



GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Reference: Gaut 002/22-23/E3533
Enquiries: Dan Motaung
Tel: +27 (0)11 240 2574
Dan.Motaung@gauteng.gov.za

Property4US Stokvel (Pty) Ltd.
1692 Moska Street
Zandfontein
Pretoria
0002

By Registered Mail

Email: kgotsokimb@gmail.com

Phone Number: 072 402 5587

Dear Kgotso Sako,

ENVIRONMENTAL AUTHORISATION GRANTED FOR THE PROPOSED KIRKNEY TOWNSHIP ESTABLISHMENT WITH ASSOCIATED INFRASTRUCTURE ON PORTION 136 (A PORTION OF PORTION 110) OF THE FARM ZANDFONTEIN 317 JR, CITY OF TSHWANE METROPOLITAN MUNICIPALITY

With reference to the above subject, please be advised that the Department has decided to grant environmental authorisation. An Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended, you must notify all registered interested and affected parties, in writing, within 14 days of the date of this EA, of the Department's decision in respect of your application as well as the provisions that are contained on the Appeal Regulations regarding the submission of appeals. A copy of this EA must also be appended to the letter of notification to the interested and affected parties.

Your attention is drawn to Chapter 2 of the National Appeals Regulations, 2014, which prescribes the appeal procedure to be followed. Should any person wish to lodge an appeal against this decision or any aspect of this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest on the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable. The appeal(s) must be submitted in writing by any of the following means:

Postal Address:

The Appeals Administrator
Department of Agriculture, Rural Development and Environment
P.O. Box 8769
Johannesburg
2000

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Physical Address

The Appeals Administrator
Department of Agriculture, Rural Development and Environment
56 Eloff Street, Umnotho House, 23rd Floor
Johannesburg

Fax No: 011 240 3158/2700

Email Address: appeals@gauteng.gov.za

The appeal must be submitted in the prescribed appeal form obtainable from the appeal administrator, Ms. Tsholofelo Mere, at telephone number 011 240 3204 or email address tsholofelo.mere@gauteng.gov.za. The appeal form is also available from the website: www.gauteng.gov.za. Should you have any queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

Kindly take note that in terms of Section 43(7) of the National Environmental Management Act, 1998 (NEMA), as amended, the lodging of an appeal suspends an environmental authorisation as well as its associated Environmental Management Programme. This means that the activity authorised by this EA must not commence until such time that the appeal is finalised.

Kind regards



MS. MATILDA GASELA
HEAD OF DEPARTMENT: AGRICULTURE, RURAL DEVELOPMENT AND ENVIRONMENT

DATE: 21 JUNE 2023

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GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

ENVIRONMENTAL AUTHORISATION

Reference Number:	Gaut 002/22-23/E3533	
Holder of Authorisation:	Property4US Stokvel (Pty) Ltd.	
Location of Activity / Activities:	Portion 136 (a Portion of Portion 110) of the farm Zandfontein 317 JR, within City of Tshwane Metropolitan Municipality	
Coordinates:	Latitude (S)	Longitude (E)
	25° 43' 30.57"	28° 5' 19.65"
21 Digit SG Number(s)	T0JR00000000031700000	

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1. Decision

The Department is satisfied, on the basis of the information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

2. Activities Authorised


Under the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations, 2014, the Department hereby authorises, **Property4US Stokvel (Pty) Ltd**, with the following contact details -

1692 Moska Street
 Zandfontein
 Pretoria
 0002

Tel No.: 012 358 5675

Email: ltumelengke3@tshwane.gov.za

to undertake the activities listed as per the table below:

Activity number and description	Proposed activity
<p>GN R. 983: Activity 9 of Listing Notice 1</p> <p>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</p> <p>(i) with an internal diameter of 0,36 metres or more; or</p> <p>(ii) with a peak throughput of 120 litres per second or more;</p> <p>excluding where—</p> <p>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</p> <p>(b) where such development will occur within an urban area.</p>	<p>The proposed development requires an infrastructure exceeding 1 000 metres in length for the bulk transportation of storm water.</p> <div style="text-align: center;">  <p>GDARD Office of the HOP 21 JUN 2023 000017</p> </div>
<p>GN R. 983: Activity 10 of Listing Notice 1</p> <p>The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes –</p> <p>(i) with an internal diameter of 0,36 metres or more; or</p>	<p>The proposed development requires an infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage.</p>

<p>(ii) with a peak throughput of 120 litres per second or more;</p> <p>excluding where—</p> <p>(a) such infrastructure is for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve or railway line reserve; or</p> <p>(b) where such development will occur within an urban area.</p>	
<p>GN R. 983: Activity 27 of Listing Notice 1</p> <p>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	<p>The proposed development requires clearance of 1,63 hectares of indigenous vegetation (which is more than a 1 hectare).</p>
<p>GN R. 983: Activity 28 (ii) of Listing Notice 1</p> <p>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or (ii) will occur outside an urban area, where land to be developed is bigger than 5 hectares; or (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p>	<p>The proposed development is for a residential purpose, will occur outside urban area and the total land to be developed is more than 1 hectare.</p> <p style="text-align: center;">GDARD Office of the HOD</p> <p style="text-align: center;">21 JUN 2023 000017</p>
<p>GN R. 985: Activity 12 (C) (ii) of Listing Notice 3</p>	<p>The proposed development requires a clearance of indigenous vegetation of 1,63 hectares (which is more than 300 square</p>

<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>c. Gauteng</p> <p>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>ii. Within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans; or</p> <p>iii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.</p>	<p>metres) in (C), Gauteng province, (ii) within Ecological Support Areas.</p> <p style="text-align: center;">GDARD Office of the HOF</p> <p style="text-align: center;">21 JUN 2023 000017</p>
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-for the proposed Kirkney township establishment with associated infrastructure comprising of 35 residential units, stormwater and sewage infrastructure, roads, solid waste collection and open space on Portion 36 (a Portion of Portion 110) of the farm Zandfontein 317 JR within City of Tshwane Metropolitan Municipality.

Scope of Environmental Authorisation

3. Specific conditions

- 3.1 Environmental Authorisation is granted for the proposed Kirkney township establishment with associated infrastructure subject to a submission of a revised layout plan to GDARDE for approval.
- 3.2 The revised layout plan must ensure that the proposed residential **Unit 17** and **Unit 18** are constructed **50 metres** away, measured from the foot of the Class 2 Ridge with no development permitted within the Class 2 Ridge buffer zone except for maintenance work.
- 3.3 An appropriate application, with supporting documentation, must be made to the relevant authority for the relocation and destination of any Red Listed Plant and/or Animal species that are found within the site prior to commencement of the authorised activities. This includes, but is not limited to, the protected plant species mentioned on page 27 of the **Terrestrial Biodiversity Assessment Report** dated January 2023.
- 3.4 All landscaped areas must make use of vegetation which is endemic to the area.
- 3.5 Signage and physical barriers (e.g., reflector nets) must be erected to notify the local community of potentially hazardous conditions present around the working area and prevent life-threatening incidents.
- 3.6 In a bid to reduce Climate Change impacts and to promote sustainability, the development and all the associated infrastructure must incorporate sustainable development measures such as, the installation of solar panels and LED lightbulbs, specifically for the car parking

infrastructure and outside lighting. 50% of energy must be obtained from renewable energy sources

- 3.7 If any evidence of archaeological sites or remains, fossils or other categories of heritage resources are found during the proposed activities, the South African Heritage Resources Agency must be alerted immediately, and a professional archaeologist or paleontologist must be contacted as soon as possible to inspect the findings.

4. Commencement and completion of the activity/activities

- 4.1 The development of the authorised activities, including post development/construction rehabilitation must be concluded within a period of **10 years** from the date of signature of this Environmental Authorisation. If the authorised activities have not been concluded within that period, the authorisation lapses.
- 4.2 Continuation of the authorised activity or activities after the lapsing period of this Environmental Authorisation and where such continuation will meet the threshold of any listed activity or activities, will constitute an offence.
- 4.3 Commencement with one listed activity authorised in terms of this environmental authorisation constitutes commencement with all other authorised activities.

5. Management of the activity or activities

The Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation is also authorised in terms of this EA and must be implemented. In addition, the following is considered part of the subject EMPr:

- 5.1 Induction of the contractors, subcontractors, agents and other people working on the site about the contents of the EMPr and its objectives.
- 5.2 Soil control measures during the installation phase to prevent soil erosion and the resulting wash down into any watercourse.
- 5.3 All waste streams to be generated during construction and operational phase must be managed in accordance with the hierarchy of waste management principles and disposal at an authorised landfill or waste disposal site must be the last option. The record of recycled waste must be kept on site and made available to the Department upon request.
- 5.4 The surface storm water management plan must be based on Sustainable Urban Drainage Systems (SUDS) Principles and consider source, local and regional controls.
- 5.5 The Applicant must submit recommendations to amend the EMPr where the findings of the environmental audit reports indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or the EMPr and where applicable, the closure plan.
- 5.6 The request to amend the EMPr must contain recommendations or mitigation to rectify the shortcomings identified in the environmental audit report.
- 5.7 The recommendation to amend the EMPr must be submitted to the Department for approval together with the environmental audit report in accordance with the regulations. Such updated EMPr must have been subjected to public participation process, which has been agreed to by the competent authority prior submission.
- 5.8 The recommendation to amend the EMPr must be submitted to the Department for approval together with the environmental audit report in accordance with the regulations. Such updated EMPr must have been subjected to public participation process, which has been agreed to by the competent authority prior submission.
- 5.9 In assessing whether to grant approval of an amended EMPr because of an audit report, the competent authority may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr or closure plan sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.

6. Monitoring and Reporting

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- 6.1 An ECO must be appointed prior to any commencement of the authorised activity or activities.
- 6.2 Once appointed, the name and contact details of the ECO must be submitted to the Department's Compliance Monitoring Section. Documentation such as monitoring or audit or compliance reports and notifications, required to be submitted, must be submitted thereto.
- 6.3 The applicant/ECO must keep records of all activities on the site, problems identified, transgressions identified / noted, and a task schedule of the functions undertaken by the ECO.
- 6.4 The environmental audit report must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the conditions of the environmental authorisation as well as the requirements of the EMPr.
- 6.5 Records relating to monitoring and auditing must be kept on the site and be made available to any authorised person(s) acting on behalf of the relevant competent authority in respect of the development.

7. Notification of commencement of activity

- 7.1 A written notification of commencement of the activity, including site preparation, must be given to the Department 14 days prior to commencement of the activity on the site. The notice must include the date on which it is anticipated that the activity will commence as well as the EA reference number and be submitted to the Director: Compliance Monitoring, Ms. Sasa Sekhatha, the official of the Department at the email address: Sasa.Sekhatha@gauteng.gov.za.

8. General Conditions

- 8.1 The conditions of this EA are binding on the applicant ("Holder of EA"), including any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the applicant.
- 8.2 The activities authorised may only be carried out at the property or site indicated in this EA.
- 8.3 Any changes to, or deviation from, the activity or activities' description set out in this EA must follow the appropriate amendment process described in the Environmental Impact Assessment Regulations, and be approved, in writing, by the Department before such changes or deviation are effected. In assessing whether to approve such changes, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the applicant to apply for further authorisations in terms of the Regulations.
- 8.4 Where any of the applicant's contact details changes, including the name of the applicant, the physical or postal address and/or telephonic details, the applicant must follow the relevant amendment process as prescribed in the Environmental Impact Assessment Regulations, by submitting an amendment application to the Department for consideration and decision making as soon as the new details become known to the applicant.
- 8.5 This EA does not negate the holder's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- 8.6 This EA and EMPr must be kept at the property or site where the activity or activities will be undertaken. The documents must be produced to any authorised official of the Department who requests to inspect them and must also be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property.
- 8.7 Non-compliance with a condition of this EA may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations.

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8.8. If the Department has reason to believe that the EA was obtained through fraud, non-disclosure of material information or misrepresentation of a material fact, the Department may, in writing, suspend or partially suspend, with immediate effect, the EA and direct the holder of such EA forthwith, to cease any activities that have been commenced with or to refrain from commencing any activity, pending a decision to withdraw the EA.

Date of the Environmental Authorisation:

[Signature]
21 JUNE 2023

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ANNEXURE 1: REASON FOR DECISION

1. Information considered in making the decision

In reaching its decision, the Department took, inter alia, the following into consideration:

- 1.1 The information contained in the application form dated 13 March 2023, Final Basic Assessment Report, received by the Department on 15 April 2023 including:
 - 1.1.1 Terrestrial Biodiversity Assessment report by Naledzani Environmental Services, dated January 2023, attached as Appendix E;
 - 1.1.2 Phase 1 Heritage Impact Assessment Report by A Pester Archaeological Consulting, dated January 2023; attached as Appendix E;
 - 1.1.3 Preliminary Geotechnical Investigation Report by Dhavana Geotech Solutions (Pty) Ltd, dated January 2023, attached as Appendix E;
 - 1.1.4 Traffic Impact Study by SA Traffic Survey (Pty) Ltd, attached as Appendix E;
 - 1.1.5 Engineering Services Report by NCES Consulting Engineers, dated April 2023, attached as Appendix E, and
 - 1.1.6 The Environmental Management Programme by Mokone Town Planners and Property Consultants (Pty) Ltd. dated May 2023.
- 1.2 The relevant information contained in the Departmental information base including the Geographical Information System (GIS), Gauteng Conservation Plan Version 3.3, and the Gauteng Provincial Environmental Management Framework (GPEMF), 2015.
- 1.3 The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended).
- 1.4 The findings of the site inspection undertaken by Edward Magaga on 23 March 2023.

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- 2.1 Environmental attributes of the site and suitability of the proposal.
- 2.2 Public participation process.

3. Findings

After consideration of the information and factors listed above, the Department made the following findings:

- 3.1 In terms of Gauteng Conservation Plan Version 3.3, part of the site falls within Ecological Support Area and Class 2 Ridge. However, should the Department approve the requested revised layout plan, the Class-2 Ridge habitat and the sensitive areas within the site would be avoided.
- 3.2 Public Participation Process was carried out in accordance with regulation 41 of the EIA Regulations, 2014 (as amended) requirements.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in this EA, the activities will not conflict with the general objectives of integrated environmental management laid down in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to an acceptable level. The Environmental Authorisation **is accordingly granted.**

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