



24G Application Ref: 14/2/4/2/3/D3/4/0002/24

24G Amendment Ref: 14/2/3/D3/4/0001/25

AMENDMENT ENVIRONMENTAL AUTHORISATION

The Owner
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Attention: Rynald Engelke

APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR THE AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION DATED 15 OCTOBER 2024 (REFERENCE NUMBER: 14/2/4/2/3/D2/20/0023/22): THE UNLAWFUL DEVELOPMENT OF AN ACCESS ROAD AND BUILDING PLATFORM WITHIN 32 METERS OF A WATERCOURSE ON FARM HUISRIVIER, RE/7/14, GAMKA ECO ESTATE, CALITZDORP

With reference to your application for the abovementioned, find below the outcome with respect to this application.

AMENDMENT ENVIRONMENTAL AUTHORISATION

1. DECISION

By virtue of the powers conferred on it by the *National Environmental Management Act, 1998 (Act No. 107 of 1998)* ("NEMA") and the *Environmental Impact Assessment ("EIA") Regulations, 2014*, the competent authority herewith **grants** the amendment of the Environmental Authorisation dated 15 October 2024 (REF: 14/2/4/2/3/D3/4/0002/24).

The details around the amendment are as follows:

D. PROPERTY DESCRIPTION AND LOCATION

The co-ordinates for the site / platform boundary are:

Point	Latitude (S)	Longitude (E)
1	33° 29' 38.59" South	21° 36' 56.52" East
2	33° 29' 39.10" South	21° 36' 57.79" East
3	33° 29' 39.62" South	21° 36' 57.28" East
4	33° 29' 38.98" South	21° 36' 56.29" East

B. DETAILS OF THE ACTIVITY/IES UNDERTAKEN

The unlawful activities include the unlawful infilling, moving and excavation of soil within a watercourse whilst the road was constructed as well as the development of infrastructure within 32 metres from the drainage channel (this was the creation of an earth platform of $\pm 750 \text{ m}^2$ on which a house is proposed to be constructed). The access road that is ± 290 metres long and ± 4 metres wide. The above activities have been completed. A house will be constructed on top of the already created platform.

is amended to read:

D. PROPERTY DESCRIPTION AND LOCATION

The co-ordinates for the site / platform boundary are:

Point	Latitude (S)	Longitude (E)
1	[33° 29' 38.59" South] <u>33° 29' 38.38" South</u>	[21° 36' 56.52" East] <u>21° 36' 57.16" East</u>
2	[33° 29' 39.10" South] <u>33° 29' 39.53" South</u>	[21° 36' 57.79" East] <u>21° 36' 58.14" East</u>
3	[33° 29' 39.62" South] <u>33° 29' 39.93" South</u>	[21° 36' 57.28" East] <u>21° 36' 57.47" East</u>
4	[33° 29' 38.98" South] <u>33° 29' 38.57" South</u>	[21° 36' 56.29" East] <u>21° 36' 56.31" East</u>

B. DETAILS OF THE ACTIVITY/IES UNDERTAKEN

The unlawful activities include the unlawful infilling, moving and excavation of soil within a watercourse whilst the road was constructed as well as the development of infrastructure within 32 metres from the drainage channel (this was the creation of an earth platform of **$\pm 750 \text{ m}^2$** $\pm 1200 \text{ m}^2$ on which a house is

proposed to be constructed). The access road that is ± 290 metres long and ± 4 metres wide. The above activities have been completed. A house will be constructed on top of the already created platform.

See Appendix 1 of the Amendment EA

[Amended by deletion] & Amendment by insertion

2. REASONS FOR THE DECISION

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

1. The information contained in application for amendment received on 02 April 2025.
2. The change in the platform's footprint from approximately 750 m² to 1,200 m² reflects a revised estimate at the time of writing the S24G report. It does not alter the actual footprint that was cleared and assessed by the specialists.
3. The proposed amendment will not increase the significance of the impact of the originally approved works. The EA dated 15 October 2024, including the remaining non-amended conditions therein, is still valid and must be complied with throughout the life cycle of the activities authorised.
4. The environment and the rights and interests of other parties are not likely to be adversely affected by the decision to amend the EA.

3. CONDITIONS

1. The applicant must in writing, within 14 (fourteen) calendar days of the date of this decision–
 - 1.1 notify all registered Interested and Affected Parties (I&APs) of –
 - 1.1.1 the outcome of the application;
 - 1.1.2 the reasons for the decision as included in Section 2 above;
 - 1.1.3 the date of the decision; and
 - 1.1.4 the date when the decision was issued.
 - 1.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of *National Appeals Regulations, 2025* detailed in Section 4 below;
 - 1.3 draw the attention of all registered I&APs to the manner in which they may access the decision;
 - 1.4 provide the registered I&APs with:
 - 1.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 1.4.2 name of the responsible person for this Environmental Authorisation

- 1.4.3 postal address of the holder,
- 1.4.4 telephonic and fax details of the holder,
- 1.4.5 e-mail address, if any, of the holder,
- 1.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the *National Appeals Regulations, 2025*.

4. APPEALS

Appeals must comply with the provisions contained in the *National Appeal Regulations, 2025* (Government Notice No. R. 5985 in Government Gazette No. 52269 of 13 March 2025. Please note the provisions of Regulation 1(2) & (3) of the National Appeal Regulations, 2025 when calculating the period of days.

1. An appellant (if the holder) must –

- 1.1 submit an appeal to the Appeal Administrator, any registered Interested and Affected Parties (I&AP's) and the decision maker (Competent Authority who issued the decision) within **20 calendar** days from the date this decision was sent by the decision maker.

2. An appellant (if NOT the holder) must –

- 2.1 submit an appeal to the Appeal Administrator, the holder (applicant) of the decision and the decision maker within **20 calendar days** from the date this decision was sent to the registered I&AP's by the holder (applicant) of the decision.

3. All appeals submitted must:

- a) be in writing in the appeal form obtainable from the Departmental website;
- b) include supporting documents referred to in the appeal; and
- c) include proof of payment of the prescribed non-refundable appeal fee, if prescribed.

4. The holder (applicant) of the decision must:

- a) notify registered I&AP's and affected organs of state of any appeal received, and make the appeal available to them, within 5 calendar days after the 20-day appeal period ends.
- b) Submit proof of this notification to the Appeal Administrator within 5 calendar days after sending the last notification.

5. The applicant, where applicable, the decision-maker, or any person notified under regulation 4 of the National Appeal Regulations, 2025 may submit a Responding Statement within **20 calendar days** from the date they received the appeal, in the form obtainable from the Department website to the Appeal Administrator and to the appellant, where the appellant is not the applicant.

6. Appeals, Responding Statements and supporting documents must be submitted to the Appeal Administrator by means of one of the following methods:

a. By e-mail:

DEADP.Appeals@westerncape.gov.za or

b. By hand where that person submitting does not hold an electronic mail account:

Attention: Mr Marius Venter

Room 809, 8th Floor Utilitas Building,

1 Dorp Street, Cape Town, 8001

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Administrator via email or to the address listed above.

A prescribed appeal application form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at:

Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>

5. DISCLAIMER

The Western Cape Government, in terms of the conditions of this 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



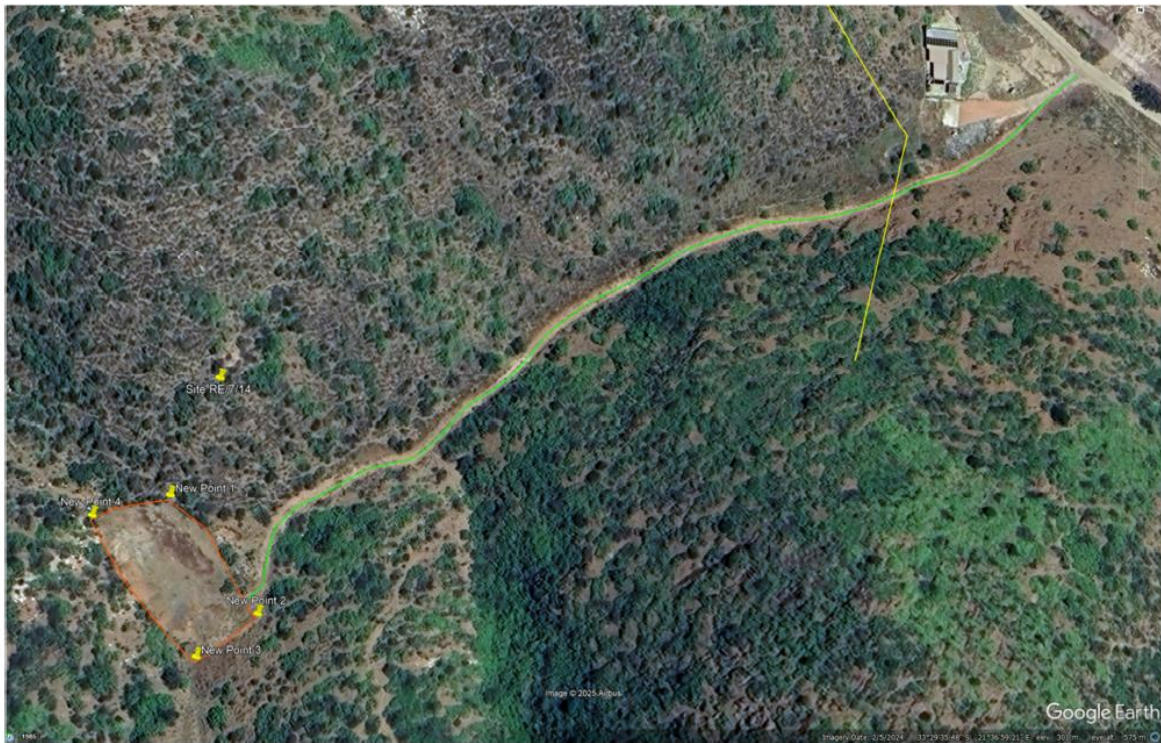
MRS Z TOEFY

ACTING DIRECTOR: ENVIRONMENTAL GOVERNANCE

CC: (1) Pieter de Villiers (EAP)

Email: info@cornerstoneenviro.co.za

Appendix 1



APPENDIX I: General Layout of Activities

UNLAWFUL INFILLING, MOVING AND EXCAVATION OF SOIL WITHIN 32 METRES FROM A WATERCOURSE AND DEVELOPMENT OF A ROAD ON THE REMAINDER OF PORTION 7 OF FARM HUISRIVIER NO. 14, GAMKA PRIVATE FARM ESTATE, CALITZDORP

Scale: As per Google Image, dated 2 May 2024



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