



REFERENCE: 16/3/3/5/D5/18/0012/25  
NEAS REFERENCE: WCP/EIA/AMEND/0000969/2025  
DATE OF ISSUE: 19 September 2025

## ADDENDUM TO ENVIRONMENTAL AUTHORISATION

### AMENDMENT OF THE APPEAL ENVIRONMENTAL AUTHORISATION (REF: M3/6/5 ISSUED ON 9 DECEMBER 2015) FOR THE PROPOSED DEVELOPMENT OF THE STILL BAY ARTERIAL/RING ROAD, STILL BAY

With reference to your application for the amendment of the environmental authorisation issued on 9 December 2015, Reference Number: M3/6/5 find below the amendment to the Environmental Authorisation in respect of this application.

#### A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Department herewith **grants** the second amendment of the Appeal Environmental Authorisation issued on 9 December 2015 (Ref. No. M3/6/5) as amended on 22 June 2020 by the Addendum to the Appeal Environmental Authorisation (Ref: No. 14/3/1/1/D5/18/0446/20), in terms of Part 1 of Chapter 5 of the EIA Regulations, 2014 (as amended).

The Appeal Environmental Authorisation, hereinafter referred to as the "Appeal EA (as amended)" is amended as set out below:

#### 1. Section E: Condition 1 of the Appeal EA is replaced for the following:

*" This Environmental Authorisation is granted for the period from date of issue of the Appeal Decision on 9 December 2015, until **22 June 2035** (validity period), during which period the Holder must ensure that the—*

- (a) physical implementation of the authorised listed activities is started with and concluded by the date stipulated for the non-operational aspects;*
- (b) construction monitoring and reporting requirements are undertaken and submitted to the Competent Authority in time to allow said authority to process such documents timeously;*
- (c) post construction rehabilitation and monitoring requirements is undertaken and completed; and*
- (d) environmental auditing requirements are complied with; and that such auditing is finalised in time to allow the competent authority to be able to process the environmental audits timeously within the specified validity period.*

*Further to the above, the Holder must start with the physical implementation of all the authorised listed activities by 22 June 2025.*

*Failing to comply with the above, this Environmental Authorisation shall lapse, unless the Environmental Authorisation is amended in accordance with the relevant process contemplated in the Environmental Impact Assessment Regulations promulgated under the National Environmental Management Act, 1998 (Act no. 107 of 1998)."*

2. All other conditions contained in the Appeal Environmental Authorisation issued on 9 December 2015, Reference Number: M3/6/5, remain unchanged and is still in force.

## **B. REASONS FOR THE DECISION:**

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

1. The information contained in the application for amendment dated 10 June 2025 and received by this Department on 13 June 2025, including all the additional information presented to this Department, which formed part of the application for amendment.
2. The amendment does not, on its own, constitute a listed activity. The listed activities authorised in the Appeal EA (as amended) are similarly listed in terms of the EIA Regulations, 2014 (as amended).
3. The Appeal Environmental Authorisation issued on 9 December 2015, Reference Number: M3/6/5 and the subsequent amendment thereof on 22 June 2020 by the Addendum to the Appeal Environmental Authorisation (Ref. No. 14/3/1/1/D5/18/0446/20).
4. This application for amendment is to extend the validity period of the EA. The date on which the activities must be concluded (i.e., 22 June 2035) has also been inserted in Condition 1 as contemplated in Regulation 26(d) of the EIA Regulations, 2014.
5. The environment and the rights and interests of other parties are not likely to be adversely affected by this decision to amend the Appeal Environmental Authorisation.
6. The Applicant's motivation:
  - 6.1. The applicant motivates that financing of the road is intended as a joint effort (public-private partnership and capital contributions) which has been delayed to some extent because of change in ownership of the various properties affected by the alignment and this has complicated negotiations for said funding.
  - 6.2. Some landowners along the route are at different stages of their own private development applications, which impacts their ability or willingness to make the necessary capital contributions or enter into public-private partnerships to co-fund the road. The negotiations between the Municipality and landowner have therefore been impacted and more complicated than what the Municipality initially anticipated.
  - 6.3. The application form also indicates that the Municipality has engaged with some landowners along the route, however they have not been able to secure a servitude for the entire route due to the complicated nature of compensation conditions.
  - 6.4. The arterial ring road forms part of the Municipality's bulk strategic service infrastructure for Still Bay and the Municipality had to first spend funds on bulk sewer and bulk water infrastructure upgrade in order to create a (sustainable) development climate that will enable and ultimately support development of the arterial ring road as part of their bulk services improvements. The Municipality is of the opinion that the bulk sewer and water upgrades had to be prioritised above the road infrastructure upgrade which contributed to the delayed implementation of the road itself.

6.5. Growing traffic volumes associated with growth of Stilbaai remains a significant challenge for the Municipality since the main road/access to Jongensfontein/Stilbaai West continues to be under pressure and without the arterial ring road the congestion will become severe, hence the requirement for the extension.

7. *Scope and Validity Period*

This environmental authorisation does not define specific operational aspects. The environmental authorisation's validity period has been granted for a further period of ca. ten (10) years, during which period the construction activities must commence and be concluded, including the post-construction rehabilitation and monitoring and submission of the final environmental audit reports for the construction phase. Considering the authorisation was granted nearly 10-years ago and the proposed implementation programme, the view is held that the construction, the monitoring and post-construction rehabilitation can be adequately incorporated in the construction phase. Nonetheless, where the activity has been commenced with, the EIA Regulations, 2014 allows that (upon application) the period for which the environmental authorisation is granted may be extended for a further period of 5-years.

## C. CONDITIONS

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

## D. APPEALS

1. Appeals must comply the National Appeal Regulations, 2025 (Government Notice No. R. 5985 in Government Gazette No. 52269 of 13 March 2025. Please note the provisions of Regulations 1(2) and 1(3) of the National Appeal Regulations, 2025 when calculating the period of days.
2. The holder (applicant) of this decision must submit an appeal to the Appeal Administrator, any registered Interested and Affected Parties (I&AP's) and the decision maker (Competent Authority who issued the decision) within 20 calendar days from the date this decision was sent by the decision maker.
3. The I&AP's (not the holder of this decision) must submit an appeal to the Appeal Administrator, the holder (applicant) of the decision and the decision maker within 20 calendar days from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision.

4. All appeals submitted must:
  - 4.1. be in writing in the appeal form obtainable from the Departmental website;
  - 4.2. include supporting documents referred to in the appeal; and
  - 4.3. include proof of payment of the prescribed non-refundable appeal fee, if prescribed.
5. The holder (applicant) of the decision must:
  - 5.1. notify registered I&AP's and affected organs of state of any appeal received, and make the appeal available to them, within 5 calendar days after the 20-day appeal period ends.
  - 5.2. Submit proof of this notification to the Appeal Administrator within 5 calendar days after sending the last notification.
6. The applicant, where applicable, the decision-maker, or any person notified under regulation 4 of the National Appeal Regulations, 2025 may submit a Responding Statement within 20 calendar days from the date they received the appeal, in the form obtainable from the Department website to the Appeal Administrator and to the appellant, where the appellant is not the applicant.
7. Appeals, Responding Statements and supporting documents must be submitted to the Appeal Administrator by means of one of the following methods:
  - 7.1. By e-mail: [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or
  - 7.2. By hand where that person submitting does not hold an electronic mail account:  
Attention: Mr Marius Venter  
Room 809, 8th Floor Utilitas Building,  
1 Dorp Street, Cape Town, 8001

**Note:**

You are also requested to submit an electronic copy (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Administrator via email or to the address listed above.

A prescribed appeal form, responding statement form as well as assistance regarding the appeal processes is obtainable from the relevant website of the appeal authority: <http://www.westerncape.gov.za/eadp> or the office of the Minister at: Tel. (021) 483 3721 or email [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za)

Documents to be submitted to the decision-maker (i.e., the Competent Authority that issued the decision) at: [Gavin.Benjamin@westerncape.gov.za](mailto:Gavin.Benjamin@westerncape.gov.za); and copied to [DEADPEIAadmin.George@westerncape.gov.za](mailto:DEADPEIAadmin.George@westerncape.gov.za)

**E. DISCLAIMER**

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

Your interest in the future of our environment is appreciated.

Yours faithfully

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**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)**  
**WCG: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**  
**DATE OF DECISION: 19 SEPTEMBER 2025**

**FOR OFFICIAL USE ONLY:**

**APPEAL ENVIRONMENTAL AUTHORISATION**

**REFERENCE NUMBER:** M3/6/5  
**DATE OF ISSUE:** 9 December 2015

**EA ADDENDUM #1 REFERENCE NUMBER:** 14/3/1/1/D5/18/0446/20  
**DATE OF ISSUE:** 22 June 2020

**EA ADDENDUM #2 REFERENCE NUMBER:** 16/3/3/5/D5/18/0012/25  
**NEAS REF.:** WCP/EIA/AMEND/0000969/2025  
**DATE OF ISSUE:** (this decision)  
**CASE OFFICER:** Ms. Shireen Pullen | Shireen.Pullen@westerncape.gov.za