



REFERENCE: 16/3/3/5/D2/19/0009/22
NEAS REF.: WCP/EIA/AMEND/0000681/2022
DATE OF ISSUE: 14 December 2022

ADDENDUM TO ENVIRONMENTAL AUTHORISATION

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 4 NOVEMBER 2010 (DEA&DP REF NO. EG12/2/1-AG3-5720) FOR THE PROPOSED CHANGE IN LAND USE FROM AGRICULTURAL TO ANY OTHER LAND USE FOR RESIDENTIAL TOWNSHIP DEVELOPMENT ON PORTIONS 370 AND 371 OF THE FARM KRAAIBOSCH 195, GEORGE

With reference to your application for the abovementioned, find below the decision with respect to the application (submitted on 2 November 2022) for the amendment to the Environmental Authorisation issued on 4 November 2010 under DEA&DP Reference EG12/2/1-AG3-5720 (hereinafter referred to as the "Environmental Authorisation").

A. DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998, as amended) and the Environmental Impact Assessment Regulations, 2010, ("NEMA EIA Regulations") the competent authority herewith **grants** the amendment to the Environmental Authorisation issued on 4 November 2010.

The Environmental Authorisation is amended as set out below:

1. Section C of the Environmental Authorisation is substituted for the following:

"C. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

The Director
Cape Estates Properties Outeniqua (Pty) Ltd
P.O. Box 12486
GEORGE
6546

Tel: 044 887 0455
E-mail: arno@kraaibosch.co.za"

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

2. Section G: 27 of the Environmental Authorisation is substituted for the following:

"The Holder is authorised to undertake the listed activities specified in Section A above and such activities may only be carried out at the property indicated in Section B the activities must be implemented and concluded within the specified validity period of the Environmental Authorisation.

This Environmental Authorisation is only for the implementation of the Preferred Alternative for the site which entails:

The rezoning of Agricultural Zone I land to subdivisinal area for the construction of a mixed density residential township. The proposed development entails the establishment of not more than 193 Residential Zone I erven; five (5) Residential Zone II erven of not more than 6.66 ha in total; Road Reserve; Open Space within the proposed development and at least 2.93 ha (7.77%) of land along the Modderkloof / Modderrugrivier. Residential Zone I erven of 800m² on average, according to the recommended density in the Kraaibosch / Glenwood Local Structure Plan.

Bulk service provisions and associated infrastructure are to be installed to the George Municipality's standard.

The development will be carried out in accordance with the Site Development Plan (SDP) compiled by Marike Vreken Urban and Environmental Planners (Drawing number Pr22/37 GEO27668Ph3Layout06 dated October 2022) attached hereto as:
ANNEXURE 1: SITE DEVELOPMENT PLAN."

A copy of "ANNEXURE 1: SITE DEVELOPMENT PLAN" is attached to this Addendum to the Environmental Authorisation which must be read together with the Environmental Authorisation.

All other conditions contained in the Environmental Authorisation issued on 4 November 2010 still remain unchanged and in force.

B. REASONS FOR THE DECISION

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

1. The Environmental Authorisation issued on 4 November 2010 (as amended), is regarded to be valid.
2. The applicant has motivated that the application relates to a change of the company information of the Holder. An amended registration certificate issued by the Commissioner CIPC was received wherein the name was changed from REIGATE DEVELOPMENT PROJECTS to

CAPE ESTATES PROPERTIES OUTENIQUA. The applicant wishes to transfer the rights and obligations associated with the Environmental Authorisation to CAPE ESTATES PROPERTIES OUTENIQUA (PTY) LTD. (1993/006590/07). Section C of the Environmental Authorisation has been amended to reflect this change.

3. The proposal to redevelop Phase 3 of the Site Development plan will not change the scope of the environmental authorisation, nor increase the level or nature of the impact, which impact was initially assessed and considered when application was made for an environmental authorisation. This was confirmed in the letter issued by this Directorate on 8 November 2022. Condition 27 (Section G: 27) of the Environmental Authorisation has been amended to reflect this change.
4. In correspondence dated 9 March 2020, the Competent Authority indicated that the following in relation to earlier changes to the approved layout plan:

Any further changes to the SDP as stated in this Addendum to the Environmental Authorisation must be approved by the Competent Authority prior to such changes being undertaken. The details of Phases 4, 5 and 6 as depicted on the SDP in Annexure 1 still need to be determined. Such changes will be subject to a further application in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 (as amended) or subsequent regulations.

The onus is on the Holder of the Environmental Authorisation to confirm the correct procedure before continuing with the development.

5. The environment and the rights and interests of other parties are not likely to be adversely affected by this decision to amend the Environmental Authorisation.

C. CONDITIONS

1. In the event that an appeal is lodged with the Appeal Authority, the effect of this amendment to the Environmental Authorisation (issued on 4 November 2010) is suspended until the appeal is decided (i.e. the listed activities, including site preparation for the revised layout, must not commence until the appeal is decided).
2. The holder of the environmental authorisation must provide the Competent Authority with seven (7) calendar days' written notice before the commencement of the continuation of the construction activities.
 - 2.1. The notice must also include proof of compliance with Condition 1 described herein.
3. The conditions contained in the Environmental Authorisation issued on 4 November 2010 (as amended), remain in force.

D. APPEALS

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
 - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 1.2. Submit a copy of the appeal to any registered I&APs including any Organ of State with interest in the matter; and
 - 1.3. Submit a copy of the appeal to the decision-maker (i.e. the Competent Authority that issued the decision) at:
Zaahir.Toefy@westerncape.gov.za
Gavin.Benjamin@westerncape.gov.za and copied to
DEADPEIAAdmin.George@westerncape.gov.za
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
 - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
 - 2.2. Submit a copy of the appeal to the holder of the decision and any registered I&AP including any Organ of State with an interest in the matter; and
 - 2.3. Submit a copy of the appeal to the decision-maker (i.e. the Competent Authority that issued the decision) at:
Zaahir.Toefy@westerncape.gov.za
Gavin.Benjamin@westerncape.gov.za and copied to
DEADPEIAAdmin.George@westerncape.gov.za
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the Appeal Administrator at the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Appeal Administrator
Attention: Mr Marius Venter (Tel: 021 483 3721)
Room 809, 8th Floor Utilitas Building
1 Dorp Street, CAPE TOWN, 8001

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

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

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 the 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

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
WESTERN CAPE GOVERNMENT

DATE OF DECISION: 14 DECEMBER 2022

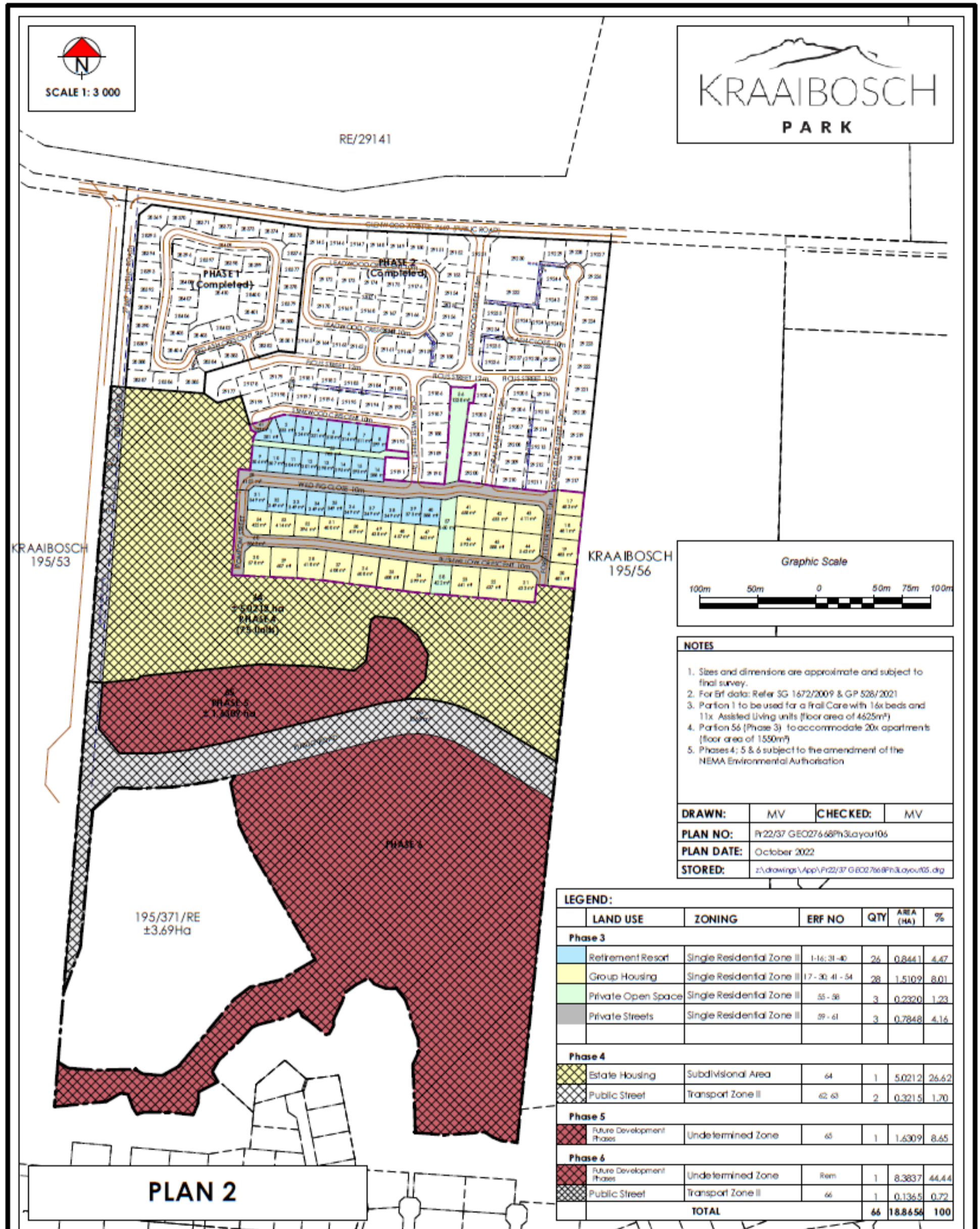
FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER:	EG12/2/1-AG3-5720
DATE OF ISSUE:	04 NOVEMBER 2010
EA ADDENDUM #1 REFERENCE NUMBER:	EG12/2/1/- AG3-5720
DATE OF ISSUE:	04 November 2011
EA ADDENDUM #2 REFERENCE NUMBER:	16/3/3/5/D2/19/0009/16
NEAS REFERENCE NUMBER:	WCP/EIA/AMEND/0000142/2016
DATE OF ISSUE:	09 May 2017
EA ADDENDUM #3 REFERENCE NUMBER:	16/3/3/5/D2/19/0009/22
NEAS REFERENCE NUMBER:	WCP/EIA/AMEND/0000681/2022
DATE OF ISSUE:	Date of issue of this document.

-----**END**-----

ANNEXURE 1: SITE DEVELOPMENT PLAN

(ANNEXURE 1 TO THE ENVIRONMENTAL AUTHORISATION ISSUED ON 4 NOVEMBER 2010, DEA&DP REF. EG12/2/1-AG3-5720)



**GEORGE REMAINDER
ERF 27668 (KRAAIBOSCH PARK)**

**ZONING & PHASING
PLAN**

APPROVED IN TERMS OF SECTION 23(1) OF THE
GEORGE MUNICIPALITY'S BY-LAW ON
MUNICIPAL PLANNING 1 SEPTEMBER 2015

MUNICIPAL MANAGER
DATE: _____



21 Trotter Street, PO Box 2180
KNYSNA 6570

(044) 382 0420
086-459-2987
e-mail: marke@vreken.co.za
www.vreken.co.za