



24G Application Reference: 14/2/1/2/B4/12/0013/16

24G Amendment Reference: 14/2/3/B4/12/0005/22

Mr. Nicholas John Holland and Mrs. Roslyn Holland
232 Bear Creek Boulevard
Pearl Valley Golf Estate
Wemmershoek
PAARL
7646

Cell: [REDACTED]

Email: [REDACTED]

Attention: Mr & Mrs. Holland

Dear Sir/Madam

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 9 NOVEMBER 2017 (REFERENCE NUMBER: 14/2/1/2/B4/12/0013/16): AMENDMENT OF THE S24G ENVIRONMENTAL AUTHORISATION FOR THE UNLAWFUL CONSTRUCTION OF A DAM AND LANDING STRIP AT RIVERSTONE FARM, GREEN VALLEY ROAD, FARM 1611, FRANSCHHOEK

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 9 November 2017 (REF: 14/2/1/2/B4/12/0013/16).

The environmental authorisations are amended as set out below:

B. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

John Fischer Farm Trust
Suite 148 Postnet
Private Bag X19
FRANSCHHOEK
7190

Cell: [REDACTED]
Email: johnf@dai.co.za

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

is amended to read:

Mr. Nicholas John Holland and Mrs. Roslyn Holland
232 Bear Creek Boulevard
Pearl Valley Golf Estate
Wemmershoek
PAARL
7646

Cell: [REDACTED]

Email: [REDACTED]

[John Fischer Farm Trust
Suite 148 Postnet
Private Bag X19
FRANSCHHOEK
7190
Cell: [REDACTED]
Email: johnf@dai.co.za]

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

Amendment by insertion and **[Amendment by deletion]**

G. CONDITIONS OF AUTHORISATION

PART I

Scope of authorisation

2. The Environmental Authorisation is valid for a period of eight years **[five years]** from the date of the decision to continue, conduct or undertake the listed activity or activities as specified in Section C above.

Amendment by insertion and **[Amendment by deletion]**

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 25 August 2022.
2. The farm was sold, and the new owners wish to implement the authorised listed activities, however, this will not occur before the EA expires.
3. The abovementioned amendment does not change the scope of the EA dated 9 November 2017 and is considered a Part 1 amendment.
4. The EA dated 9 November 2017, including the remaining non-amended conditions therein, is still valid and must be complied with throughout the life cycle of the activities authorised.
5. 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, 2014* 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, 2014*.

4. APPEALS

Appeals must comply with the provisions contained in the *National Appeal Regulations, 2014*.

1. An appellant (if the holder) must –
 - 1.1 submit an appeal in accordance with regulation 4 National Appeal Regulations, 2014 to the Appeal Administrator and a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder was notified by the competent authority of this decision.
2. An appellant (if NOT the holder) must –
 - 2.1 submit an appeal in accordance with regulation 4 National Appeal Regulations, 2014 to the Appeal Administrator, and a copy of the appeal to the holder, any registered I&APs, any Organ of State with interest in the matter and the decision maker within 20 (twenty) calendar days from the date the holder notified the registered I&APs of this decision.
3. The holder (if not the appellant), the decision-maker, I&APs and 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. This appeal and responding statement must be submitted to the address listed below -

By post: Attention: Mr Marius Venter

Western Cape Ministry of Local Government, Environmental Affairs & Development
Planning

Private Bag X9186, Cape Town, 8000; or

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021-483 2659)

Room 809, 8th floor Utilitas Building

1 Dorp Street, Cape Town, 8000; or

By e-mail: DEADP.Appeals@westerncape.gov.za

Note: You are also requested to submit an electronic copy (Microsoft Word format) of the appeal and any supporting documents to the Appeal Administrator 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 office of the appeal authority/ 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

Zaidah Toefy Digitally signed by Zaidah Toefy
Date: 2022.10.24 09:07:45 +02'00'

ZAIDAH TOEFY

ACTING DIRECTOR: ENVIRONMENTAL GOVERNANCE

DATE OF DECISION: 24 Oct. 2022

CC: (1) John Fischer Farm Trust

(2) Pieter de Villiers (Cornerstone Environmental Consultants)

Email: fischerexcella@gmail.com

Fax: (086) 435 2174

Email: pieter@cornerstoneenviro.co.za