



REFERENCE: 16/3/3/5/D1/14/0011/25

DATE OF ISSUE: 17 July 2025

The Managing Director
Athina Development (Pty) Ltd.
1ST Floor, Dean Street Arcade, Main Street
NEWLANDS
7700

Attention: Mr Kyle Power

Cell: 0825051770

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Dear Sir,

ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATION FOR AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION (REF: 16/3/3/1/D1/14/0028/22 ISSUED ON 31 JULY 2024) IN TERMS OF PART 2 OF CHAPTER 5 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) FOR THE PROPOSED DEVELOPMENT OF A BEACHFRONT SECURITY ESTATE ON PORTION 66 & 67 OF FARM 443, PLETTENBERG, WESTERN CAPE PROVINCE

1. The abovementioned document dated 5 June 2025) and submitted to the Directorate: Development Management (Region 3) (hereinafter referred to as "this Directorate" by your registered Environmental Assessment Practitioner (EAP), Joclyn Marshall (EAPASA: 2022/5006) on 7 July 2025, refers.
2. This letter serves as acknowledgment of receipt of the afore-mentioned document by this Directorate **7 July 2025**.
3. After reviewing the information submitted to this Department, the following is noted:
 - 3.1. The proposed amendment to the Environmental Authorisation (REF: 16/3/3/1/D1/14/0028/22) issued on 31 July 2024 ("EA") will result in a change of scope of the EA.
 - 3.2. The proposed amendment will result in an increased level or change in the nature of impact where such level or change in nature of impact was not assessed and included in the initial application for Environmental Authorisation.
 - 3.3. The proposed change will not on its own constitute a listed activity.
4. The application must follow the process contemplated in Part 2 Amendment of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 (Government Notice No. R. 982 of 4 December 2014, as amended), namely Regulation 32. You are therefore required to:

4.1. Make an Amendment Environmental Impact Report (EIR) available to all potential and registered Interested and Affected Parties ("I&APs") and all the relevant State Departments / Organs of State, including this Directorate, for a **minimum 30-day** commenting period.

4.2. The EIR must contain the information as prescribed by Regulation 32 of the EIA Regulations, 2014.

4.3. *Screening Tool Report ("STR") and Site Sensitivity Verification Report ("SSVR")*

The content of your STR and SSVR, along with the identified specialist input in the amendment process is noted. Kindly ensure that all specialist input complies with the Protocols. Nonetheless, the Amendment EIR must reflect all the minimum information requirements detailed in Regulation 32(1)(a).

4.4. Public participation process:

Having considered the public participation plan, the competent authority hereby agrees to the proposed steps in the plan, and it must be implemented.

4.5. The EAP must record and respond to all comments received. The comments and responses must be captured in a Comments and Responses Report and must also include a description of the public participation process followed. This report must also be included in the public participation information attached to the Amendment Application Report to be submitted for decision.

5. In accordance with Regulation 32 of the EIA Regulations, 2014, the Department hereby stipulates that the report must be submitted to this Department for decision within 90 days from the date of receipt of the application by the Department.

If however, significant changes have been made or significant new information has been added to the report, the applicant/Environmental Assessment Practitioner must notify the Department that an additional 50 days (i.e. 140 days from the date of receipt of the application) will be required for submission of the report. The additional 50 days must include a minimum 30-day commenting period to allow registered I&APs to comment on the revised report/additional information.

6. If the report is not submitted within 90-days, or 140 days where an extension is applicable, the application shall lapse in terms of Regulation 45 of Government Notice Regulation No. 982 of 4 December 2014 and your file will be closed. Should you wish to continue, a new Application Form must be submitted.

7. Kindly quote the above-mentioned reference number in any future correspondence in respect of this matter.

8. Please note that the conditions stipulated in the EA (REF: 16/3/3/1/D1/14/0028/22 issued on 31 July 2024) remain applicable until a decision on this amendment application is taken by this Department.

The changes may not be commenced with until such time as an amendment to the EA is granted. It is an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act No. 107 of 1998, as amended) ("NEMA") if a person fails to comply with or contravenes a condition of an environmental authorisation granted for a listed activity or an approved environmental management programme. Failure to comply with the requirements of 49A of the NEMA will result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department for prosecution. A person convicted of an offence in terms of the above is liable to a fine not exceeding

R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.

9. The Department reserves the right to revise initial comments and request further information based on any new or revised information received.

Yours faithfully

 **Francois Naudé** Digitally signed by Francois Naudé
Date: 2025.07.17 12:25:34 +02'00'

HEAD OF COMPONENT

ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 3

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

(reference: 16/3/3/5/d1/14/0011/25)

Copied to:

Eco Route Environmental Consultancy

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