



REFERENCE: 16/3/3/6/1/E2/37/1331/21
DATE OF ISSUE: 7 December 2021

The Proponent
Lornay Environmental Consulting
P. O. Box 1990
HERMANUS
7200

Attention: Ms. M. Naylor

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Dear Madam

THE APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) WITH RESPECT TO THE PROPOSED SUBDIVISION AND REZONING TO CREATE RESIDENTIAL ERVEN ON ERF 1772, STANFORD.

1. The documents for the determination of the applicability of the EIA Regulations, 2014 (as amended) received via electronic mail correspondence by this Department on 01 October 2021, this Department's request for additional information dated 19 October 2021, the additional information received via electronic mail correspondence by this Department on 25 October 2021, this Directorate's correspondence dated 1 December 2021 and the additional information received by this Directorate via electronic mail correspondence on 6 December 2021, refer.
2. Based on the information provided (6 December 2021), the proposed site has not been used for agriculture on or after 1 April 1998.
3. It is herewith confirmed that the proposed residential development on Erf 1772, Stanford does not trigger Activity 28 of Listing Notice 1 of the EIA Regulations, 2014 (as amended).
4. This determination is based on the fact that the proposed site was not used for agriculture on or after 1 April 1998.
5. Written Environmental Authorisation will therefore **not be required** from the competent authority (in this instance this Directorate) prior to the undertaking of the said development.
6. However, should any revision of your proposed development comprise any activities that constitute a listed activity as defined in Listing Notice 1, 2 or 3 of the EIA Regulations, 2014 (as amended), an application for Environmental Authorisation must be submitted to the competent authority and authorisation obtained before such activity(ies) may commence.
7. You are reminded of the general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is*

authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."

8. This Department reserves the right to revise or withdraw its comments and request further information from you based on any information received.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

pp HEAD OF COMPONENT
DIRECTORATE: DEVELOPMENT MANAGEMENT – REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
CC: Ms. P. Aplon (Overstrand Municipality)

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