



REFERENCE: 16/3/3/5/D2/19/0004/22  
NEAS REF.: WCP/EIA/AMEND/0000641/2022  
DATE OF ISSUE: 18 AUGUST 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 24 NOVEMBER 2008: THE PROPOSED CHANGE OF LAND USE FROM AGRICULTURE TO ANY OTHER LAND USE FOR RESIDENTIAL TOWNSHIP DEVELOPMENT ON PORTION 53 OF KRAAIBOSCH FARM NO.195, GEORGE.

With reference to your application for the abovementioned, find below the decision with respect to the application (dated 7 June 2022) for the amendment to the Environmental Authorisation issued on 24 November 2008 (hereinafter referred to as an "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 of the Environmental Authorisation issued on 24 November 2008.

The Environmental Authorisation is amended as set out below:

1. Details of the Applicant for this Environmental Authorisation in Section C is substituted with the following:

*"The Managing Director  
Springfield Estates (Pty) Ltd  
3rd Floor, Dynarc House  
31 Courtenay Street  
GEORGE  
6530  
Cell: 083 326 3548  
E-mail: jose@vantageprop.co.za"*

All other conditions contained in the Environmental Authorisation issued on 24 November 2008 still remain unchanged and in force. Where the Environmental Authorisation is subject to compliance with all the peremptory conditions, failure to comply with all the peremptory conditions prior to the physical implementation of the activities (including site preparation) will

render the entire EA null and void. Such physical activities shall be regarded to fall outside the scope of the Environmental Authorisation and shall be viewed as an offence in terms of Section 49A(1)(a) of NEMA

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

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

1. The application is regarded to be for a non-substantive amendment to the Environmental Authorisation as it will not change the scope of the valid 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.
2. 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. The applicant must in writing, within **14 (fourteen) calendar days** of the date of this decision (refer to Government Notice R.993 of 8 December 2014) –
  - 1.1. notify all registered interested and affected parties of –
    - 1.1.1. the outcome of the application;
    - 1.1.2. the reasons for the decision as included in Annexure 1;
    - 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 to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulation, 2014 detailed in Section D below.
2. The holder of the environmental authorisation must provide the Competent Authority with seven (7) calendar days' notice before commencement of the continuation of the construction activities. This notice must include proof of compliance with Condition 1 described in Section C of this Addendum to the Environmental Authorisation.

## **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:

[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)

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:  
[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)
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  
   8<sup>th</sup> 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](mailto: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](mailto: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

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**MR. GAVIN BENJAMIN**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)**  
**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**  
**WESTERN CAPE GOVERNMENT**

DATE OF DECISION: 18 AUGUST 2022

**FOR OFFICIAL USE ONLY:**

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DATE OF ISSUE:	24 NOVEMBER 2008
EA ADDENDUM #1 REFERENCE NUMBER:	16/3/3/5/D2/19/0004/22
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DATE OF ISSUE:	This Decision