



REFERENCE: 16/3/3/5/D1/14/0013/15

ENQUIRIES: Shireen Pullen

DATE OF ISSUE: 2015-09-30

The Director
Amphoria (Pty) Ltd
PO Box 11338
BOUBERGRANT
7443

Attention: Mr. Anton Mulder

Tel: 087 777 0705

Email: etienne@antonmulder.com

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ("EA") ISSUED ON 23 AUGUST 2010 FOR THE PROPOSED COMMERCIAL AND TOWNSHIP DEVELOPMENT ON FARM LADYWOOD NO. 438. PORTION 1, 2 AND 3, PLETTENBERG BAY

With reference to your application for the abovementioned, find below the amendment to the Environmental Authorisation with respect to this application.

ADDENDUM TO 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 23 August 2010.

The Environmental Authorisation is amended as set out below:

1. The applicant referred to under section C of the Environmental Authorisation must read as follows:

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2. All the conditions in Section G and all other information contained in the Environmental Authorisation, Reference Number EG12/2/3/1-D1/14-0005/10 issued on 23 August 2010 remains unchanged and is still in force.

B. REASONS FOR THE DECISION:

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

1. 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.
2. No changes have been made to scope, motivation or environmental commitments of the project.
3. The transfer is unlikely to negatively affect the rights of Interested & Affected Parties.
4. The fact that there is currently no legal entity that can be held responsible for ensuring compliance with the conditions of the Environmental Authorisation.
5. Amphoria (Pty) Ltd has taken transfer of the development property and will be responsible to ensure compliance with Environmental Authorisation as well as the Environmental management programme.

C. APPEALS:

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (refer to Government Notice R.993 of 8 December 2014).

1. An appellant must –
 - 1.1. submit an appeal in accordance with Regulation 4 to the appeal administrator, within 20 (twenty) calendar days from the date the applicant notified registered I&APs of this decision.

In this regard please note that when a period of days must be reckoned in terms of the National Appeal Regulations 2014, the period must be reckoned as from the start of the day following that particular day to the end of the last day of the period, but if the last day of the period falls on a Saturday, Sunday or public holiday, that period must be extended to the end of the next day which is not a Saturday, Sunday or public holiday.

- 1.2. if the appellant is the applicant, provide any registered I&AP, any Organ of State and the decision-maker with a copy of the appeal lodged with the appeal administrator;
- 1.3. if the appellant is a person other than the applicant, provide any registered I&AP, any Organ of State and the decision-maker with a copy of the appeal lodged with the appeal administrator;
2. The applicant (if not the appellant) the decision-maker, I&APs and Organ of State must submit their responding statement, if any, to the appeal authority and the appellant within 20 days from the date of receipt of the appeal submission.
3. The appeal form/s must be submitted by means of one of the following methods:

By post: Attention: Jaap de Villiers

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: Attention: Mr J. de Villiers (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

By e-mail: Jaap.DeVilliers@westerncape.gov.za

4. A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail Jaap.deVilliers@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

D. 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



MR. GAVIN BENJAMIN
DIRECTOR: LAND MANAGEMENT (REGION 3)
DATE OF DECISION: 30/09/2015

Copies:

Mr. Chris Schlieman
Mr. Pierre Durant

Bitou Municipality
Amphoria (Pty) Ltd

Fax: 044 533 6198
Email: pierre@techtrust.co.za

FOR OFFICIAL USE ONLY:

EIA REFERENCE:	EG12/2/3/1-D1/14-0005/10
NEAS EIA REF:	WCP/EIA/10378/2010
AMENDMENT 1 REFERENCE:	16/3/1/5/D1/14/0017/13
AMENDMENT 1 NEAS REFERENCE:	WCP/EIA/AMEND/0000291/2013
AMENDMENT 2 REFERENCE:	16/3/3/5/D1/14/0013/15
AMENDMENT 2 NEAS REFERENCE:	WCP/EIA/AMEND/0000016/2015