



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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DFFE Reference: 14/12/16/3/3/1/3021

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Mr Dalton Gibbs
City of Cape Town
Westlake Conservation Services Unit
Ou Kaapse Weg
TOKAI
7945

Telephone Number (021) 444 7792
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PER E-MAIL

Dear Mr Gibbs

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE RE-DEVELOPMENT OF THE ZEEKOEVLEI AND RONDEVLEI WEIR COMPLEX, FALSE BAY NATURE RESERVE, CITY OF CAPE TOWN METROPOLITAN MUNICIPALITY, WESTERN CAPE PROVINCE

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of the date of the decision, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.



Batho pele- putting people first



The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

M.J.

Your attention is drawn to Chapter 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within twenty (20) days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@dffe.gov.za
 By hand: Environment House
 473 Steve Biko Road
 Arcadia
PRETORIA
 0083 or
 By post: Private Bag X447
PRETORIA
 0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.dffe.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dffe.gov.za.

Yours faithfully


Dr Sabelo Malaza
 Chief Director: Integrated Environmental Authorisations
 Department of Forestry, Fisheries and the Environment
 Date: 18/03/2025

cc:	Jeremy Rose	Infinity Environmental (Pty) Ltd	Email: Jeremy@infinityenv.co.za
	Zaahir Toefy	WC DEADP	E-mail: Deadp_eiaadmin@westerncape.gov.za
	Andrew Greenwood	City of Cape Town Metropolitan Municipality	E-mail: Andrew.greenwood@capetown.gov.za





forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

**THE RE-DEVELOPMENT OF THE ZEEKOEVLEI AND RONDEVLEI WEIR COMPLEX, FALSE BAY
NATURE RESERVE, CITY OF CAPE TOWN METROPOLITAN MUNICIPALITY, WESTERN CAPE
PROVINCE**

City of Cape Town Metropolitan Municipality

Authorisation register number:	14/12/16/3/3/1/3021
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>City of Cape Town</i>
Location of activity:	<i>Remainder of Erf 263, Zeekoevlei; Cape Farms 847; Remainder of Erf 1834, Grassy Park; Remainder of Erf 93284, Cape Town; Portion 37 of Cape Farms 844; Cape Farms 846; City of Cape Town Metropolitan Municipality; and Western Cape Province.</i>

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

MS

Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

CITY OF CAPE TOWN

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Mr Dalton Gibbs
Westlake Conservation Services Unit
Ou Kaapse Weg

TOKAI

7945

Telephone Number: (021) 444 7792
E-mail Address: Dalton.gibbs@capetown.gov.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 and Listing Notice 3 of the NEMA EIA Regulations, 2014 as amended:

Activity number	Activity description
<u>Listing Notice 1, Item 12</u> <i>"The development of—</i> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i> <i>(a) within a watercourse;</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse."</i>	The applicant will construct a new weir across the Rondevlei canal adjacent to the existing Zeekoevlei weir. The surface area of the new weir, its accompanying gabion structures, and the adjacent areas excavated and reinstated during construction will be approximately 5000m².
<u>Listing Notice 1, Item 17</u> <i>"Development—</i> <i>(ii) in an estuary;</i> <i>(v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</i> <i>in respect of—</i> <i>(c) embankments;</i> <i>(d) rock revetments or stabilising structures including stabilising walls; or</i> <i>(e) infrastructure or structures with a development footprint of 50 square metres or more."</i>	The Zeekoevlei and its canal are technically classified as an estuary in the National Biodiversity Assessment, despite having no estuarine characteristics as determined by this project's aquatic and estuarine specialists. The new Rondevlei weir requires stabilising structures including reinforced concrete retaining walls and gabion structures, as well as new cut embankments, to retain sand dunes adjacent to the weir. The new fish swimway at the existing sewer culvert on Erf 93284/RE also requires gabion retaining structures, within and adjacent to the Zeekoe canal.
<u>Listing Notice 1, Item 19</u> <i>" The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse."</i>	The weir complex requires excavations and the placement of concrete and gabion structures within the Zeekoevlei, the Rondevlei, the Zeekoe canal, and the Rondevlei canal, for the following purposes: • Expansion of the existing Zeekoevlei weir

	• Construction of the new Rondevlei weir and its apron • Construction of the new fish swimways at the Zeekoevlei and Rondevlei weirs (both existing and new) and at the foul sewer rising main culvert • Construction of animal crossing points on the Rondevlei canal The total volume of excavation and new structures will be well in excess of the threshold.
<u>Listing Notice 1, Item 19A</u> <i>"The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—</i> <i>(ii) the littoral active zone, an estuary or a distance of 100 metres inland of the highwater mark of the sea or an estuary, whichever distance is the greater."</i>	The weir complex requires excavations and the placement of concrete and gabion structures within the Zeekoevlei, the Rondevlei, the Zeekoe canal, and the Rondevlei canal, for the following purposes: • Expansion of the existing Zeekoevlei weir • Construction of the new Rondevlei weir and its apron • Construction of the new fish swimways at the Zeekoevlei and Rondevlei weirs (both existing and new) and at the foul sewer rising main culvert • Construction of animal crossing points on the Rondevlei canal The total volume of excavation and new structures will be well in excess of the threshold. The Zeekoevlei and its canal are technically classified as an estuary in the National Biodiversity Assessment, despite having no estuarine characteristics as determined by this project's aquatic and estuarine specialists.
<u>Listing Notice 1, Item 27</u> <i>"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation,</i>	The redevelopment includes the clearance of indigenous vegetation within the project footprint. The vegetation clearance required as part of the

<i>except where such clearance of indigenous vegetation is required for—</i> <i>(i) the undertaking of a linear activity; or</i> <i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</i>	direct project footprint is approximately 8500m² and is located west and south of the existing Zeekoevlei weir, as well as at the culvert bridge on Erf 93284 and at two faunal crossings on the Rondevlei canal. Excavated areas not under concrete and other structures will be rehabilitated with locally indigenous strandveld vegetation before completion of the project. The site camp and stockpile area required to construct the weir will be located in a disturbed (previously transformed but passively rehabilitating) area of the reserve and have a further footprint of up to 2ha. Not all of this area will necessarily be cleared of vegetation, with some used for the placement of material stockpiles that will be removed after construction. Total indigenous plant species cover in this area is also well below 50%. In total, however, it is probable that the overall clearance required will exceed one hectare, with parts of this reinstated and rehabilitated after construction.
<u>Listing Notice 1, Item 48</u> <i>“The expansion of—</i> <i>(i) infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</i> <i>(ii) dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more;</i> <i>where such expansion occurs—</i> <i>(a) within a watercourse;</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.”</i>	The proposal includes the expansion of the existing Zeekoevlei weir and construction of a new Rondevlei weir as part of a single weir complex. The surface area of the expansion area, including the fish ladders, gate house, vehicular bridge, gravel parking, gabions and slope stabilisation, and fencing structures will be approximately 9500m². The new fish swimway at the downstream culvert would constitute an expansion of infrastructure, approximately 1800m² in extent. Faunal crossings of the Rondevlei canal would require an expanded

	footprint of approximately 300m² in total. Modifications to the existing Rondevlei weir are also proposed, but would not significantly increase its physical footprint.
<u>Listing Notice 1, Item 54</u> <i>"The expansion of facilities—</i> <i>(ii) in an estuary;</i> <i>(v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</i> <i>in respect of—</i> <i>(c) embankments;</i> <i>(d) rock revetments or stabilising structures including stabilising walls; or</i> <i>(e) infrastructure or structures where the development footprint is expanded by 50 square metres or more."</i>	The Zeekoevlei and its canal are technically classified as an estuary in the National Biodiversity Assessment, despite having no estuarine characteristics as determined by this project's aquatic and estuarine specialists. The expansion to the Zeekoevlei weir requires stabilising structures including reinforced concrete retaining walls and gabion structures, as well as new cut embankments, to retain sand dunes adjacent to the weir.
<u>Listing Notice 3, Item 4</u> <i>"The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i> <i>i. Western Cape</i> <i>i. Areas zoned for use as public open space or equivalent zoning;</i> <i>ii. Areas outside urban areas;</i> <i>(aa) Areas containing indigenous vegetation;</i> <i>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined."</i>	The development will require the construction of a temporary access road to the eastern side of the Zeekoevlei weir, along the southern shore of the Zeekoevlei from Shoreline Drive. The temporary road would follow the route of an existing sand track for a distance of approximately 600m. Its width would be approximately 4m to accommodate construction traffic. The route is outside an urban area, zoned for public open space.
<u>Listing Notice 3, Item 12</u> <i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i>	The redevelopment includes the clearance of indigenous vegetation within the project footprint. The vegetation clearance required as part of the direct project footprint is approximately 8500m² and is located west and south of the existing Zeekoevlei

<i>i. Western Cape</i> <i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i> <i>iii. Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</i> <i>iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning."</i>	weir, as well as at the culvert bridge on Erf 93284 and at two faunal crossings on the Rondevlei canal. Excavated areas not under concrete and other structures will be rehabilitated with locally indigenous strandveld vegetation before completion of the project. The site camp and stockpile area required to construct the proposed weir will be located in a disturbed (previously transformed but passively rehabilitating) area of the reserve and have a further footprint of up to 2ha. Not all of this area will necessarily be cleared of vegetation, with some used for the placement of material stockpiles that will be removed after construction. Total indigenous plant species cover in this area is also well below 50%. In total, however, it is probable that the overall clearance required will exceed one hectare, with parts of this reinstated and rehabilitated after construction. The vegetation type is Cape Flats Dune Strandveld, critically endangered as listed in terms of Section 52 of NEMBA.
<u>Listing Notice 3, Item 14</u> <i>"The development of—</i> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</i> <i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</i> <i>where such development occurs—</i> <i>(a) within a watercourse;</i>	The applicant will construct a new weir across the Rondevlei canal adjacent to the existing Zeekoevlei weir. The surface area of the new weir, its accompanying gabion structures, and the adjacent areas excavated and reinstated during construction will be approximately 5000m². The area is a declared Nature Reserve and Ramsar site. The Zeekoevlei and its canal are technically classified as an estuary in the National Biodiversity

(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; i. Western Cape i. Outside urban areas: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (ee) Sites or areas listed in terms of an international convention; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined."	Assessment, despite having no estuarine characteristics as determined by this project's aquatic and estuarine specialists.
<u>Listing Notice 3, Item 23</u> "The expansion of— (i) dams or weirs where the dam or weir is expanded by 10 square metres or more; or (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs— (a) within a watercourse; (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; i. Western Cape i. Outside urban areas: (aa) A protected area identified in terms of NEMPAA, excluding conservancies; (ee) Sites or areas listed in terms of an international convention;	The proposal includes expansion of the existing Zeekoevlei weir and construction of a new Rondevlei weir as part of a single weir complex. The surface area of the expansion area, including the fish ladders, gate house, vehicular bridge, gravel parking, gabions and slope stabilisation, and fencing structures will be approximately 9500m². False Bay Nature Reserve is a protected area in terms of NEMPAA. The Zeekoevlei and its canal are technically classified as an estuary in the National Biodiversity Assessment, despite having no estuarine characteristics as determined by this project's aquatic and estuarine specialists.

(hh) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.

as described in the Basic Assessment Report (BAR) dated November 2024 at:

SG 21 Digit Code:

Farm Description	21 Digit Surveyor General Code
Remainder of Erf 263, Zeekoevlei	C01600620000026300000
Cape Farms 847	C01600000000084700000
Remainder of Erf 1834, Grassy Park	C01600200000183400000
Remainder of Erf 93284, Cape Town	C01600070009328400000
Portion 37 of Cape Farms 844	C01600000000084400000
Cape Farms 846	C01600000000084600000

Project Infrastructure Coordinates:

Feature	Longitude (S)	Latitude (E)
Rondevlei Weir (Middle)	34°3'55.15"S	18°30'8.68"E
Rondevlei Weir (Top)	34°3'54.74"S	18°30'8.41"E
Rondevlei Weir (Bottom)	34°3'55.48"S	18°30'8.64"E
Rondevlei Weir (Left Corner)	34°3'55.07"S	18°30'8.02"E
Rondevlei Weir (Right Corner)	34°3'55.02"S	18°30'9.30"E
Zeekoevlei Weir (Middle)	34°4'16.96"S	18°30'14.49"E
Zeekoevlei Weir (Top Right Corner)	34°4'14.39"S	18°30'14.99"E
Zeekoevlei Weir (Bottom Right Corner)	34°4'16.27"S	18°30'17.73"E
Zeekoevlei Weir (Top Left Corner)	34°4'16.91"S	18°30'11.89"E
Zeekoevlei (Bottom Left Corner)	34°4'19.20"S	18°30'15.96"E
Zeekoevlei Weir (Middle)	34°4'16.96"S	18°30'14.49"E
Zeekoevlei Weir (Top Right Corner)	34°4'14.39"S	18°30'14.99"E

Zeekoevlei Canal (Middle)	34°4'43.99"S	18°30'13.74"E
Zeekoevlei Canal (Top)	34°4'43.28"S	18°30'13.15"E
Zeekoevlei Canal (Left Corner)	34°4'44.22"S	18°30'12.83"E
Zeekoevlei Canal (Right Corner)	34°4'43.78"S	18°30'14.83"E
Zeekoevlei Canal (Bottom)	34°4'44.69"S	18°30'13.97"E
Animal Crossing 1 (Middle)	34°4'3.49"S	18°30'9.39"E
Animal Crossing 1 (Top Left)	34°4'3.41"S	18°30'9"E
Animal Crossing 1 (Bottom Left)	34°4'3.62"S	18°30'9"E
Animal Crossing 1 (Top Right)	34°4'3.37"S	18°30'9.7"E
Animal Crossing 1 (Bottom Right)	34°4'3.57"S	18°30'9.7"E
Animal Crossing 2 (Middle)	34°4'10.66"S	18°30'9.99"E
Animal Crossing 2 (Top Left)	34°4'10.59"S	18°30'9.4"E
Animal Crossing 2 (Bottom Left)	34°4'10.81"S	18°30'9.4"E
Animal Crossing 2 (Top Right)	34°4'10.52"S	18°30'10.61"E
Animal Crossing 2 (Bottom Right)	34°4'10.74"S	18°30'10.61"E
Access Road (Start)	34°4'22.03"S	18°30'37.95"E
Access Road (Middle)	34°4'20.50"S	18°30'27.07"E
Access Road (End)	34°4'16.80"S	18°30'17.38"E
Stockpile Area (Middle)	34°4'19.13"S	18°30'23.09"E
Stockpile Area (Top Right)	34°4'16.97"S	18°30'25.64"E
Stockpile Area (Bottom Right)	34°4'20.60"S	18°30'25.75"E
Stockpile Area (Top Left)	34°4'17.09"S	18°30'18.36"E
Stockpile Area (Bottom Left)	34°4'23.14"S	18°30'22.17"E

- for the re-development of the Zeekoevlei and Rondevlei Weir Complex, False Bay Nature Reserve, City of Cape Town Metropolitan Municipality, Western Cape Province., hereafter referred to as "the property".

The project will include the following:

Phase 1:

Modification of the existing Zeekoevlei weir

- Modification of the existing Zeekoevlei weir to allow for deeper drawdowns and more rapid lowering of the water level than the existing wooden penstocks. The filled level of the Zeekoevlei is 5.18 metres above mean sea level (mamsl), and the current sluice gate allows drawdown to 4.3 mamsl. The modification

would extend the weir westwards with a new set of sluice gates that lower the potential drawdown level to 3.50 mamsl. This much deeper drawdown opportunity to more fully flush the vlei of nutrient-rich water and suspended sediments.

Construction of a new fish ladder or 'fishway'

- Construction of a new fish ladder or 'fishway' between the Zeekoevlei Canal and the weirs, to allow for fish to move into Zeekoevlei from the channel. The fishway is intended to allow for the reconnection of Zeekoevlei with False Bay, and to enable indigenous freshwater and estuarine/marine fish recruitment into the vlei. The fishways have been designed in accordance with WRC Guidelines (Bok et al., 2007) and with inputs from ichthyofaunal specialists as set out in the specialist report and are designed to provide passage for locally indigenous fish species. They comprise a reinforced concrete channel with a sloping base and sloped baffles at 30 degrees, with a drop of 80mm between each 500mm long box.

Construction of a second fishway at the downstream sewer bridge

- Construction of a second fishway at the downstream sewer bridge, to allow estuarine fish passage past an existing concrete-encased foul sewer rising main structure which currently acts as a barrier to fish movement.

Various supporting infrastructure and activities including:

- A formalised parking area adjacent to the Zeekoevlei weir for maintenance vehicles.
- A culvert bridge across the Zeekoe canal immediately downstream of the existing weir apron, to carry construction vehicles, maintenance vehicles, and fire trucks. The culvert bridge would be constructed of box culverts, with ramp retaining walls and a reinforced concrete apron.
- Fencing around the weir areas.
- Hippo control spikes to prevent hippo access into the Zeekoevlei section of the nature reserve.
- A new gravel access road linking the lower sewer culvert fishway to an existing roadway on top of the eastern embankment. The new road would be approximately 35m in length and 4.8m wide. Its construction would require shaping of the embankment and the use of gabions to reduce the slope of the dunes.
- A new temporary gravel access road across the Billy's Block area of the reserve approximately 566m in length, linking Shoreline Drive to the works area and providing for construction vehicle access to the main weir area. Temporary stockpiling and site camp areas are also proposed within the Billy's Block area east of the weirs.

Phase 2:

Construction of a new Rondevlei weir adjacent to the existing Zeekoevlei weir

- Construction of a new Rondevlei weir adjacent to the existing Zeekoevlei weir to backflood the Rondevlei canal, allowing for connectivity between the two vleis and across the lined Rondevlei canal, and increasing

the water table in the dune slacks adjacent to the Rondevlei canal. The new Rondevlei weir will have the same crest height (4.9 mamsl) as the existing Rondevlei weir, to allow for the backflooding of the canal.

Upgrades to the existing Rondevlei weir

- Upgrades to the existing Rondevlei weir include the addition of two new stainless steel sluice gates, the construction of a masonry gatehouse building over the new channel gates, and the construction of a pedestrian access bridge to the new gatehouse. Additionally, repairs will be made to the existing weir apron, embankments, weir, and fish ladder, and the dunes disturbed during construction will be rehabilitated using locally indigenous Strandveld vegetation. The existing weir will remain in place and will typically be left open during full supply levels and drawdowns but can be closed to allow for maintenance of the Rondevlei canal.

Construction of two faunal escape ramp

- Construction of two faunal escape ramp structures along the existing Rondevlei canal, to allow for animals to escape the channel.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The re-development of the Zeekoevlei and Rondevlei Weir Complex, False Bay Nature Reserve, City of Cape Town Metropolitan Municipality, Western Cape Province as described above, are hereby approved as per the geographic coordinates cited in the tables above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised must only be conducted at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.

6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site. The continuation of any such activities after the above-mentioned period has lapsed may trigger one or more listed and/or specified activities, including activity 32 of Listing Notice 1. Such continuation without the required Environmental Authorisation will constitute an offence or offences in terms of section 49A(1)(a) read with section 24F(1)(a) of National Environmental Management Act (NEMA).
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

10. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
11. The notification referred to must –
 - 11.1. specify the date on which the authorisation was issued;
 - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 11.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

12. The authorised activity must not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition

attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

13. The layout plan for the re-development of the Zeekoevlei and Rondevlei Weir Complex attached as "*ZeekoevleiWeir_AppendixG1_LayoutPlan.pdf*" in the final BAR dated November 2024 is approved.
14. The Environmental Management Programme (EMPr) submitted as part of the final BAR dated November 2024 is approved and must be implemented and adhered to.
15. The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
16. Changes to the approved EMPr must be submitted in accordance with the EIA Regulations applicable at the time.
17. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

Frequency and process of updating the EMPr

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the Environmental Authorisation or EMPr.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
21. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.

22. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

23. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this Environmental Authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
- 23.1. The ECO must be appointed before commencement of any authorised activities.
- 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 23.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

24. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this Environmental Authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@dffe.gov.za.
25. The holder of the Environmental Authorisation must, for the period during which the Environmental Authorisation and EMPr remain valid, ensure that project compliance with the conditions of the Environmental Authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@dffe.gov.za.
26. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, considering the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.

27. The holder of the authorisation must, in addition, submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e., within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
28. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the Environmental Authorisation conditions as well as the requirements of the approved EMPr.
29. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Notification to authorities

30. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

31. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

32. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

Specific conditions

33. The footprint area of the construction must be kept to a minimum. The footprint area must be clearly demarcated to avoid unnecessary disturbances to adjacent areas.
34. Permits from relevant authorities must be obtained for the removal or disturbance of any TOPs, Red Data listed or nationally protected species.

35. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.
36. Disturbed sandy footprint areas must be rehabilitated once construction is complete, which ideally should be undertaken in May at the start of the rainy season to optimise the rehabilitation potential. The rehabilitation of the disturbed areas should only be done with indigenous Strandveld plant species that have been propagated from locally sourced material.
37. The disturbed banks of the Zeekoe Channel must be shaped from 30m upstream of the new fish ladder and access road to at least 50m downstream, so as to allow for bank slopes no greater than 1:3, and along which the location of the toe of the slope varies, so as to create a semblance of a natural (rather than channelized) riverine aquatic system.
38. Clearing of water hyacinth within the Zeekoe and Rondevlei canals must be undertaken every six months or as required.
39. Clearing of debris, silt and litter from the fishways and low-flow channels must be undertaken every six months or as required.
40. Water hyacinth and any other invasive species or weeds hindering the operation of the fishways must be removed every six month or as required.
41. If any archaeological material or human burials are uncovered during the course of development, then work in the immediate area must be halted. The find would need to be reported to the heritage authorities and to a heritage practitioner so that an investigation and evaluation of the finds can be made.
42. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
43. Mitigation measures detailed within the Basic Assessment Report, specialist assessments and technical studies are to be implemented.
44. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, reuse, and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

General

45. The recommendations of the EAP in the BAR dated November 2024 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.

46. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 46.1. at the site of the authorised activity;
 - 46.2. to anyone on request; and
 - 46.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
47. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of Environmental Authorisation: 16/03/2025



Dr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries & the Environment

Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

- a) The listed activities as applied for in the amended application form received on 13 March 2025.
- b) The information contained in the BAR dated November 2024.
- c) The comments received from interested and affected parties as included in the BAR dated November 2024.
- d) Mitigation measures as proposed in the BAR and the EMPr dated November 2024.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated November 2024 and as appears below:

Title	Prepared by	Date issued
Aquatic Ecosystems Impact Assessment	Liz Day Consulting	October 2024
Estuarine and Ichthyofaunal Impact Assessment	Anchor Environmental Consultants (Pty) Ltd	October 2024
Botanical Impact Assessment	Nick Helme Botanical Surveys	May 2024

2. Key factors considered in making the decision

All information presented to the Department was considered in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the project focuses on improving the management of vleis water levels, making provision for the flushing of suspended solids and dissolved nutrients and providing a mechanism for the future reintroduction or recolonisation of the vleis by indigenous estuarine fish.
- c) The BAR dated November 2024 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The methodology used in assessing the potential impacts identified in the BAR dated November 2024 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the BAR dated November 2024 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the BAR dated November 2024 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. **The Environmental Authorisation is accordingly granted.**