



edtea

Department :
Economic Development, Tourism and
Environmental Affairs
PROVINCE OF KWAZULU-NATAL

Enquiries: Ms. Vanessa Maclou
Imibuzo :
Navrae :

Telephone: 031 – 366 7338
Ucingo :
Telefoon :

Private Bag : X54321
Isikhwama Seposi: Durban
Privaat Sak : 4000

Reference: DM/Amend/0127/2017
Inkomba :
Verwysing:

Fax : n/a
iFeksi :
Faks :

Date :
Usuku : 20 / 06 / 2017
Datum :

Fax Transmission

Messrs Kingsburgh Extension Seven cc
P.O. Box 161
Amanzimtoti
4125

Attention : Mr Eric Merkot
Tel : 031 813 5755
Email : ericmerkot@topproducer.com

Dear Sir

DM/AMEND/0127/2017: AMENDMENT OF ENVIRONMENTAL AUTHORISATION FOR THE EXTENSION OF VALIDITY FOR THE CLUSTER HOUSING DEVELOPMENT OF KINGSBURGH EXTENSION 7 OF LOT 1616-1660 OF PHASE 2, LOCATED WITHIN ETHEKWINI MUNICIPALITY.

1. The Environmental Authorisation (EA) for the above-mentioned project, reference number DM/0127/07 dated 25 March 2008. The first amendment to the original EA, referenced DM/Amend/0127/10 for the extension of the validity period (by two years) and the amendment of the layout plan, granted on 29 July 2010. The second amendment to the original EA, referenced DM/Amend/0127/2012 for the extension of the validity period (by five years) and the amendment of the layout plan, granted on 26 July 2012. The application for a third amendment with reference number DM/Amend/0127/2017 received by the Department on 11 May 2017 for the extension to validity to the EA in terms of the provisions of sub-regulation 28(1) of the National Environmental Management Act (NEMA) Environmental Impact Assessment (EIA) Regulations, December 2014 as amended refers.
2. The KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs in terms of the powers vested in it by sub-regulation 27(2)(a) of the EIA Regulations, 2014 (as amended), hereby amends the following as contained in the EA with reference number DM/0127/07 granted on 25 March 2008:

Department of Economic Development, Tourism and Environmental Affairs, KwaZulu-Natal	Environmental Authorisation Amendment letter: DM/Amend/0127/2017	Page 1 of 2	 Initials
--	--	-------------	---

2.1 **Condition 1.5: Validity Period, which reads as follows:**

This environmental authorisation is valid for a period of **five (05) years**³ from the date of issue of DM/AMEND/0127/2012. If commencement of the activity does not occur within the amended period, the environmental authorisation lapses and the holder of the environmental authorisation must re-apply for an environmental authorisation should he or she wish to carry on the activity, should the new activity fall within the ambit or prevailing legislation and/or unless the applicant has requested an extension of time in writing at least **sixty (60) days** before the expiry of this environmental authorisation.

Condition 1.5: Validity Period, is amended to read as follows:

This amended environmental authorisation (EA) is valid for an extended period of **five (05) years** from the date of this amendment decision. If commencement of the authorised activity does not occur within that period, the environmental authorisation lapses and a new application for environmental authorisation must be made in order for the development to be undertaken.

Background and Reasons for amendment

3. An environmental authorisation was granted on 25 March 2008 for the Kingsburgh Extension 7 Cluster Housing Development.
4. The reason for this amendment as indicated in the prescribed application form dated 11 May 2017 is as follows:
 - 4.1 The applicant has been unable to commence with construction due to delays in the rezoning application. Prior to being able to submit the rezoning application, eThekweni Municipality has to proclaim unused roads that fall within the boundaries of the property. Although the application to do so was lodged several years ago, the Municipality has failed to have these roads proclaimed. As such, the planning and rezoning is yet to be finalised and the applicant has not commenced with construction.

5. Notification to interested and affected parties:

The holder of this amendment must comply with regulation 4(2) of the EIA Regulations, 2014 (as amended) and within **14 days** of the date of the decision on this amendment ensure that:

- a. All registered interested and affected parties are provided with access to the decision and the reasons for the decision; and;
- b. The attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended), if such appeal is available in the circumstances of the decision.

Date of amendment of environmental authorisation: 20 June 2017


for: Head of Department

Signed by: Ms. V. Maclou

District Manager: eThekweni District

KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs

³ Amendment: extension of validity period to five (05) years.

Department of Economic Development, Tourism and Environmental Affairs, KwaZulu-Natal	Environmental Authorisation Amendment letter: DM/Amend/0127/2017	Page 2 of 2	 Initials
--	--	-------------	---