicable to your proposal. | | |
| | <ul style="list-style-type: none"> • Terrestrial Biodiversity Theme • Plant Species Theme • Animal Species Theme | | |
| 2. | Will you be conducting the specialist input as recommended in the screening tool report? | ✓YES | NO |
| | If NO , please attach a Site Sensitivity Verification Report ("SSVR") as APPENDIX E and indicate for which Themes the specialist investigations will be conducted and provide an explanation why the others will not be undertaken or will not be undertaken at the level of assessment indicated in the STR. | | |
| Note : | <p>The site sensitivity verification must be undertaken by an environmental assessment practitioner or a specialist.</p> <p>The site sensitivity verification must be undertaken through the use of:</p> <p>(a) a desk top analysis, using satellite imagery;</p> | | |

| | |
|----|--|
| | <p>(b) a preliminary on-site inspection; and (c) any other available and relevant information.</p> <p>The outcome of the site sensitivity verification must be recorded in the form of a report that:</p> <p>(a) confirms or disputes the current use of the land and environmental sensitivity as identified by the screening tool, such as new developments or infrastructure, the change in vegetation cover or status etc.;</p> <p>(b) contains a motivation and evidence (e.g. photographs) of either the verified or different use of the land and environmental sensitivity; and</p> <p>(c) is submitted together with the relevant assessment report prepared in accordance with the requirements of the Environmental Impact Assessment Regulations.</p> |
| 3. | <p>List the specialist investigations to be conducted as part of the EIA process and provide the name(s) of the specialist(s).</p> <ul style="list-style-type: none"> • Terrestrial Biodiversity Assessment – Confluent Environmental • Plant Species Assessment – Confluent Environmental • Animal Species Assessment – Confluent Environmental • Visual Assessment – Visual Resource Management Africa. |
| | |
| | |

SECTION D: OTHER LEGISLATION | APPROVALS

| | | | |
|-------------|--|-----|-----|
| 1. | Exemptions in terms of the NEMA and the EIA Regulations | | |
| 1.1 | Is it your intention to apply for exemption from any provision of the NEMA and the EIA Regulations. | YES | ✓NO |
| Note | If YES, an application for exemption from provisions of the EIA Regulations, 2014 must be submitted on a separate Exemption Application Form. The required Exemption Application Form must be submitted and decided by the Competent Authority prior to the application for Environmental Authorisation being submitted. Visit the Department's website at http://westerncape.gov.za/eadp to check for the latest version of this Exemption Application Form. | | |

| | | | |
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| 2. | Other applicable Legislation | | |
| 2.1 | Does the proposed development require a Coastal Waters Discharge Permit in terms of the National Environmental Management: Integrated Coastal Management Act (NEM:ICMA)? If YES, explain: | YES | ✓NO |
| 2.2 | Will the proposed development require the reclamation of land in terms of NEM:ICMA? If YES, explain: | YES | ✓NO |
| 2.3 | Does the proposed project require an application for a water use license in terms of the National Water Act, 1998 (Act No. 36 of 1998)? If YES, explain: | YES | ✓NO |
| 2.4 | Does the proposed project require an application for an Atmospheric Emission License in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004)? If YES, explain: | YES | ✓NO |
| 2.5 | Is the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004 ('NEM:BA')) applicable to your proposed development? If YES, explain: | YES | ✓NO |
| 2.6 | Is the National Environmental Management Protected Areas Act, 2003 (Act No. 57 of 2003 ('NEM:PAA')) applicable to your proposed development? If YES, explain: | YES | ✓NO |
| 2.7 | Does the proposed development require a permit in terms of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983)? If YES, explain: | YES | ✓NO |
| 2.8 | Is the proposed development subject to the Regulations Relating to the Management of Human Remains (GN. R363 of 22 May 2013)? (i.e. include a cemetery or burial site). If YES, explain: The applicability of these regulation must be confirmed by the relevant authority. | YES | ✓NO |

| | | | |
|-----|--|-----|-----|
| 2.9 | Is there any other law relating to a matter affecting the environment relevant to that application for an environmental authorisation which has not been listed above? If YES, please list the legislation below: | YES | ✓NO |
| | | | |

| | | | |
|--|--|------|-----|
| 3. | Existing approvals | | |
| 3.1 | Are there any existing approval(s) linked to the property or development? If YES, indicate which approvals were granted (attach approvals as Appendix G). | ✓YES | NO |
| The Environmental and Rezoning Approval are attached in Appendix G | | | |
| 3.2 | Will any of the approval(s) listed above be in conflict with the proposed development? If YES, explain: | YES | ✓NO |
| The rezoning and subdivision application will need to be resubmitted, pending the outcome of this environmental application. | | | |

| | | | |
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| 4. | Heritage Impact Assessment | | |
| 4.1 | Does the proposed development constitute the undertaking of any of the categories of development set out in Section 38(1) of the National Heritage Resources Act? If yes, explain: | ✓YES | NO |
| Approval in terms of Section 38(1) of the National Heritage Resources Act has been granted by Heritage Western Cape. A copy thereof is attached in Appendix G. | | | |
| 4.2 | Has a NID been submitted to Heritage Western Cape? | YES | NO |
| If yes, indicate the date the NID was submitted and any further information relevant to the NID: | | Date: | |

| | | | |
|-------------|--|--|--|
| Note | <p>Please be advised that every application for Environmental Authorisation, must include, where applicable, the investigation, assessment and evaluation of the impact of any proposed listed or specified activity on any national estate referred to in section 3(2) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), excluding the national estate contemplated in section 3(2)(i)(vi) and (vii) of that Act.</p> <p>If Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is applicable to your proposed development, then you are requested to submit the Notice of Intent to Develop ("NID") form developed by Heritage Western Cape to Heritage Western Cape and attach a copy to this form as Appendix F. If Heritage Western Cape requires that a Heritage Impact Assessment will be required, the Heritage Impact Assessment must be undertaken as one of the specialist studies of the EIA process to be undertaken in terms of the EIA Regulations.</p> <p>Section 38 of the Act states as follows:</p> <p>38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as-</p> <ul style="list-style-type: none"> (a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length; (b) the construction of a bridge or similar structure exceeding 50m in length; (c) any development or other activity which will change the character of a site- <ul style="list-style-type: none"> (i) exceeding 5 000 m2 in extent; or (ii) involving three or more existing erven or subdivisions thereof; or (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority; (d) the re-zoning of a site exceeding 10 000 m2 in extent; or (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development. | | |
|-------------|--|--|--|

SECTION E: DESCRIPTION OF THE RECEIVING ENVIRONMENT

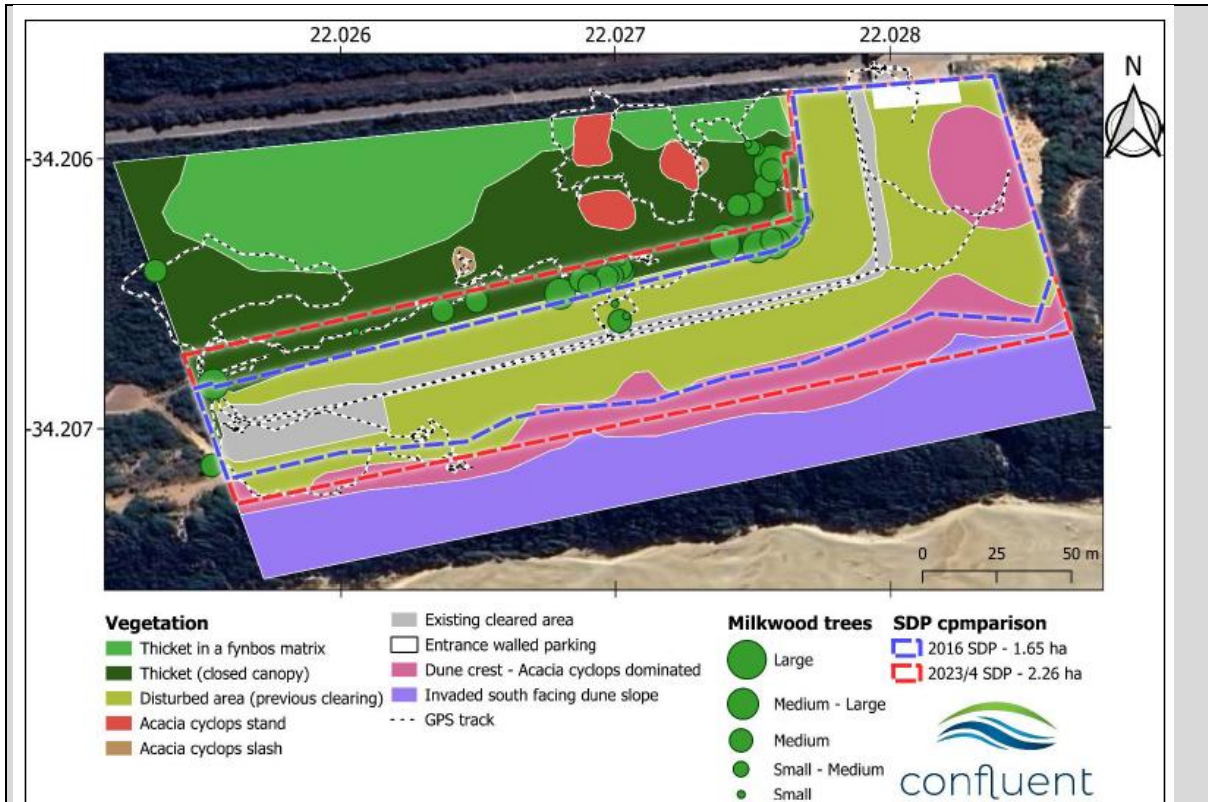
| | | | |
|-----------|--|-----|-----|
| 1. | GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE | | |
| 1.1 | Is the site or alternative site(s) located on or near any important abiotic features, including groundwater, soil or geological features? If YES, provide a detailed explanation below. | YES | ✓NO |

| | |
|-------------|--|
| Note | Important abiotic features may include: a shallow water table (less than 1.5m deep); seasonally wet soils (often close to water bodies); unstable rocky slopes or steep slopes with loose soil (35-45 degrees); dispersive soils (soils that dissolve in water); soils with high clay content; any other unstable soil or geological feature; an area adjacent to or above an aquifer. |
|-------------|--|

| | | | | | | | |
|-----------|--|-----|-----|----------------|---|------------------|----|
| 2. | SURFACE WATER | | | | | | |
| 2.1 | Indicate the surface water features present on or adjacent to any of site alternatives (highlight the appropriate boxes)? If "YES" indicate the distance from the site (i.e. preferred or alternative site) to the nearest feature in metres (m). | | | | | | |
| | Perennial River | YES | ✓NO | Preferred site | m | Alternative site | OM |
| | Non-Perennial River | YES | ✓NO | Preferred site | m | Alternative site | M |
| | Permanent Wetland | YES | ✓NO | Preferred site | m | Alternative site | M |
| | Seasonal Wetland | YES | ✓NO | Preferred site | m | Alternative site | M |
| | Artificial Wetland | YES | ✓NO | Preferred site | m | Alternative site | M |
| | Pans | YES | ✓NO | Preferred site | m | Alternative site | M |
| | Peat or Peat Soils | YES | ✓NO | Preferred site | m | Alternative site | M |
| | An area adjacent to or above an aquifer | YES | ✓NO | Preferred site | m | Alternative site | M |
| 2.2 | Are there any wetland within a radius of 500 metres from the site or an alternative site? | | | | | YES | NO |

| | | | |
|---|--|-----|-----|
| 3. | COASTAL FEATURES THE SEAFRONT SEA | | |
| 3.1 | Is the site(s) located within any of the following areas? (highlight the appropriate boxes). | | |
| | An area within 100m of the high-water mark of the sea | YES | ✓NO |
| | An area within 100m of the high-water mark of an estuary/lagoon | YES | ✓NO |
| | Within the Estuarine Functional Zone (i.e. below the 5m topographical contour as referenced from the indicative mean sea level). | YES | ✓NO |
| | An area within the littoral active zone | YES | ✓NO |
| | An area in the coastal public property ("CPP") | YES | ✓NO |
| | Major anthropogenic structures | YES | ✓NO |
| | An area within a Coastal Protection Zone | YES | ✓NO |
| | An area seaward of the coastal management line ("CML") | YES | ✓NO |
| | In relation to the CML, an area within the high-risk zone (20 years) | YES | ✓NO |
| | In relation to the CML, an area within the medium risk zone (50 years) | YES | ✓NO |
| | In relation to the CML, an area within the low-risk zone (100 years) | YES | ✓NO |
| | An area subject to tidal influence | YES | ✓NO |
| | An area within 1km from the high-water mark of the sea | YES | ✓NO |
| | An area sensitive to coastal erosion | YES | ✓NO |
| | A rocky beach | YES | ✓NO |
| | A sandy beach | YES | ✓NO |
| Please provide any additional information or indicate if the information is appended to the Form. | | | |
| | | | |

| | | | |
|---|--|-----|-----|
| 4. | BIODIVERSITY | | |
| 4.1 | Does any part of the proposed site contain indigenous vegetation? If YES, indicate the vegetation type and the threatened ecosystem status of the vegetation in terms of the NEM:BA list of threatened ecosystems in need of protection, (November 2022). | YES | ✓NO |
| As depicted in the image below, the area falls entirely within an area described by the Botanical Specialist as Disturbed Area. | | | |



| | | | | |
|---|--|--|----------------------|-------------------------|
| 4.2 | Does the site or alternative sites potentially have any species of conservation concern ("SCC")? If YES, please explain and provide relevant information: | YES | ✓NO | |
| 4.3 | Will the proposed development be located within a protected area? If so, explain below how the proposed development is in line with the protected area management plan? | YES | ✓NO | |
| 4.4 | Will the proposed development be located within an aquatic Critical Biodiversity Area and/or Ecological Support Area. If so provide an explanation below: | YES | ✓NO | |
| 4.5 | According to the Western Cape Biodiversity Spatial Plan, explain whether the proposed site is located within a Critical Biodiversity Area, Ecological Support Area, or Other Natural Area) or contains any of the features listed below. Please highlight the relevant biodiversity priority areas and provide additional information. Also indicate whether the proposed development is aligned with the land management objectives ("LMO") | | | |
| | Biodiversity Priority | Proximity to Biodiversity Priority Area | Hectares Lost | Aligned to 'LMO' |
| | CBA1 | | | YES ✓NO |
| | CBA2 | | | YES ✓NO |
| | ESA1 | | | YES ✓NO |
| | ESA2 | | | YES ✓NO |
| | Protected Area (PA) | | | YES ✓NO |
| | Forest | | | YES ✓NO |
| | River NFEPA including 32m buffer | | | YES ✓NO |
| | Wetland NFEPA including 32m buffer | | | YES ✓NO |
| | Strategic water source area | | | YES ✓NO |
| | Threatened species and Red Data listed species | | | YES ✓NO |
| Please provide any additional information or indicate if the information is appended to the Form. | | | | |

If **NO** please provide a an explanation below regarding the LMO.

| | | | |
|-----------------------|--|---|-----------------------------|
| 5. SOLID WASTE | | | |
| 5.1 | Will the development proposal produce waste (including rubble) during the development phase? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| | If YES , describe the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) as well as the volume (m ³) of estimated quantity per type? | | |
| | A services report will be provided as part of the application for amendment of the EA. | | Unknown |
| 5.2 | Will the development proposal produce waste (including rubble) during the <u>operational</u> phase? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| | If YES , describe the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) as well as the volume (m ³) of estimated quantity per type? | | |
| | A services report will be provided as part of the application for amendment of the EA. | | Unknown |

| | | | | | | | |
|---------------------------------|--|--|--|---|--|--|-----------------------------|
| 6. EFFLUENT WASTEWATER | | | | | | | |
| 6.1 | Will the development proposal produce effluent during the development phase? | | | | | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| | If YES , describe the types of effluent as well as the volume (m ³) of estimated quantity per type? | | | | | | |
| | A services report will be provided as part of the application for amendment of the EA. | | | | | Unknown | |
| 6.2 | Will the development proposal produce effluent (including sewage) during the <u>operational</u> phase? | | | | | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| | If YES , describe the types of waste (actual type of waste, e.g. oil, and whether hazardous or not) as well as the volume (m ³) of estimated quantity per type? | | | | | | |
| | A services report will be provided as part of the application for amendment of the EA. | | | | | Unknown | |
| 6.3 | Indicate the manner in which the effluent will be treated and disposed of by highlighting the appropriate box(es). | | | | | | |
| | <input checked="" type="checkbox"/> Municipal: Sewer network and licenced WWTW | <input type="checkbox"/> Conservancy tank(s) and disposal at Municipal licenced WWTW | <input type="checkbox"/> Package Plant (private) | <input type="checkbox"/> Biological Waste Water Treatment Plant (private) | <input type="checkbox"/> Other (explain) | <input type="checkbox"/> The project will not generate effluent. | |
| | Explain: | | | | | | |
| Not | Provide proof of assurance of effluent treatment and disposal at a licenced waste disposal facility with sufficient unallocated capacity for the proposed development (e.g. Letter of confirmation from the municipality / water user associations / license from the Department of Water and Sanitation) OR a service level agreement (SLA) with the Municipality in the final BAR. | | | | | | |

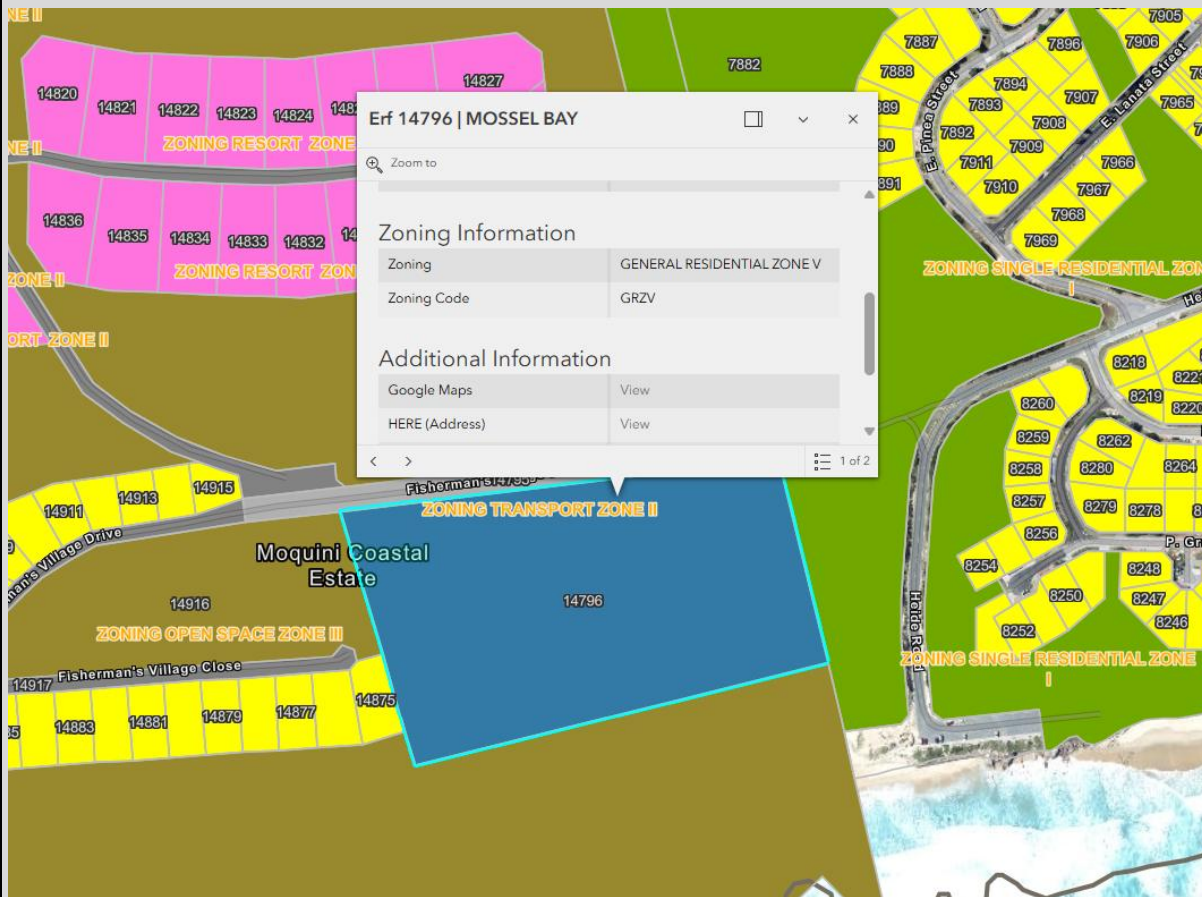
| | | | | | | | |
|---------------------|--|--------------------------------------|--------------------------------------|---|--|---|--|
| 7. WATER USE | | | | | | | |
| 7.1 | Indicate the source(s) of water for the development proposal by highlighting the appropriate box(es). | | | | | | |
| | <input checked="" type="checkbox"/> Municipal | <input type="checkbox"/> Water board | <input type="checkbox"/> Groundwater | <input type="checkbox"/> River, Stream, Dam or Lake | <input type="checkbox"/> Other (explain) | <input type="checkbox"/> The project will not use water | |
| | Explain: | | | | | | |
| 7.2 | If water is to be extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that will be extracted per month: | | | | | 0m ³ | |
| Not | Provide proof of assurance of water supply (e.g. Letter of confirmation from the municipality / water user associations / license from the Department of Water and Sanitation) in the final BAR. | | | | | | |

| | |
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| 8. POWER SUPPLY | |
| 8.1 | Describe the source of power (e.g. municipality / Eskom / renewable energy source). |

| | |
|--|--|
| Municipal supply. A Electrical Services Report will be provided as part of the application for EA Amendment. | |
| 8.2 | If power supply is not available, where will power be sourced? |
| Existing Supply. | |
| Note | Provide proof of assurance of electricity supply (e.g. Letter of confirmation from the municipality / Eskom in the final BAR). |

SECTION F: PLANNING CONTEXT

1. What is the current zoning of the property or properties?
 The site is zoned as General Residential V as per the image below.



Note : In instances where more than one zoning is applicable, attach a list or map of the properties that indicates their respective zoning as Appendix J.

| | | | |
|----|---|------|-----|
| 2. | Is a rezoning application required? | YES | ✓NO |
| 3. | Is any other land use approval(s) (e.g. consent) required? If <u>YES</u> , provide details: | ✓YES | NO |

| | | | |
|----|--|------|----|
| 4. | Will the proposed development be located in an <u>urban area</u> as defined in the EIA Regulations? If <u>YES</u> , provide an explanation: | ✓YES | NO |
|----|--|------|----|

Note : Where applicable, the "interim urban edge" as adopted on 5 March 2012 by the Competent Authority must be considered. Should the site fall within the interim urban edge, for the purpose of the Environmental Impact Assessment Regulations, 2014, the property may be regarded to fall within an "urban area". Please refer to the Department's NEMA EIA Circular 1 of 2012, to inform your explanation.

| | | | |
|----|--|------|----|
| 5. | Is the activity permitted in terms of the property's existing land use rights? | ✓YES | NO |
|----|--|------|----|

Please explain:

| | | | |
|----|---|------|----|
| 6. | Are there any building restrictions in terms of the applicable Municipal By-laws? | ✓YES | NO |
|----|---|------|----|

Please explain:

| | | | |
|----|---|------|----|
| 7. | Will the activity be aligned with the urban edge as delineated in the Municipality's Spatial Development Framework? Please explain below: | ✓YES | NO |
|----|---|------|----|

| | | | |
|----|---|------|----|
| 8. | Will the activity be aligned with an Environmental Management Framework (EMF) or any other Policies, Plans, Guidelines, Spatial Tools, Development Planning Frameworks and instruments applicable to the development? Please explain below: | ✓YES | NO |
|----|---|------|----|

| | | | |
|----|---|------|----|
| 9. | Will the proposed development lie within coastal public property, the coastal protection zone, or coastal access land as defined in terms of the NEM: ICMA, 2008? If YES, please explain below: | ✓YES | NO |
|----|---|------|----|

SECTION G: PUBLIC PARTICIPATION PROCESS

1. Indicate the Public Participation Process to be conducted

(Note: Linear activities must be described in section J2 below).

1.1 Highlight the answers of the actions that will be undertaken in terms of Regulation 41 of the EIA Regulations, 2014:

| | | | |
|-------|---|-----------|---------------|
| (a) | fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of - | | |
| (i) | the site where the activity to which the application relates is or is to be undertaken; and | ✓YES S | EXEMPTIO N |
| (ii) | any alternative site. | ✓YES S | EXEMPTIO N |
| (b) | giving written notice, in any manner provided for in section 47D of the NEMA, to - | | |
| (i) | the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; | ✓YES S | EXEMPTIO N |
| (ii) | owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; | ✓YES S | EXEMPTIO N |
| (iii) | the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area; | ✓YES S | EXEMPTIO N |
| (iv) | the municipality (Local and District Municipality) which has jurisdiction in the area; | ✓YES S | EXEMPTIO N |
| (v) | any organ of state having jurisdiction in respect of any aspect of the activity; and | ✓YES S | EXEMPTIO N |
| (vi) | any other party as required by the competent authority; | N/A | ✓YES S |
| (c) | placing an advertisement in - | | |
| (i) | one local newspaper; or | ✓YES S | EXEMPTIO N |
| (ii) | any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations; | N/A | ✓YES S |
| (d) | placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken. | N/A | ✓YES S |
| (e) | using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— | N/A | ✓YES S |
| | (i) illiteracy; (ii) disability; or (iii) any other disadvantage. | | |

Note: If you have indicated that "EXEMPTION" applies to any of the above, then an Application for Exemption must be submitted and decided by the Competent Authority prior to the application for Environmental Authorisation being submitted.

If NEM:AQA is applicable to your proposed development then a notice must be placed in at least two newspapers.

2. Exclusively for linear activities: Indicate the public participation process to be conducted.

2.1 Highlight which actions will be undertaken in terms of Regulation 41 of the EIA Regulations, 2014:

| | | | |
|------|---|-----|---------------|
| (a) | fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of— | | |
| (i) | the site where the activity to which the application relates is or is to be undertaken; and | YES | EXEMPTIO N |
| (ii) | any alternative site. | YES | EXEMPTIO N |
| (b) | giving written notice, in any manner provided for in section 47D of the NEMA, to— | | |
| (i) | the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; | YES | EXEMPTIO N |
| (ii) | owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; | YES | EXEMPTIO N |

| | | | |
|-------|--|-----|-----------|
| (iii) | the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area; | YES | EXEMPTION |
| (iv) | the municipality (Local and District Municipality) which has jurisdiction in the area; | YES | EXEMPTION |
| (v) | any organ of state having jurisdiction in respect of any aspect of the activity; and | YES | EXEMPTION |
| (vi) | any other party as required by the competent authority; | N/A | YES |
| (c) | placing an advertisement in— | | |
| (i) | one local newspaper; or | YES | EXEMPTION |
| (ii) | any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations; | N/A | YES |
| (d) | placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken. | N/A | YES |
| (e) | using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage. | N/A | YES |

Note: If you have indicated that "EXEMPTION" applies to any of the above, then an Application for Exemption must be submitted and decided by the Competent Authority prior to the application for Environmental Authorisation being submitted.

If NEM:AQA is applicable to your proposed development then a notice must be placed in at least two newspapers.

3. List of State departments/organs of State to be consulted.

| | |
|------|---|
| 3.1. | Provide a list of all the State departments/organs of State that will be consulted, including the name and contact details of the relevant official. |
| | <ul style="list-style-type: none"> • Mossel Bay Municipality • Heritage Western Cape • Cape Nature • DEA&DP |

Note: In terms of section 24O(3) of NEMA and Regulation 7(2) of the EIA Regulations, 2014 the Competent Authority must consult with every State Department/Organ of State that administers a law relating to a matter affecting the environment relevant to an application for an Environmental Authorisation when such Competent Authority considers the application, and unless agreement to the contrary has been reached, the EAP will be responsible for such consultation on behalf of the Competent Authority. A State Department/Organ of State consulted in terms of Section 24O(2) of NEMA and Regulations 3(4) and 43(2) must within 30 days from the date of the EAP's request for comment, submit such comment in writing to the EAP, unless otherwise stated by the Competent Authority.

PART 3: AMENDMENT APPLICATIONS

SECTION A: ~~DETAILS OF THE ENVIRONMENTAL AUTHORISATION (“EA”) | ENVIRONMENTAL MANAGEMENT PROGRAMME (“EMPr”) AND PROPOSED AMENDMENTS~~

| | | | |
|--|---|---|---|
| 1. | Provide a description of the Environmental Authorisation or EMPr. This must include the relevant Departmental and NEAS reference numbers. A copy of the EA must be appended. | | |
| | DEA&DP Ref. No. | | |
| | NEAS Ref. No. | | |
| 2. | Provide an overview of the project including the Farm name/Portion/Erf number. This must include brief description of the proposed changes to the project (i.e. EA or EMPr): | | |
| 3. | Is the Environmental Authorisation/Environmental Management Programme still valid (in force)? If YES , until when is the Environmental Authorisation/EMPr valid? Clearly indicate whether the EA does not include operational aspects. | YES | NO |
| 4. | Were the activities commenced with on site during the validity period of the environmental authorisation? If YES , describe the implementation of the environmental authorisation to date (please indicate the individual listed activities commenced with). | YES | NO |
| 5. | Is the Directorate Development Management the competent authority that issued the environmental authorisation? If NO , provide the details of the Competent Authority that issued the authorisation and details regarding their jurisdiction in terms of the NEMA. | YES | NO |
| 6. | Was the EA decision appealed by anyone? If YES , provide details of the Appeal Decision and a copy of the Appeal Environmental Authorisation. | YES | NO |
| 7. | Does the proposed change(s) to the valid EA, on its own, constitute a listed activity? Please ensure to complete Section E below. | YES | NO |
| IMPORTANT: If YES , the amendment application will not be considered, and you will be required to apply for Environmental Authorisation from the Competent Authority to undertake the listed activity. In such a case complete the relevant Parts of this form. | | | |
| 8. | Please indicate whether a Part 1, Part 2 or Part 4 amendment process is required (highlight the relevant box) | | |
| | Part 1 amendment process | Part 2 amendment process | Part 4 amendment process |
| | *Complete Section A and B below. | *Complete Sections A; C and E below. | *Complete Sections A; D and E below. |
| <p>Note A Part 1 amendment will not change the scope of a valid Environmental Authorisation, nor increase the level or nature of the impact which was initially assess as part of the valid Environmental Authorisation or refers to a proposed change of ownership or transfer or rights and obligations.</p> <p>A Part 2 amendment will result in a change to the scope of a valid Environmental Authorisation where such change will result in an increased level of impact or change in the nature of impact, where such level or change in nature of impact was not assessed and included in the initial application for environmental authorisation; or taken into consideration in the initial environmental authorisation.</p> <p>A Part 4 amendment relates to an amendment to the impact management outcomes of an EMPr before an audit is required in terms of the Environmental Authorisation</p> | | | |
| 9. | Provide a list of the similarly listed activities in terms of the latest EIA Regulations, 2014 that are applicable to the project: | | |

| | |
|--|--|
| Note: For an amendment of an Environmental Authorisation to be considered, the listed activity(ies) in the valid Environmental Authorisation must be similarly listed in terms of the latest EIA Regulations Listing Notices. | |
| Provide the activity number and description of the relevant Listed Activities from the previous NEMA notices or ECA notices as approved in the EA: | Describe the " similarly listed activity " identified in the current Listing Notices and provide a motivation and description of the portion of the proposed project to which the identified listed activity relates. |
| | |
| Note " ECA notices ", means the notices promulgated in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989) namely Government Notice R. 1182, as amended by Government Notice R. 1355 of 17 October 1997, Government Notice R. 448 of 27 March 1998 and Government Notice R. 670 of 10 May 2002. " previous NEMA notices " as contemplated in these transitional arrangements means the previous notices published in terms of section 24(2) of NEMA (Government Notices R. 386 and R. 387 in the Government Gazette of 21 April 2006, as amended, Government Notices No. R.544, 545 and 546 in the Government Gazette of 18 June 2010, as amended, or Government Notices No. R983, R984 and R985 in the Government Gazette of 4 December 2014, as amended); | |

SECTION B: APPLICATIONS TO FOLLOW A PART 1 AMENDMENT PROCESS

Complete this section if a Part 1 Amendment process must be followed to amend the environmental authorisation. Please highlight the relevant applicable sections and provide information in the blocks provided.

| | | | |
|--|---|-----|----|
| 1. | Provide a concise description of the amendment(s) being applied for. This must include an overview of the project including the Farm name/Portion/Erf number: | | |
| 2. | Does the proposed change to the EA relate to the change of ownership? Explain below: | YES | NO |
| 3. | Does the proposed change to the EA relate to the transfer of rights and obligations? Explain below: | YES | NO |
| 4. | Does the proposed change to the EA relate to the extension of the validity period of the EA? Explain below: | YES | NO |
| 5. | Does the EA that was granted include operational aspects? If NO , explain why a Part 1 amendment process must be followed below: | YES | NO |
| Note: Where the environmental authorisation does not include operational aspects, the period for which the environmental authorisation is granted, may not be extended unless the process to amend the environmental authorisation contemplated in Regulation 32 is followed. Furthermore, the period for which such environmental authorisation is granted may only be extended for a maximum further period of 5 years. | | | |
| 6. | Will the proposed changes to the EA result in a change in the scope of a valid Environmental Authorisation? (NB: If yes, complete Section C: Part 2 Amendment Applications below). | YES | NO |
| 7. | Will the proposed changes to the EA result in an increase the level or nature of the impact? Provided: Such impacts were not initially assessed and considered when the application was made for the environmental authorisation under consideration. Explain below: (NB: If yes, complete Section C: Part 2 Amendment Applications below) | YES | NO |
| 8. | Provide specific reasons for the amendment(s) being applied for. | | |
| Note: A current written consent from the landowner must be attached as Appendix B and the endorsement from the Holder of the EA must be attached as Appendix C to this Form when submitted. | | | |

SECTION C: APPLICATIONS TO FOLLOW A PART 2 AMENDMENT PROCESS

Complete this section if a Part 2 Amendment process must be followed to amend the environmental authorisation.

| | | | |
|--|---|-----|----|
| 1. | Provide the DEA&DP reference number of the EA to be amended and a concise description of the amendment(s) being applied for. | | |
| | DEA&DP Ref. NO. | | |
| | NEAS Ref. NO. | | |
| 2. | Will the proposed changes to the EA result in a change in the scope of a valid Environmental Authorisation? Explain below: | YES | NO |
| 3. | Will the proposed changes to the EA result in an increase the level or nature of the impact? Provided: Such impact(s) was initially assessed and considered when the application was made for the environmental authorisation under consideration. Explain below: | YES | NO |
| 4. | Provide specific reasons for the amendment(s) being applied for. | | |
| 5. | Specialist Input and Procedures for the Assessment and minimum criteria for reporting on identified environmental themes: | | |
| 5.1 | Explain which environmental themes and protocols are applicable to your proposal. | | |
| 5.2 | Will you be conducting the specialist input as recommended in the screening tool report? | YES | NO |
| | If NO , please attach a SSVR as APPENDIX E and indicate for which Themes the specialist investigations will be conducted and provide an explanation why the others will not be undertaken or will not be undertaken at the level of assessment indicated in the STR. | | |
| 6. | Will the proposed changes to the EA require changes to the provision of any engineering services? Explain below: | YES | NO |
| Note: A current written consent from the landowner must be attached as Appendix B and where applicable, the endorsement from the Holder of the EA must be attached as Appendix C to this Form when submitted. | | | |

SECTION D: PART 4 AMENDMENT APPLICATIONS

Complete this section if an amendment to the impact management outcomes of an EMPr is required.

| | | | |
|----|---|-----|----|
| 1. | Provide a concise description of the amendment(s) to the impact management outcomes of the EMPr being applied for. | | |
| | DEA&DP Ref. NO. | | |
| | NEAS Ref. NO. | | |
| 2. | Provide specific reasons for the amendment(s) being applied for. | | |
| 3. | Will you be conducting the specialist input as recommended in the screening tool report? | YES | NO |
| | If NO , please provide an explanation. Where specialist input is required, a SSVR must be attached as APPENDIX E and indicate for which Themes the specialist investigations will be conducted and provide an explanation why the others will not be undertaken or will not be undertaken at the level of assessment indicated in the STR. | | |

SECTION E: PUBLIC PARTICIPATION PROCESS

For a **Part 2** and **Part 4** amendment process, the proposed amendment(s) **must** be brought to the attention of potential and registered interested and affected parties, including State Departments/Organs of State which have jurisdiction in respect of any aspect of the relevant activity who **must** be given a minimum period of **30 days** to comment on the Report.

| | | | |
|-------|---|--------|---------------|
| 1. | Describe the proposed method of bringing the proposed amendment to the attention of the potential interested and affected parties OR registered interested and affected parties. | | |
| (a) | fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of - | | |
| (i) | the site where the activity to which the application relates is or is to be undertaken; and | ✓ S | EXEMPTIO N |
| (ii) | any alternative site. | ✓ S | EXEMPTIO N |
| (b) | giving written notice, in any manner provided for in section 47D of the NEMA, to – | | |
| (i) | the occupiers of the site and, if the applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; | ✓ S | EXEMPTIO N |
| (ii) | owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; | ✓ S | EXEMPTIO N |
| (iii) | the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area; | ✓ S | EXEMPTIO N |
| (iv) | the municipality (Local and District Municipality) which has jurisdiction in the area; | ✓ S | EXEMPTIO N |
| (v) | any organ of state having jurisdiction in respect of any aspect of the activity; and | ✓ S | EXEMPTIO N |
| (vi) | any other party as required by the competent authority; | N/A | ✓ S |
| (c) | placing an advertisement in - | | |
| (i) | one local newspaper; or | ✓ S | EXEMPTIO N |
| (ii) | any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations; | N/A | ✓ S |
| (d) | placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken. | N/A | ✓ S |
| (e) | using reasonable alternative methods, as agreed to by the Department, in those instances where a person is desirous of but unable to participate in the process due to— (i) illiteracy; (ii) disability; or (iii) any other disadvantage. | N/A | ✓ S |

2. Where public participation will be undertaken prior to the submission of the application. Please provide a summary of the steps that will be followed:

Note The proposed amendment(s) must also be brought to the attention of the landowner. The landowner consent form must be completed and submitted anew with the application form should the applicant not be the landowner. For a Part 2 amendment process, the landowner must be given a minimum period of 30 days to comment on the Report.

3. **State Departments/Organs of State to be consulted:**
Provide a list of all the State departments/organs of State that will be consulted, including the name and contact details of the relevant official.

Note In terms of section 24O(3) of NEMA and Regulation 7(2) of the EIA Regulations, 2014 the Competent Authority must consult with every State Department/Organ of State that administers a law relating to a matter affecting the environment relevant to an application for an Environmental Authorisation when such Competent Authority considers the application, and unless agreement to the contrary has been reached, the EAP will be responsible for such consultation on behalf of the Competent Authority. A State Department/Organ of State consulted in terms of Section 24O(2) of NEMA and Regulations 3(4) and 43(2) must within 30 days from the date of the EAP's request for comment, submit such comment in writing to the EAP, unless otherwise stated by the Competent Authority.

Please attach the detailed public participation process, which the Competent Authority must agree to, as Appendix L to this Form.

PART 4 DECLARATIONS

SECTION A: DECLARATION OF THE PROPONENT

Note: Duplicate this section where there is more than one Proponent.

I, MR COSTA ZERVAS ID Number: 4 7 0 6 0 1 5 0 0 3 0 8 8

in my personal capacity or duly authorised thereto hereby declare/affirm that:

- the information provided or to be provided as part of this NOI, is true and correct;
- I am fully aware of my responsibilities in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"), the Environmental Impact Assessment ("EIA") Regulations, as defined in Chapter 5 of NEMA (as amended) and any relevant Specific Environmental Management Acts and that failure to comply with these requirements may constitute an offence in terms of relevant environmental legislation;
- I am aware that is an offence in terms of Section 24F of the NEMA should I commence with a listed activity prior to obtaining an Environmental Authorisation;
- I am aware of my general duty of care in terms of Section 28 of the NEMA;
- I appointed the Environmental Assessment Practitioner ("EAP") which:
 - meets the requirements of the Section 24H Registration Authority Regulations, 2016, promulgated in terms of NEMA;
 - meets all the requirements in terms of Regulation 13 of the EIA Regulations, 2014;
 - meets all the requirements other than the requirement to be independent in terms of Regulation 13 of the EIA Regulations, but a review EAP has been appointed who does meet all the requirements of Regulation 13 of the EIA Regulations, 2014;
- I will provide the EAP and specialist, where applicable, and the Competent Authority with access to all information at my disposal that is relevant to the application;
- I will be responsible for the costs incurred in complying with the EIA Regulations, 2014 and other environmental legislation including but not limited to –
 - costs incurred for the appointment of the EAP or any person contracted by the EAP;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the EIA Regulations, 2014;
 - costs in respect of specialist reviews; and
 - the provision of security to ensure compliance with applicable management and mitigation measures; and
- I am responsible for complying with conditions that may be attached to any decision(s) issued by the Competent Authority; hereby indemnify, the government of the Republic, the Competent Authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the Applicant or EAP is responsible in terms of the EIA Regulations, 2014 and any Specific Environmental Management Act.

Note: If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.

Signature of the Proponent:

Date:

Moquini Beach Hotel (Pty) Ltd

Name of company (if applicable):

SECTION B: DECLARATION OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)

I, DALE HOLDER EAP Registration Number: 2 0 1 9 / 3 0 1
 as the appointed EAP hereby declare/affirm that:

- my EAP Registration is current and up to date, and will inform the proponent and Department if the registration should lapse during this pre-application process;
- the information provided or to be provided as part of this NOI, is true and correct;
- in terms of the general requirement to be independent:
 - other than fair remuneration for work performed/to be performed in terms of this application, have no business, financial, personal or other interest in the activity or application and that there are no circumstances that may compromise my objectivity; or
 - ~~am not independent, but another EAP that meets the general requirements set out in Regulation 13 of EIA Regulations, 2014 have been appointed to review my work (Note: a declaration by the review EAP must be submitted);~~
- in terms of the remainder of the general requirements for an EAP, am fully aware of and meet all of the requirements and that failure to comply with any the requirements may result in disqualification;
- I have disclosed/will disclose, to the Applicant, the specialist (if any), the Competent Authority and registered interested and affected parties, all material information that have or may have the potential to influence the decision of the Competent Authority or the objectivity of any report, plan or document prepared or to be prepared as part of this NOI;
- I have ensured/will ensure that information containing all relevant facts in respect of the NOI was/will be distributed or was/will be made available to registered interested and affected parties and that participation will be facilitated in such a manner that all interested and affected parties were/will be provided with a reasonable opportunity to participate and to provide comments;
- I have ensured/will ensure that the comments of all interested and affected parties were/will be considered, recorded and submitted to the Competent Authority in respect of this NOI;
- I have ensured/will ensure the inclusion of inputs and recommendations from any specialists in respect of the NOI, where relevant;
- I have kept/will keep a register of all interested and affected parties that participated in the public participation process;
- I am aware that a false declaration is an offence in terms of Regulation 48 of the EIA Regulations, 2014; and
- All specialist investigations must comment on how the potential impacts relate to climate change concerns.

 Signature of the EAP:

 Date:

 Cape Environmental Assessment Practitioners
 Name of company (if applicable):

APPENDIX A: REQUEST FOR A SPECIFIC FEE REFERENCE NUMBER (NOI Form)

Please attach proof of payment of the applicable administrative fee to the Application Form.

A: Applicant's details:

Name: Mr Costa Zervas – Moquini Beach Hotel (Pty) Ltd ID Number: 4706015003088
 Residential Address: 902 Pretorius Street, Arcadia, Pretoria
 Postal Address / Code: 902 Pretorius Street, Arcadia, Pretoria
 Cellular no.: 083 250 4084 Telephone no.: (012) 430 6556
 Email address: costa@czp.co.za

B: EAP's details:

Name: Dale Holder EAPASA Registration No: 2019/301
 Company Name: Cape Environmental Assessment Practitioners
 Postal Address / Code: PO Box 2070, George 6530
 Cellular no.: 0824489225 Telephone no.: 0448740365
 Email address: dale@cape-eaprac.co.za

C: Provide a concise description of the proposed project/Changes to the Environmental Authorisation

The proposed Moquini Beach Hotel Development was authorised under reference number EG12/2/3/1-D6/27-454/06 Erf 14796 Mossel Bay. The project was originally authorised to consist of apartments and a hotel. The applicant wishes to amend the EA to reconfigure the layout including the removal of the hotel and replacement with apartments.

D. Indicate (shade) the process to which the application must be subjected:

| Basic Assessment: | Scoping & EIR | Integrated Application | ✓Amendment |
|---|--|--|--|
| Listing Notice 1 activity no's: <input type="text"/> | Listing Notice 2 activity no's <input type="text"/> | Describe applications: <input type="text"/> | Reasons for a Part 1; Part 2 or Part 4 amendment process must be provided in the Form. |
| Listing Notice 3 activity no's: <input type="text"/> | <input type="text"/> | <input type="text"/> | |

E: Application Fee:

Indicate the fee amount to be paid: **R2 000.00**

F: Indicate within which Departmental region the application will be administered:

CAPE TOWN OFFICE: REGION 1
 (City of Cape Town, West Coast District, Cape Winelands District & Overberg District)
DEADPEIAadmin@westerncape.gov.za

GEORGE REGIONAL OFFICE: REGION 3
 (Central Karoo District & Eden District)
DEADPEIAadmin.George@westerncape.gov.za

G: Request from proponent:

I, Mr Costa Zervas

Moquini Beach Hotel (Pty) Ltd

(Applicant's full name and signature), herewith request the Department to provide me with a Specific Fee Reference Number in order that I may make payment of the application fee. I am fully aware of my responsibility to ensure that the correct fee is paid and that proof of such payment must be attached to my Application Form. I further confirm that the information I have provided herein is true and correct.

(FOR OFFICIAL USE ONLY)

| | | | | |
|---|---|--|---|---|
| Captured by: _____ | Date received: _____ | Date captured: _____ | | |
| Mark process (X): | Basic Assessment <input type="checkbox"/> | Scoping & EIR <input type="checkbox"/> | Part 1 amendment <input type="checkbox"/> | Part 2 amendment <input type="checkbox"/> |
| Amount to be paid: _____ | Specific Fee Reference No: _____ | | | |
| Process and amount confirmed by Control EO: Name & Digital Signature: _____ | | | | |

THE COMPLETED FORM MUST BE APPENDED TO THE NOI OR E-MAILED TO THE RELEVANT DEPARTMENTAL REGION REFLECTED ABOVE. THE APPLICATION FEE MUST BE PAID INTO THE DEPARTMENTAL BANKING ACCOUNT USING THE SPECIFIC FEE REFERENCE NUMBER.

APPENDIX B: LANDOWNER'S CONSENT FORM

Note: Where the applicant is not the landowner, in terms of Regulation 39 of the EIA Regulations, consent must be obtained from the landowner or person in control of the land that the proposed activity/ies may be undertaken on the land in question.

The landowner's consent must be obtained when an application will be made to amend a valid Environmental Authorisation for the change of ownership or transfer of rights and obligations.

CONTACT INFORMATION:

| | | | |
|--|-------|--------|--------------|
| Name of landowner / Person in control of the land: | | | |
| Company / Trading name: State Department or Organ of State: | | | |
| Contact numbers: | Tel.: | +27{0} | Cell: +27{0} |
| E-mail: | | | |
| Postal address: | | | Code: |

CONSENT:

1. I/we the undersigned

| |
|--|
| |
|--|

{insert the name/s of the owner/s of the land or person/s in control of the land}

of identity number/ company registration number

| |
|--|
| |
|--|

{insert the owner/s ID number/s or the registration number of the legal entity}

— am / are the registered owner/s of the property or the lawful person/persons in control of the land

| |
|--|
| |
|--|

{insert description of the property/ properties and title deed numbers}

— located at:

| |
|--|
| |
|--|

{insert the physical address and a brief description of the location of the property}

2. I / we hereby give consent to the Applicant,

| |
|--|
| |
|--|

{insert the name/s of the Applicant / legal entity applying}

— of identity number/registration number

| |
|--|
| |
|--|

{insert the owner/s ID number/s or the registration number of the legal entity}

— to undertake the following activity(ies) on the land:

| |
|--|
| |
|--|

{insert a brief description of the project and identified activity(ies) in question that will be applied for}

Signature of Landowner / authorised
representative

Date:

Note: If you are an authorised representative or person in control of the land, a certified copy of the resolution or power of attorney must be attached.

APPENDIX C: EA HOLDER'S ENDORSEMENT FORM

Note: Where a person/legal entity wishes to apply in terms of Regulation 29(b) of the EIA Regulations, 2014, for the change of ownership or transfer of rights and obligations associated with a valid environmental authorisation, such person must demonstrate that the lawful Holder of the Environmental Authorisation has given consent or is in agreement to the change of ownership or transfer of rights and obligations.

| | | | |
|---|------|--------|--------------|
| CONTACT INFORMATION | | | |
| Name of Holder: | | | |
| Company / Trading name: State Department or Organ of State: | | | |
| Contact person: | | | |
| Contact numbers: | Tel. | +27(0) | Cell: +27(0) |
| E-mail: | | | |
| Postal address & Postal code: | | | Code: |

ENDORSEMENT

I, _____ /we the undersigned

| |
|--|
| |
|--|

(insert the name/s of the lawful Holder)

of company registration number

| |
|--|
| |
|--|

(insert the Holder's ID number/s or the registration number of the legal entity)

_____ am / are the lawful Holder of the valid Environmental Authorisation

| | |
|----------------------|--|
| DEA&DP EIA REF. NO.: | |
| | |

(insert description of the Environmental Authorisation and date of issue)

_____ located at:

| |
|--|
| |
|--|

(insert the physical address and a brief description of the location of the property)

2. _____ I / we hereby endorse the Applicant,

| |
|--|
| |
|--|

(insert the name/s of the Applicant / persons applying)

_____ of identity number/registration number,

| |
|--|
| |
|--|

(insert the applicant/s ID number/s or the registration number of the legal entity)

_____ to transfer ownership or the rights and obligations associated with the Environmental Authorisation, to undertake the authorised activities on the approved site.

Signature of Holder of the EA / authorised
representative

Date:

Note: If you are an authorised representative of the Holder of the Environmental Authorisation, a certified copy of the resolution or power of attorney must be attached.