

APPEAL EA REFERENCE: 14/3/1/D5/18/0326/18
DATE OF ISSUE: 30 NOVEMBER 2023

The Managing Director
Vivren Properties (Pty) Ltd.
Suite 86, Private Bag X16
CONSTANTIA
7848

Attention: Mr R. Meinesz

Tel: 021 683 9616

Fax: 021 461 0878

Dear Sir,

APPROVAL OF THE AMENDED ENVIRONMENTAL MANAGEMENT PROGRAMME (EMPr) FOR NON-OPERATIONAL ASPECTS OF THE PROPOSED PREEKSTOEL COASTAL ESTATE ON ERF NO. 1028 AND PORTION 2 OF ERF NO. 599, STILL BAY EAST

1. The following has reference:
 - 1.1. the Appeal Environmental Authorisation (Ref. 14/3/1/D5/18/0326/18 issued on 2 August 2018) ("EA")
 - 1.2. the non-compliance of with the EA
 - 1.3. the investigation and enforcement action taken by this Department regarding non-compliance with the Appeal Environmental Authorisation (Ref. 14/3/1/D5/18/0326/18 issued on 2 August 2018); and
 - 1.4. the abovementioned EMPr dated November 2023 and received by the Directorate: Development Management Region 3 (hereinafter referred to as "this Directorate") on 16 November 2023.
2. By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2014, as amended, the competent authority herewith approves the abovementioned amended environmental management programme (EMPr-01).
3. This decision has been informed by the above as well as the findings of the investigation undertaken by this Department's Directorate Environmental Law Enforcement ("DELE") into the matter; the initial outcome of the enforcement action undertaken by the DELE; and the agreed action regarding the continuation of the non-operational aspects of the proposed Preekstoel Coastal Estate on Erf no. 1028 and Portion 2 of Erf no. 599, Still Bay East.
4. Please ensure compliance with any Compliance Notice issued by this Department, the Appeal Environmental Authorisation and this approved EMPr (viz EMPr-01).

Note: A person is guilty of an offence in terms of Section 49A of the National Environmental Management Act, 1998 (Act no. 107 of 1998) ("NEMA") if that person *inter alia* fails to comply with or contravenes a—

- condition of an environmental authorisation granted for a listed activity or an approved environmental management programme.
- compliance notice issued in terms of section 31L

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 or such imprisonment.

5. An application for amendment to the EMPr-01 as approved, must be submitted to the competent authority if any amendments are to be made to the EMPr-01, other than those mentioned above, and this may only be implemented once the amended EMPr has been authorised by the competent authority.
6. The Department reserves the right to revise initial comments and request further information from you based on any new or revised information received.

Yours faithfully

DIRECTOR: DEVELOPMENT MANAGEMENT REGION 3
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
(Reference: 14/3/1/D5/18/0326/18)

Copied to: ECO: Mr. A. Withers E-mail: aubreywithers@mweb.co.za