

Dear DEA&DP Appeals

The Department of Environmental Affairs and Development Planning in the Western Cape recently granted an Environmental Authorisation for the proposed redevelopment of the River Club in Observatory in terms of the National Environmental Management Act 107 of 1998 and the Environmental Impact Assessment Regulations, 2014 (as amended). This decision was issued to the applicant, the Liesbeek Leisure Properties Trust, on 20 August 2020.

I am a registered Interested and Affected Party (I&AP) and write to you in response to, and in strong support of, the appeal lodged by Observatory Civic Association with reference to the Environmental Authorisation for the re-development of the River Club, Observatory for a Mixed Use development and associated infrastructure on the remainder of Erf 15326 and Erven 26169-26175, 26426-26427, 108936 and 151832, Observatory; DEA&DP Reference Number 16/3/3/1/A7/17/3001/20.

I received the appeal sent to me by the OCA.

I hereby indicate my strong support for their appeal.

In particular, I draw attention to the decision's non-compliance with S38(8) of the National Heritage Resources Act, 1999 (act 25 of 1999) (the NHRA) in that the consenting authority has not ensured that the HIA has fulfilled the requirements of the competent heritage resources authority in this matter (HWC) and has, instead, relied on the opinion of the applicant's hired consultant. I believe this to be highly irregular and will open the decision to review.

I also note that the OCA has highlighted many other shortcomings in the process and the substance of the decision and I believe these concerns are more than reasonable grounds for setting aside the authorisation.

With respect to the statement in the Environmental Authorisation that "All the concerns raised by I&APs were responded to and adequately addressed during the public participation process." I do not believe this to be the case as illustrated by the OCA appeal which shows how concerns previously raised were ignored or set aside. The breadth and range of appeals submitted to the EA also is indicative that many I&APs are not satisfied that their concerns "were responded to and adequately addressed during the public participation process."

I would therefore like it noted that I am in strong support of the appeal by the OCA for the reasons outlined above.

Yours

[name, address]