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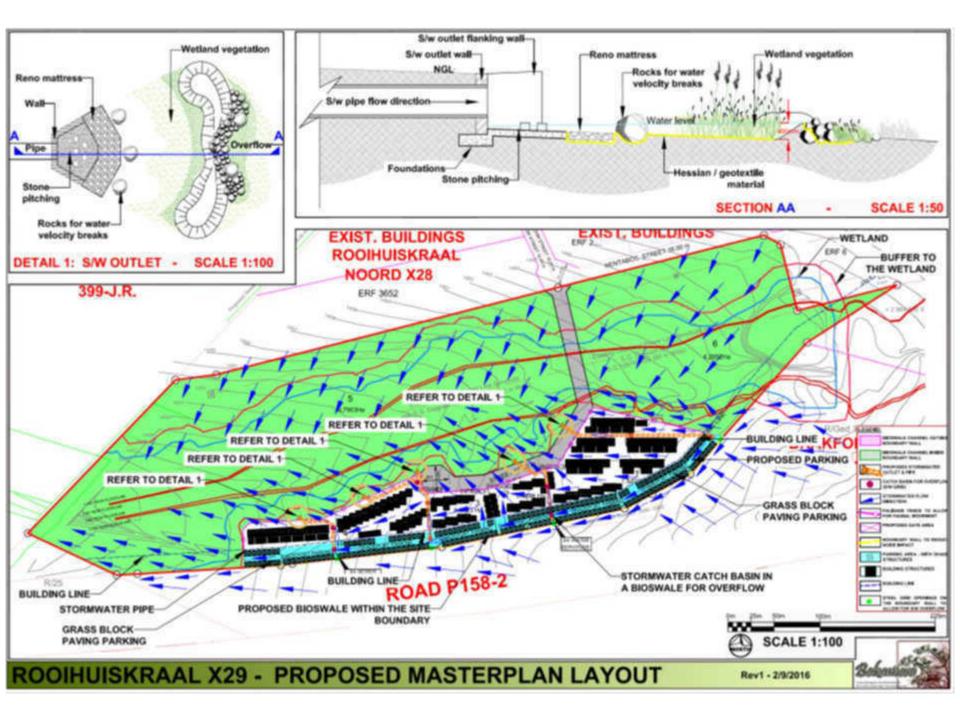
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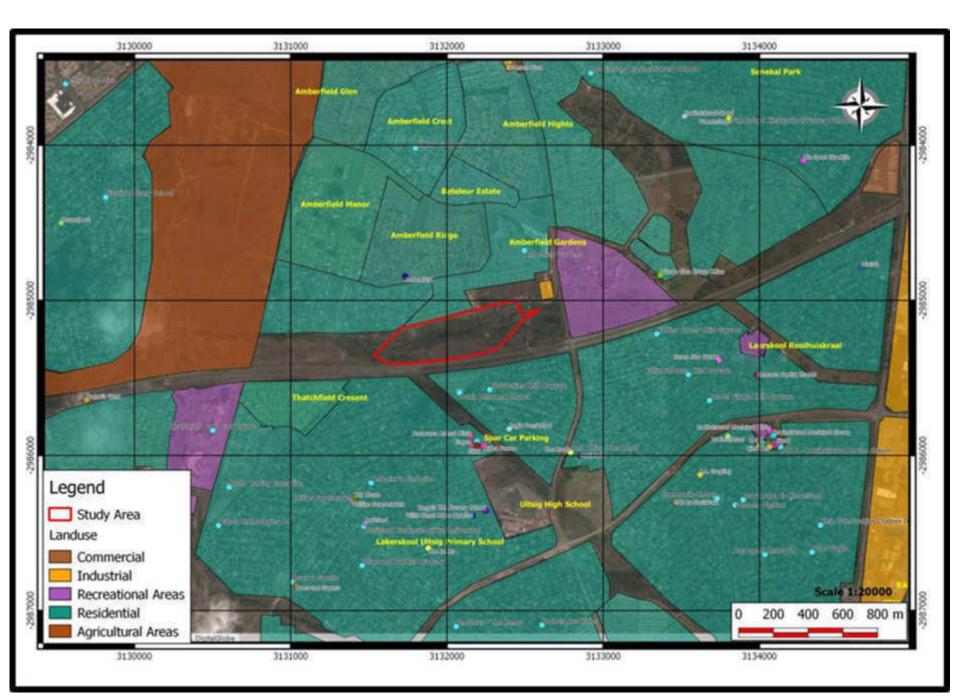
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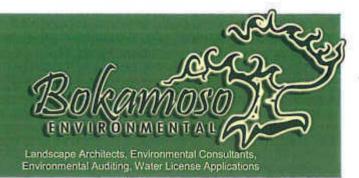


# Appendix Iiii Application Form

LEBOMBO GARDENS BUILDING 36 LEBOMBO ROAD ASHLEA GARDENS 0081

P.O. BOX 11375 MAROELANA 0161

Tel: (012) 346 3810 Fax: 086 570 5659 E-mail: reception@bokamoso.net Website: www.bokamoso.net



Gauteng Department of Agriculture and Rural Development SUE Admin Umnotho House 56 Eloff Street Ground Floor Johannesburg 2000

ATTENTION: Faith Mlambo Tel: No landlines 24 May 2017

## RE: <u>SUBMISSION OF THE APPLICATION FORM FOR THE PROPOSED</u> ROOIHUISKRAAL NORTH X 29 RESIDENTIAL DEVELOPMENT IN CITY OF TSHWANE, GAUTENG.

Please find **3 x hard copies** (3x originals) of the Application Form for the abovementioned project.

We are looking forward to receiving your acknowledgement letter and reference number for this project.

We trust you find the above in order. Please do not hesitate to contact our office should you have any questions in this regard.

Sincerely,

enhadot

Anè Agenbacht Bokamoso Landscape Architects and Environmental Consultants CC

REG NO: CK 2010/087490/23 VAT REG NO: 4080260872 BOKAMOSO LANDSCAPE ARCHITECTS AND ENVIRONMENTAL CONTULTANTS CC

MEMBER: Lizelie Gregory



Application Form for Environmental Authorisation in terms of National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2014

For official use only

Application Number: NEAS Reference number: Date Received:

er:	

#### Kindly note that:

- 1. This application form is current as of December 2014. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
- This form must be used for an application(s) for Environmental Authorisation in terms of Chapter 4 of the Environmental Impact Assessment Regulations, 2014.
- 3. If, in addition to this application, you must also apply for a Waste Management Licence in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) "(the Waste Act") and/or an Atmospheric Emission Licence in terms of the National Environmental: Air Quality Act, 2004 (Act No. 39 of 2004) ("NEM:AQA"), then separate application forms in terms of the applicable legislation must be completed and submitted simultaneously to the relevant licensing authorities, but a single EIA process must be undertaken. Copies of such applications must be attached to this Application Form. However, if the intention of the applicant is to undertake an Integrated Process (Integrated Authorisation), the applicant or the EAP is advised to seek guidance from the competent authority prior to commencing with the EIA process.
- 4. The application must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing.
- 5. The use of the phrase "not applicable" in the form must be done with circumspection. Should it be done in respect of material information required by the competent authority for assessing the application, it may result in the refusal of the application.
- Three copies of this form must be submitted at the offices of the relevant competent authority as detailed below prior or simultaneously with the submission of the Basic Assessment Report or the Scoping and Environmental Impact Report.
- 7. No faxed or e-mailed applications shall be accepted. Only hand delivered, couried or posted applications will be accepted
- Unless protected by law, all information filled in on this application will become public information on receipt by the competent authority. Any interested and affected party should be provided with the information contained in this application on request, during any stage of the application process.

#### 1. DEPARTMENTAL DETAILS

Postal Address		
Gauteng Department of Agriculture and Ru	ural Development	
	nistrative Unit of the Sustainable Utilization of the Environment (SUE) Branch	
P. O. Box 8769		
Johannesburg		
2000		
2000		
Physical Address		
Administrative Unit of the Sustainable Utili	eation of the Environment (SLIE) Branch	
Ground floor, Diamond Building, 11 Diago		
Johannesburg	tai ou eet	
Junannesburg		
Queries should be directed to the Strategic	e Administrative Linit at	
Administrative Unit telephone number	(011) 240 3051/3052	
Administrative Unit fax number	(011) 240 3055	
Departmental central telephone number	(011) 240 2500	
View the Department's website at http:/	Annual adapt any to fact the latest upping of the desuments	
view the Department's website at music	/www.gdard.gov.za for the latest version of the documents	

#### Application for Environmental Authorisation in terms of NEMA

Proof of payment must accompany this application. The application will not be processed without proof of payment unless one of the exclusions provided for in the fee Regulations is applicable AND such information in the exclusion section of this application form has been confirmed by this Department.

#### 2. FEES

Gauteng Department of Agriculture and Rural Development' details for the payment of application fees

Payment Enquiries:	
Contact person: Boniswa Belo	
Tel: (011) 240 3377/3051	
Email: Boniswa.Belot@gauten	g.gov.za
Department Banking details	
Bank Name:	FNB Bank
Account Name:	GPG Agriculture and Rural Development PMG
Account Number:	62298144058
Branch Name and Number:	Global Transactional Services Johannesburg - 255005
payment) Please note the re	e (Y – M – D) of payment e.g. EIA20140401 (please quote this reference number when making ference number was erroneously made Ormonde instead of Rooihuiskraal for this project when rence number on the proof of payment is therefore: BAR20170206 Ormonde.
Application form to be submitt	ed with proof of payment attached- Annexure 1
Tax exemption status:	
Status: Tax Exempted	

#### EXCLUSIONS

#### An applicant is excluded from paying fees if:

- The activity is a community based project funded by a government grant; or
- The applicant is an organ of state.

Applicants are required to tick the appropriate box below to indicate that either proof of payment is attached or that, in the applicant's view, exclusion applies. Proof and a motivation for exclusions must be attached to this application form as Annexure 2.

Proof attached	X
Exclusion applies	

TYPE OF EXCLUSION	Tick where applicable. Proper motivation must be attached to the application
The activity is a community based project funded by a government grant	
The applicant is an organ of state	

#### FEE AMOUNT

Application	Fee
Applications for an environmental authorisation for which basic assessment is required in terms of the Environmental Impact Assessment Regulations	R2 000
Application for an environmental authorisation, for which S&EIR is required in terms of the Environmental Impact Assessment Regulations	R10 000
Applications dealt with in terms of section 24L of the Act (where an environmental authorisation is required in terms of NEMA and a waste management license is required in terms of NEMWA and the same competent authority is dealing with both these applications)	100% of the most expensive application, namely, R10 000 (Ten Thousand Rand) if S&EIR is triggered and R2 000 (Two Thousand Rand) if the basic assessment is triggered; (b) 50% of the other application, namely, R5 000-00 (Five Thousand Rand) if the S&EIR is triggered or R1 000 (One Thousand Rand) if the basic assessment is triggered.

#### 3. APPLICANT INFORMATION

Project applicant:	Lezmin 1066 BK		and the second	
Trading name (if any):	Lezmin 1066 BK			
Contact person:	Johan Lewis			
Physical address:	74 Mulder's Mile, Eldoraigne x 3			
Postal address:	P.O. Box 8033, Centurion			
Postal code:	0046	Cell:	082 413 6125	
Telephone:	-	Fax:	-	
Email	jarch@mweb.co.za			

Please duplicate the above section in instances where there is more than one applicant.

Local municipality	City of Tshwane Metropo Management Department; Ope		Municipality;	Environmental nt Section
Contact person:	Rudzani Mukheli/Kemmone Mofela			
Postal address:	4th Floor; Nr. 11 Francis Baard Street			
Postal code:	0001 Cell: -			
Telephone:	012 358 8731/8667 Fax: -			
E-mail:	RudzaniM@tshwane.gov.za/ kemmonem@tshwane.gov.za		4 <b>1</b>	

Please duplicate the above section in instances where there is more than one Municipality.

Land owner	Lezmin 1066 BK		LEAL AND DESCRIPTION OF A DESCRIPTION	
Contact person:	Johan Lewis			
Postal address:	P.O. Box 8033, Centurion			
Postal code:	0046 Cell: 082 413 6125			
Telephone:		Fax:		
E-mail:	jarch@mweb.co.za			

Please duplicate the above section in instances where there is more than one landowner. Consent use form in Addendum 1 must be filled if the applicant is not landowner or person in control of the land where the development will / is taking place. Further, the above section must be duplicated in instances where there is more than one landowner.

### 4. ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) INFORMATION

Company of Environmental Assessment Practitioner (EAP):	Bokamoso Landscape Architects & Environmental Consultants CC
Name of the EAP:	Anè Agenbacht
EAP Qualifications	BA Environmental Management (Unisa) PGCE (Education) – Cum Laude (Unisa)
Professional affiliation or registration:	

Physical address:	36 Lebombo Road, Lebombo Garden Building, Ashlea Gardens, 0081			
Postal address:	P.O. Box 11375, Maroelana			
Postal code:	0161	Cell:	083 533 0420	
Telephone:	012 346 3810	Fax:	086 570 5659	
E-mail:	reception@bokamoso.net			

# 5. PROJECT TITLE (SCOPE OF THE ACTIVITY)

## Rooihuiskraal North x 29

This application for Environmental Authorization is for the proposed Residential 3, Security Complex.

## 6. PROPERTY DESCRIPTION

Application process followed (BA OR Scoping & EIA)	BA		
Description of the property/properties where activity is proposed to be undertaken:	The site is situated to the north of the N14 highway and is surrounded by existing residential developments. The M37/ Rooihuiskraal Road separates the site and the Rooihuiskraal Historical Terrain from each other. Both the M37/ Rooihuiskraal Road and the Rooihuiskraal Historical Terrain is situated to the east of the site.		
Farm/ Erf name(s) & number(s) (including portion/ holding) of all proposed sites:	Part of the Remainder of Portion 9 and a Part of Portion 145 of the Farm Brakfontein 399 JR		
Property size(s)(ha) of all proposed sites	±18.0200 hectares		
Property size(s) (m <sup>2</sup> ) of all proposed sites:	180200 m <sup>2</sup>		
Development footprint size(s) in ha/m2:	±18.0200 hectares		
SG Digit code(s) of all proposed sites:			
Coordinates of all proposed sites: Latitude (S)	25°	53'	12.21"S
Longitude (E)	28°	08'	32.77"E

Note: Coordinates must be provided in degrees, minutes and seconds using the Hartebeesthoek94 WGS84 co-ordinate system. Where numerous properties/sites are involved (e.g. linear activities), please attach a list of property descriptions separately.

Physical/Street address of proposed sites:	The site is situated to the west of the M37/ Rooihuiskraal Road; Rooihuiskraal.
Current Zoning of site(s)	Agriculture

## 7. ACTIVITY(S) APPLIED FOR

An application may be made for more than one listed or specified activity that, together, make up one development proposal. All the listed activities that make up this application must be listed below.

Indicate the number of the relevant Government Notice:	Activity No (s) (relevant notice): e.g. Listing notices 1, 2 or 3	Describe each listed activity as per the wording in the listing notices:
R,983 December	Listing Notice 1	The development of-
2014	Activity 12	<ul> <li>(i) canals exceeding 100 square metres in size;</li> <li>(ii) channels exceeding 100 square metres in size;</li> <li>(iii) bridges exceeding 100 square metres in size;</li> <li>(iv) dams, where the dam, including infrastructure and water surface area, exceeds 100 square metres in size;</li> <li>(v) weirs, where the weir, including infrastructure and water surface area, exceeds 100 square metres</li> </ul>
		in size; (vi) bulk storm water outlet structures exceeding 100
		<ul> <li>square metres in size;</li> <li>(vii) marinas exceeding 100 square metres in size;</li> <li>(viii) jetties exceeding 100 square metres in size;</li> <li>(ix) slipways exceeding 100 square metres in size;</li> <li>(x) buildings exceeding 100 square metres in size;</li> <li>(xi) boardwalks exceeding 100 square metres in size; or</li> <li>(xii) infrastructure or structures with a physical footprint of 100 square metres or more;</li> </ul>
		where such development occurs-
		<ul> <li>(a) within a watercourse;</li> <li>(b) in front of a development setback; or</li> <li>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; -</li> </ul>
		<ul> <li>excluding- <ul> <li>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</li> <li>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</li> <li>(cc) activities listed in activity 14 in Listing Notice 2 of 2014, in which case that activity applies;</li> <li>(dd) where such development occurs within an urban area; or</li> <li>(ee) where such development occurs within existing</li> </ul> </li> </ul>

Cardiel Contraction Collection Collection Contraction Collection	Listing Notice 1 Activity 19	<ul> <li>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from-</li> <li>(i) a watercourse;</li> <li>(ii) the seashore; or</li> <li>(iii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater-</li> <li>but excluding where such infilling, depositing, dredging, excavation, removal or moving-</li> <li>(a) will occur behind a development setback;</li> <li>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan; or</li> <li>(c) falls within the ambit of activity 21 in this Notice, in</li> </ul>
	Listing Notice 1 Activity 27	which case that activity applies. The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where
2006404042		such clearance of indigenous vegetation is required for- (i) the undertaking of a linear activity; or maintenance purposes undertaken in accordance with a maintenance management plan.
	Listing Notice 3 Activity 4	<ul> <li>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</li> <li>(c) In Gauteng: <ol> <li>A protected area identified in terms of NEMPAA, excluding conservancies;</li> <li>National Protected Area Expansion Strategy Focus Areas;</li> <li>Gauteng Protected Area Expansion Priority Areas;</li> <li>Sites identified as Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</li> <li>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</li> <li>Sensitive areas identified in an environmental management framework adopted by relevant environmental authority;</li> <li>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</li> <li>Sites or areas identified in terms of an International Convention;</li> <li>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the National Environmental Management: Protected Areas Act (Act No. 57 of 2003);</li> <li>Sites zoned for a conservation or public open space or</li> </ol></li></ul>

	· · · · · · · · · · · · · · · · · · ·	equivalent zoning.		
R,985 December Listing Notice 3 2014 Activity 12		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.		
		<ul> <li>(a) In Eastern Cape, Free State, Gauteng, Limpopo, North West and Western Cape provinces: <ol> <li>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;</li> <li>Within critical biodiversity areas identified in bioregional plans;</li> <li>Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; or</li> <li>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</li> </ol></li></ul>		
R,985 December 2014	Listing Notice 3 Activity 14	equivalent zoning.         The development of-         (i)       canals exceeding 10 square metres in size;         (ii)       bridges exceeding 10 square metres in size;         (iii)       bridges exceeding 10 square metres in size;         (iv)       dams, where the dam, including infrastructure and water surface area exceeds 10 square metres in size;         (v)       weirs, where the weir, including infrastructure and water surface area exceeds 10 square metres in size;         (vi)       bulk storm water outlet structures exceeding 10 square metres in size;         (vii)       bulk storm water outlet structures exceeding 10 square metres in size;         (viii)       jetties exceeding 10 square metres in size;         (xi)       buildings exceeding 10 square metres in size;         (xi)       boardwalks exceeding 10 square metres in size;         (xii)       infrastructure or structures with a physical footprint of 10 square metres or more;		
		where such development occurs-		
		<ul> <li>(a) within a watercourse;</li> <li>(b) in front of a development setback; or</li> <li>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a</li> </ul>		

watercourse;
excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.
(b) In Gauteng:
<ul> <li>A protected area identified in terms of NEMPAA, excluding conservancies;</li> </ul>
<li>ii. National Protected Area Expansion Strategy Focus Areas:</li>
iii. Gauteng Protected Area Expansion Priority Areas;
iv. Sites identified as Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; -
<ul> <li>v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management</li> </ul>
Act: Biodiversity Act (Act No. 10 of 2004); vi. Sensitive areas identified in an environmental management framework adopted by relevant
vii. Sites or areas identified in terms of an International Convention
<ul> <li>viii. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the National Environmental Management:</li> </ul>
Protected Areas Act (Act No. 57 of 2003);
<li>ix. Sites designated as nature reserves within municipal SDFs; or</li>
<li>xii. Sites zoned for conservation or public open space or equivalent zoning.</li>

Please note that any authorisation that may result from this application will only cover activities applied for.

#### 8. ORIENTATION MAPS

Locality map:	<ul> <li>A locality map must be attached to the application form as Annexure 3, as an Appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must include the following: <ul> <li>an accurate indication of the project site position as well as the positions of the alternative sites, if any;</li> <li>road names or numbers of all the major roads as well as the roads that provide access to the site(s)</li> <li>a north arrow;</li> <li>a legend;</li> <li>the prevailing wind direction; and</li> </ul> </li> <li>GPS co-ordinates (Indicate the position of the proposed activity with the latitude and longitude at the centre point for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should be to at least three decimal places. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection)</li> </ul>
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Should any activities in GN R. 985 be applied for, please provide a map indicating the triggering area (e.g. Critical Biodiversity Area, Protected Area, etc) overlaid by the study area as Annexure 4.

#### 9. PUBLIC PARTICIPATION PROCESS

If public participation process and other aspects of EIA process had already been undertaken prior to submission of this application form to the competent authority, a summary of public participation processes and steps followed to date must be described in the table below.

The first phase of the public participation was carried out on 21 February – 24 March 2017
Stakeholders (I&AP's) were notified of the Environmental Evaluation Process through:

A site notice that was erected (at a prominent point on the study area) on 21

February 2017.
Notices were distributed to the surrounding land-owners and interested and affected parties by means of faxes, hand delivery and e-mail.
An advertisement was placed in the Beeld newspaper.

#### 10. PROJECT SCHEDULE

A project schedule, indicating the different phases and timelines of the project (commencement and completion where possible), must be attached as Annexure 5.

#### 11. OTHER AUTHORISATIONS REQUIRED

LEGISLATION		AUTHORISATION REQUIRED		APPLICATION SUBMITTED	
SEMAs	YES	NO	YES	NO	
National Environmental Management: Air Quality Act		X		_	
National Environmental Management: Biodiversity Act		X			
National Environmental Management: Integrated Coastal Management Act		X		1	
National Environmental Management: Protected Areas Act		X			
National Environmental Management: Waste Act		X		1	
National legislation					
Mineral and Petroleum Development Resources Act		X			
National Water Act	x		x		
National Heritage Resources Act		X		-	
Others: Please specify		X			

Please provide proof of any authorisations obtained in terms of the above as Annexure 6.

# 12. LIST OF ANNEXURES

		YES	N/A
Annexure 1	Proof of payment of a fee for this application	X	
Annexure 2	Proof and a motivation for exclusions from paying a fee		X
Annexure 3	Locality map	X	
Annexure 4	Geographical area map triggering a listed	X	
Annexure 5	Project schedule	X	
Annexure 6	Proof by way of copies of Environmental Authorisations obtained for the same property or submission of such applications		x
Addendum 1	Consent use of land form		X
Addendum 2	Declaration by the applicant	X	
Addendum 3	Declaration by the environmental assessment practitioner	X	

#### ADDENDUM 1

#### 13. CONSENT USE

Consent in terms of Regulation 39 of the 2014 NEMA EIA Regulations by the landowner or person in control of the land that the proposed activity/ies may be undertaken on the land in question

#### When to use this form

Note: This form must be completed when an application for amendment in terms of the 2014 NEMA EIA Regulations is submitted where the proposed amendment will impact on the activity undertaken/to be undertaken on the land or if the amendment relates to the transfer of rights and obligations.

#### Notes for completing and submitting this form

- (1) This form is current as of December 2014. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been released by the Department.
- (2) This form must be attached to the application form for amendment.
- (3) Unless protected by law, all information contained in the form will become public information.

#### CONTACT INFORMATION

Name of land owner/ person in control of the land Trading name (if		
any): Contact person:		- 8
Physical address:		
Postal address:		1
Postal code:	Cell:	
Telephone:	Fax:	
E-mail:		

#### CONSENT

1. I/we the undersigned (insert the name/s of the owner/s of the land)

of identity number/registration number (insert the owner/s ID number/s or the registration number of the legal entity)

am/ are the registered owner/s of the property (insert description of the property/ies and title deed numbers)

located at (insert physical address or a brief description of the location of the property)

2. If we hereby give consent to the applicant /person to whom the rights are to be transferred (insert the name/s of the applicant/person/s)

of identity number/registration number (insert the owner/s ID number/s or the registration number of the legal entity)

to undertake the following activity(ies) on the property (insert a brief description of the project and identified activity(ies) in question and amendment that will be applied for):

Signature of land owner/person in control of the land or authorised representative

Name of authorised person if the landowner is a legal entity \_\_\_\_

Date

#### ADDENDUM 2

15. DECLARATIONS

DECLARATION OF THE APPLICANT

Johan Lewis

, declare under oath that I

- arm, or represent, the applicant in this application;
- have appointed / will appoint (delete that which is not applicable) an Environmental Assessment Practitioner (EAP) to act as the independent EAP for this application
- will provide the EAP and the competent authority with access to all information at my disposal that is relevant to the application.
- will be responsible for the costs incurred in complying with the Regulations, including but not limited to
  - costs incurred in connection with the appointment of the EAP or any person contracted by the EAP;
  - costs incurred in respect of the undertaking of any process required in terms of the Regulations;
  - costs in respect of any fee prescribed by the Minister or MEC in respect of the Regulations;
  - costs in respect of specialist reviews, if the competent authority decides to recover such costs; and
  - the provision of security to ensure compliance with conditions attached to an environmental authorisation, should it be required by the competent authority;
- will ensure that the EAP is competent to undertake the EIA process with respect to this application and that the EAPknow the Act and the regulations, and how they apply to the proposed development
  - 0 know any applicable guidelines and policies Ö.
  - performs the work objectively, even if the findings do not favour the applicant 0
  - disclose all information which is important to the application and the proposed development. 0
- will inform all registered I&APs of any decisions taken by the competent authority in this regard;
- am responsible for complying with the conditions of any environmental authorisation issued by the competent authority;
- hereby indemnify the Government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out
- of the content of any report, any procedure or any action which the applicant or EAP is responsible for in terms of these Regulations; will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to obtaining
- an environmental authorisation or prior to an appeal being decided in terms of these Regulations;
- will perform all other obligations as expected from an applicant in terms of the Regulations;
- all the particulars furnished by me in this form are true and correct, and
- I realise that a false declaration is an offence in terms of the EIA Regulations, 2014 and the NEMA.

Signature of the applicant/ Signature on behalf of the applicant: Lezmin 1066 BK Name of company (if applicable): 28 Februarie 2017 Date: Signature of the Commissioner of Oaths 28 Februarie 2017 countant; SIOV Designation Commissioner of Oaths Official stamp (below)

IZAK JOHANNES ROSSOUW COMMISSIONER OF OATHS 36 LEBOMBO ROAD ASHLEA GARDENS PRETORIA 0081 PROFESSIONAL ACCOUNTANT OF SOUTH AFRICA

#### ADDENDUM 3

#### DECLARATION OF THE EAP

# Ane Agenbacht, declare that-

- I act as the independent environmental practitioner in this application
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the
  applicant
- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting environmental impact assessments, including knowledge of the Act, Regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, Regulations and all other applicable legislation, policies and guidelines;
- I undertake to disclose to the applicant and the competent authority all material information in my possession that reasonably has or may have the
  potential of influencing any decision to be taken with respect to the application by the competent authority; and the objectivity of any report, plan
  or document to be prepared by myself for submission to the competent authority;
- I will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected
  parties and the public at large and that participation by interested and affected parties is facilitated in such a manner that all interested and affected
  parties, state department and competent authority will be provided with a reasonable opportunity to participate and to provide comments on
  documents that are produced to support the application;
- I will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent
  authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will
  be submitted to the competent authority may be attached to the report without further amendment to the report;
- · I will keep a register of all interested and affected parties that participated in a public participation process; and
- all the particulars furnished by me in this form are true and correct;
- I will perform all other obligations as expected from an environmental assessment practitioner in terms of the Regulations; and

# Agenbacht

Signature of the Environmental Assessment Practitioner:

#### Bokamoso Landscape Architects and Environmental Consultants CC

Name of company:	
28 February 2017	
Date:	
Bassour	
Signature of the Commissioner of Oaths:	
28 February 2017	
Professional Accountant	
Designation:	

Commissioner of Oaths Official stamp (below)

In the event where the EAP or specialist is not independent (Regulation 13(2) and (3) of the EIA Regulations, 2014), the proponent or applicant must, prior to conducting public participation, appoint another EAP or specialist which meets all the general requirements including being independent, to externally review all work undertaken by the EAP or specialist, at the applicant's cost appointed to manage the application.

IZAK JOHANNES ROSSOUW COMMISSIONER OF OATHS 36 LEBOMBO ROAD ASHLEA GARDENS PRETORIA 0081 PROFESSIONAL ACCOUNTANT OF SOUTH AFRICA

Annexure 1: Proof of payment of a fee for this application



Customer Care: 0860 123 000 Website: www.standardbank.co.za 8 February 2017

# Payment receipt

**Beneficiary name GPG ARGRICULTURE AND** 

Account number 62298144058

Bank FIRST NATIONAL BANK

Branch **RMB CORPORATE BANKING (25500500)** 

**Beneficiary** reference BAR20170206 Ormonde

Your reference **GPG ARGRICUL** 

Payment date 8 February 2017

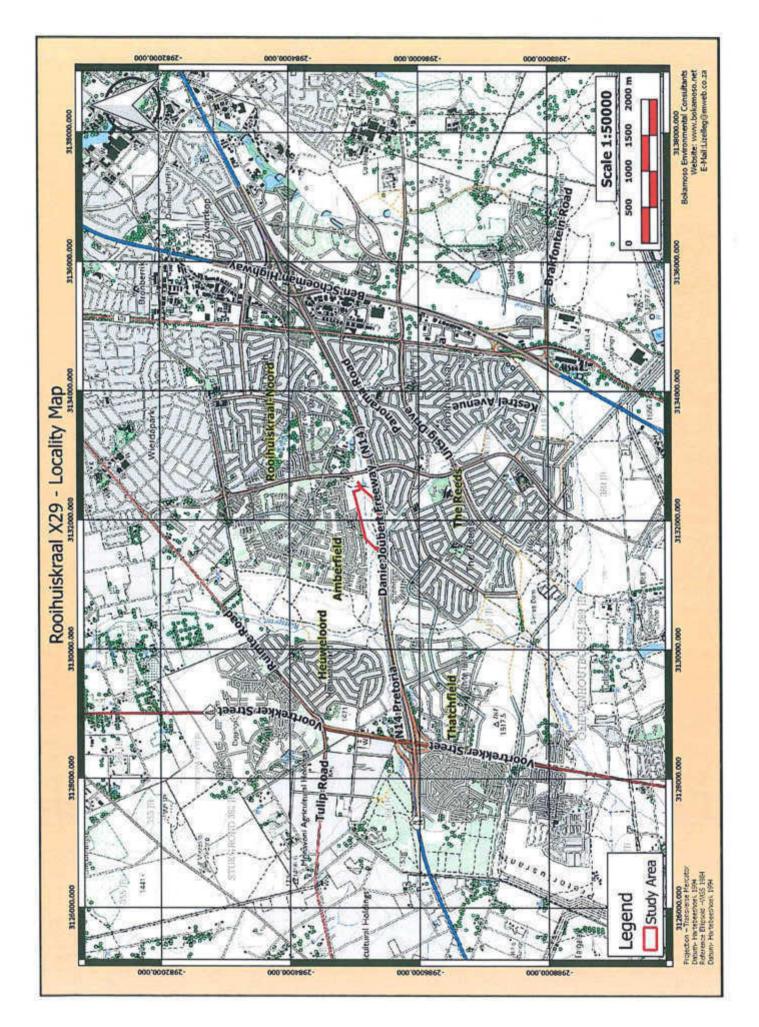
Amount R 2 000.00

The Standard Bank of South Africa Limited (Reg. No. 1962/000738/06. Authorised financial services provider. VAT Reg No. 4100105461 Registered credit provider (RCRCP15). We subscribe to the Code of Banking Practice of the Banking Association South Africa and, for unresolved disputes, support resolution through the Ombudaman for Banking Services.



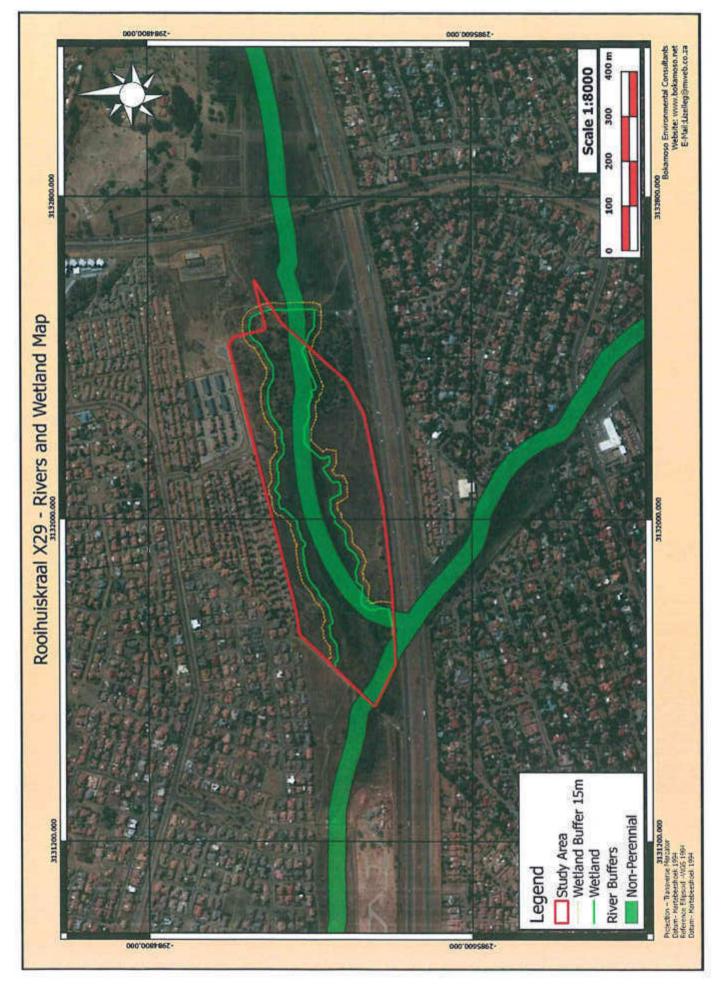
Please Note: The reference number was erroneously made Ormonde instead of Rooihuiskraal for this project when payment was made. The reference Number on the proof of payment is therefore : BAR 20170206 Ormancie. Annexure 2: Proof and a motivation for exclusion from paying a fee N/A

# Annexure 3: Locality Map



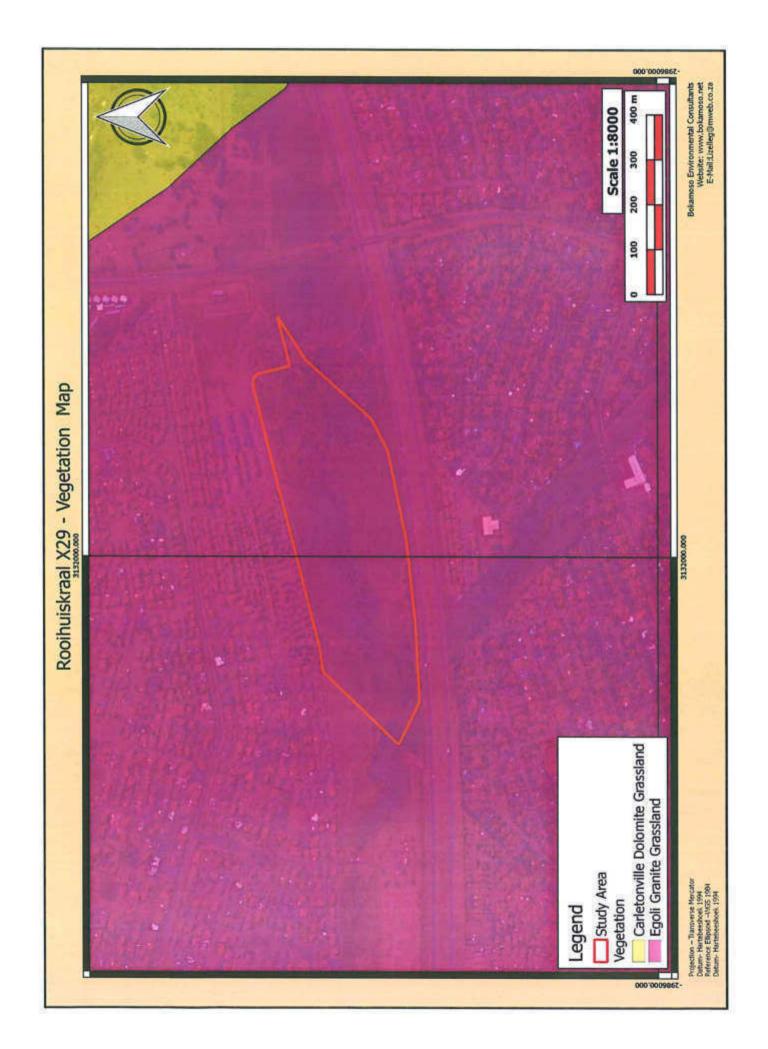


Annexure 4: Geographical area map triggering a listed









Annexure 6: Proof by way of copies of Environmental Authorisations obtained for the same property or submissions of such applications.

RHK x29 Project Timeframe																							
	Duration	Octob	ber/No	vembe	r	Febr	uary		Ma	ch		April		May		Jur	ne		July		Au	gust	
Completion of application forms	3 Days																						
Submission of application forms for signature	3 Days																						
Submission of application form to GDARD	1 Day																						
Review and acceptance of application form GDARD	10 Days																						
Site visit	1 Day																						
BAR advertisement/ signboards	1 Day																						
Identification of adjacent landowners	1 Day																						
Notification of organs of state	1 Day																						
Notification of adjacent landowners and occupiers of land	2 Days																						
Notification of Municipality and Ward Councilor	1 Day																						
I&AP Register	30 Days																						
Collation of Comments	7 Days																						
Preparation of Draft Basic Assessment Report	14 Days																						
Submission of Draft Basic Assessment Report to GDARD	1 Day																						
Submission of Draft Basic Assessment Report to I&APs	1 Day																						
Review of Draft Basic Assessment Report	30 Days																						
Finalization of Basic Assessment Report	20 Days																						
Submission of Final BAR to GDARD	1 Day																						
GDARD review of FBAR	107 Days					T			T														
GDARD Acceptance/ Rejection of Final BAR	5 Days																						
Notification of I&Aps of outcome	14 Days																						
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Annexure 6: Proof by way of copies of Environmental Authorisations obtained for the same property or submissions of such applications.



AGRICULTURE AND RURAL DEVELOPMEND OFFICE OF THE HEAD OF DEPARTMENT (HOD) REPUBLIC OF SOUTH AFRICA P.O. Box 8769, Johannesburg, 2000 Tel: 011 240 2500 Fax: 011 240 2700

Reference:	Gaut: 002/14-15/0029
Enquiries:	Phuthl Matlamela
Telephone:	011 240 3420
Email:	Phuthi.Matlamela@gauteng.gov.za

BY FAX: 012 653 3627

BY REGISTERED MAIL

Mr. James Douglas Lezmin 1066 BK P. O. Box 8033 CENTURION 0046

Office of the HOD Es-C:-C3 000003

Telephone No.: 012 653 3620

Dear Sir/Madam

APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED ROOIHUISKRAAL NORTH EXTENSION 29 ON A PART OF REMAINDER OF PORTION 9 AND A PART OF PORTION 145 OF THE FARM BRAKFONTEIN 399-JR, CITY OF TSHWANE METROPOLITAN MUNICIPALITY (GAUT 002/14-15/0029).

The Department hereby refuses to grant environmental authorisation for the abovementioned application. The reasons for the decision are set out in Annexure 1.

In terms of Regulation 10 (2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all Registered Interested and Affected Parties, in writing and within twelve (12) calendar days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the Regulations.

Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 which regulates the appeal process. Should you wish to appeal any aspect of the decision, you must within twenty (20) days of the date of notification of the decision submit your appeal including supporting documents to the appeal administrator by any of the following means:

### Postal Address:

The Appeals Administrator Department of Agriculture and Rural Development PO Box 8769 JOHANNESBURG 2000

Physical Address:

The Appeals Administrator Department of Agriculture and Rural Development 11 Diagonal Street Diamond Building, 04<sup>th</sup> Floor Newtown JOHANNESBURG 2001

Fax No: 011 240 3158/2700

Email Address: appeals@gauteng.gov.za

Your 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 <u>Tsholofelo.mere@gauteng.gov.za</u>. The appeal form is also available from our website: <u>www.gdard.gpg.gov.za</u>. Should you have queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

Should you wish to make further enquiries regarding this matter, please do not hesitate to contact Phuthi Matlamela, the Control Environmental Officer Grade A at telephone number 011 240 3389 or email address Phuthi.Matlamela@gauteng.gov.za

#### Yours faithfully

pp. MS. THANDEKA MBASSA HEAD OF DEPARTMENT DATE: 2015 0

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# Annexure 1: Reasons for Decision

#### 1. Background

000003 The applicant, Lezmin 1066 BK (Close Corporation) applied for an environmental authorisation to undertake the following activity -

Proposed residential 3 security complex consisting of 100 units per hectare (maximum 350 units) with associated services and infrastructure.

The applicant appointed Bokamoso Landscape Architects & Environmental Consultants to undertake a basic assessment process and undertake public participation process as outlined in the Regulations.

#### 2. Information considered

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

- a) The information contained in the Basic Assessment Report received by the Department on 15 December 2014.
- b) Relevant information contained in the Departmental information data base including -
  - The Geographical Information System (GIS);
  - Conservation Plan Version 3.3;
- c) 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) as well as Tshwane Open Space Framework.
- d) The findings of the site inspection undertaken by the officials of this Department.

#### 2. Key factors considered

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 most significant is set out below.

- a) The proposed development site is situated within the Critical Biodiversity Area and partly Ecological Area as well as Important Area.
- b) Non perennial river (Rietspruit) associated with wetland as well as a wetland are located on the proposed site.
- c) The proposed access bridge road to be constructed over the wetland and within the flood line.
- d) The development in the wetland will put the livelihood of the occupants of the proposed houses in danger since the development is within the wetland.

#### 4. Findings

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

- (a) The proposed development is within an Endangered Threatened Ecosystem consisting of sensitive as well as endangered floral species worthy of preservation. This development will diminish and reduce the habitat area preventing the thriving and continued existence of such species.
- (b) The proposed development is within a wetland, its approval will result in an irreplaceable 3 pronged impact to the wetland in terms of the following;

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- (i) Direct impacts resulting from disturbances that occur within the wetland due to the proposed road construction over the wetland emanating from filling, grading, removal of vegetation, and changes in water levels and drainage patterns.
- (ii) Indirect impacts resulting from influx of surface water and sediments, fragmentation of a wetland from a contiguous wetland complex, loss of recharge area, or changes in local drainage patterns.
- (iii) Cumulative impacts are those impacts resulting from combined direct and indirect impacts to the wetland over time emanating from impacts on the wetland as a result of the N14 highway, exhaust fumes from N14 highway, the impacts (both direct and indirect as mentioned above) as well as the proposed construction of the residential township as well as the bridge accessing the township over the wetland and the river.
- (c) These envisaged impacts will result in the alteration of the physical, chemical and biological components of wetland ecosystems, mainly because land development and clearing will cause increased erosion leading to increased sedimentation in lowland wetlands. This increased accumulation of sediment can alter the chemical and hydrologic regime of the wetlands.
- (d) Considerable design of the township as well as its placement on what seems to be outside of the delineated wetland area is noted, however, the need to build a bridge in order to access the site, much as it is necessary, it will result in inconsiderable impacts on the wetland ecosystem.
- (e) Lastly this department is of the view that both the residential properties and the bridge proposed over the wetland will pose a colossal flooding risk which can lead to endangering the life of residents and that of their property should the development be allowed to proceed.

The nature of the proposed activity which when weighed against the backdrop of the receiving environment shows that the proposed activity is not the best available alternative on the selected site. Accordingly, the Department is not satisfied that the proposed activity can be undertaken without conflicting with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998.

The authorisation for the proposed activity is accordingly refused.

GDARD Office of the HOD -15 -1 -19 000003



OFFICE OF THE MEMBER OF THE EXECUTIVE COUNCIL (MEC) ECONOMIC DEVELOPMENT, ENVIRONMENT, AGRICULTURE, RURAL AND DEVELOPMENT Diamond Building, 11 Diagonal Street, Newtown PO Box 8769, Johannesburg, 2000 Tel: 011 240 2500 Fax: 011 240 2700

GAUTENG PROVINCE

REPUBLIC OF SOUTH AFRICA

Enquiries: Ms Meloney van Eck Telephone: 011 355 8492 E-mail: <u>meloneyvaneck2@gauteng.gov.za</u> Ref: GAUT 002/14-15/0029

By email: lizelleg@mweb.co.za

Lizelle Gregory Bokamoso Landscape Architects and Environmental Consultants PO Box 11375 MAROELANA 0181

Dear Sir/Madam

RE: SUBMISSION OF APPEAL AGAINST THE NEGATIVE DECISION IN RESPECT OF A REFUSAL OF ANA ENVIRONMENTAL AUTHORISATION (ISSUED IN TERMS OF CHAPTER 5 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT PERTAINING TO THE PROPSED ROOIHUISKRAAL NORTH EXTENSION 29 ON A PART OF THE REMAINDER OF PTN 9 AND A PART OF PTN 9 AND A PART OF PTN 145 OF FARM BRAKFONTEIN 399-JR

Your appeal lodged on behalf of Lexmin 1066 BK dated 04 May 2015 in respect of the above matter has reference.

I have considered your appeal and in issuing my decision I have taken into account the following:

- 1. The contents of the project file;
- 2. The appeal documentation;
- 3. Applicable legislation and policies; and
- 4. The recommendations of the External Panel on Appeals

Having considered the above information, I am of the view that the Department's decision to refuse an environmental authorisation in respect of this activity was taken correctly and in compliance with applicable legislation and policies for the following reasons:

- 1. The proposed development will have significant detrimental impact on the environment and such impacts cannot be mitigated to acceptable levels.
- 2. There are ecological sensitivities present on site, in particular, the non-perennial river and the wetland which must be protected.
- 3. The proposed development will completely destroy the wetland present on site and its ecological functioning will be severely impacted upon.
- 4. The proposed development is not in line with section 2 principles of the National Environmental Management Act, 1998 which promote sustainable development and at the same time which guards against, amongst others, disturbance of the ecosystem and negative impacts on the environment which cannot be minimised or remedied.
- 5. Although the site is degraded and dilapidated, the applicant/appellant as the owner of the development site has a duty to care for it and this includes guarding against its continued degradation.

I have therefore decided to dismiss your appeal and uphold the decision of the Head of Department dated 07 April 2015.

Yours faithfully

MR LEBOGANG MAILE (MPL) MEC FOR ECONOMIC DEVELOPMENT, ENVIRONMENT, AGRICULTURE AND RURAL DEVELOPMENT DATE: 17/02/16

# Appendix liv Department Correspondence



# agriculture and rural development

Department: Agriculture and Rural Development GAUTENG PROVINCE

11 Diagonal Street, Diamond Building, Newtown, Johannesburg P O Box 8769, Johannesburg, 2000

> Telephone: (011) 240-2500 Fax: (011) 240-2700 Website: http://www.gdard.gpg.gov.za

Reference:	002/17-18/E0037	
Enquiries:	Malesela Sehona	
Telephone:	(011) 240-3048	
Email:	malesela.sehona2@gauteng.gov.za	

### Bokamoso Landscape Architects & Environmental Consultants CC

Email/Fax. reception@bokamoso.net

Dear Sir / Madam

## Application for Environmental Authorisation: Rooihuiskraal North x 29

The Department acknowledges having received the application form for environmental authorisation of the above-mentioned project on 26/05/2017.

The application has been assigned the reference number Gaut: 002/17-18/E0037. Kindly quote this reference number in any future correspondence in respect of the application.

Please circulate the draft report to any state department that administers a law relating to a matter affecting the environment to comment.

You are required to submit three (3) copies (1 full colour hard copy and 2 CDs-PDF) of the Draft Basic Assessment Report as well as proof of submission to state departments referred to above.

In order to determine whether a biodiversity assessment is required and, if so, which specialist studies are required, please send a shapefile (WGS84 datum; geographic co-ordinate system) of the application site to our biodiversity information service (GDACE\_BiodiversityInfo@gauteng.gov.za), the e-mail clearly indicating the project reference number. Where biodiversity assessment is required; please ensure that it is

conducted consistent with the GDACE Requirements for Biodiversity Assessments. A copy of this document can be obtained by e-mailing GDACE\_BiodiversityInfo@gauteng.gov.za

In terms of Regulation 45 of the EIA Regulations 2014, this application will lapse should you fail to meet any of the time-frames prescribed in terms of these regulations, unless an extension has been granted in terms of regulation 3(7).

Please draw the applicant's attention to the fact that the activity may not commence prior to an environmental authorisation being granted by the Department in terms of Section 24F of the National Environmental Management Act, Act No 107 of the 1998, as amended. Yours faithfully

MBERA

Boniswa Belot Deputy Director: Strategic Administration Support Date: 29 05 2012

CC: Lezmin 1066 BK

Att: J Lewis Email/Fax: jarch@n

jarch@mweb.co.za

GAUT: 002/17-18/E0037

Page 2 of 2



# agriculture and rural development

Department: Agriculture and Rural Development GAUTENG PROVINCE

11 Diagonal Street, Diamond Building, Newtown, Johannesburg P O Box 8769, Johannesburg, 2000

> Telephone: (011) 240-2500 Fax: (011) 240-2700 Website: http://www.gdard.gpg.gov.za

Reference:	Gaut: 002/17-18/E0037	
Enquiries:	Malesela Sehona	-
Telephone:	011 240-3048	
Email:	malesela.sehona2@gauteng.gov.za	-

Bokamoso Landscape Architects & Environmental Consultants CC

Email/Fax: reception@bokamoso.net

Dear Sir/ Madam

Request for extension of time to submit Final BAR: Rooihuiskraal North x 29

The Department acknowledges having received your request for extension of time to submit Final BAR for the abovementioned project on 28/08/2017.

Your request for extension of time to submit Final BAR has been granted. Thus, you have until 12/09/2017 to submit the Final BAR.

Please draw the applicant's attention to the fact that the activity may not commence prior to an environmental authorisation being granted by the Department.

Yours faithfully

IUBELA

Boniswa Belot Deputy Director: Strategic Administration Support Date: <u>29</u>00007 CC: Lezmin 1066 BK

Att: J Lewis Email/Fax: jarch@mweb.co.za