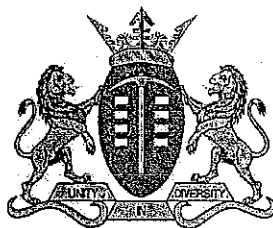


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Office of the KOD

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**agriculture and  
rural development**

Department: Agriculture and Rural Development  
**GAUTENG PROVINCE**

Diamond Corner Building, 68 Eloff & Market Street, Johannesburg  
P O Box 8769, Johannesburg, 2000

Telephone: (011) 355-1900  
Fax: (011) 355 1000

|            |                               |
|------------|-------------------------------|
| Reference: | Gaut 002/07-08/N0567          |
| Enquiries: | Olivia Letlalo                |
| Telephone: | 011 355 1570                  |
| E-mail:    | Olivia.Letlalo@gauteng.gov.za |

Mr. C Du Toit  
Platinum Mile Investments 542 (Pty) Ltd.  
PO Box 608  
La Montagne  
0184

**Fax:** (012) 802 1227

**PER FACSIMILE / REGISTERED MAIL**

Dear Sir

**AUTHORIZATION GRANTED: PROPOSED DEVELOPMENT ON PORTIONS 287  
TO 296 OF THE FARM MOOIPLAATS 367 JR: GAUT 002/09-10/N0659**

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

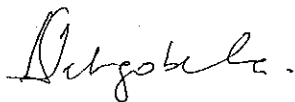
In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) calendar days of the date of this letter, of the Department's decision in respect of your application as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

Your attention is drawn to Chapter 7 of the Regulations which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 (twenty) days of the date of this letter, by means of one of the following methods:

By facsimile: (011) 333 0620;  
By post: P.O. Box 8769, Johannesburg 2000;  
By hand: 16<sup>th</sup> Floor, Diamond Corner, 68 Eloff Street, Johannesburg.

Should you decide to appeal, you must serve a copy of your notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours faithfully



Ms S.J. Sekgobela

Head: Agriculture and Rural Development

Date: 25/7/2011

CC: African EPA

Attn: Gwen Theron  
Fax: (012) 366 0111

City of Tshwane Metropolitan Municipality

Attn: Rudzani Mukeli  
Fax: (012) 358 8934

Compliance and Monitoring

Attn: Cecilia Petlane  
Fax: (011) 355 1850

Project Manager

Attn: Mokutu Nketu  
Fax: 01 355 1850

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**agriculture and  
rural development**

Department: Agriculture and Rural Development

**GAUTENG PROVINCE**

## **Environmental Authorisation**

RECEIVED  
OFFICE OF THE  
11-07-25 000048

**Authorisation register number:**

Gaut 002/07-08/N0567

**Holder of authorisation:**

Platinum Mile Investments (Pty) Ltd.

**Location of activity:**

Portions 287 to 296 of the farm  
Mooiplaats 367 JR

## Definitions

**Basic Assessment** means a process contemplated in regulation 22;

**Basic Assessment Report** means a report contemplated in regulation 23;

**Environmental Management Plan** means an Environmental Management Plan in relation to identified or specified activities envisaged in Chapter 5 of the Act and described in regulation 34

**Interested and Affected Parties** means an interested and affected party contemplated in section 24(4)(d) of the Act, and which in terms of that section includes-

- a. Any person, group of persons or organization interested and affected by an activity; and
- b. Any organ of state that may have jurisdiction over any aspect of the activity.

## Decision

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

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## Activities authorized

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, 2006 the Department hereby authorises –

Platinum Mile Investments (Pty) Ltd

with the following contact details –

Platinum Mile Investments 542 (Pty) Ltd.  
P.O. Box 608  
La Montagne  
0184

GDARD  
Office of the Director  
11-07-25 000048

to undertake the following activity (hereafter referred to as "the activity") –

The proposed development entails the establishment of a residential township, on portions 287 to 296 of the farm Mooiplaats 567 JR. The proposed project falls within the jurisdiction of the City of Tshwane Metropolitan Municipality, hereafter referred to as "the property".

The granting of this environmental authorisation is subject to the conditions set out below.

## Conditions

### Scope of authorization

- 1.1 Authorisation of the activity is subject to the conditions contained in this authorisation, which conditions form part of the environmental authorisation and are binding on the holder of the authorisation.
- 1.2 The holder of the authorisation shall be responsible for ensuring compliance with the conditions by 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 holder of the authorisation.
- 1.3 The activity which is authorised may only be carried out at the property indicated above.
- 1.4 Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, 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 holder of the authorisation to apply for further authorisation in terms of the regulations.
- 1.5 This activity must commence within a period of five (5) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
- 1.6 This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

### Appeal of authorisation

- 1.7 The holder of the authorisation must notify every registered interested and affected party, in writing and within twelve (12) calendar days, of receiving notice of the Department's decision to authorise the activity.
- 1.8 The notification referred to in 1.7 must –
  1. specify the date on which the authorisation was issued;
  2. inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the regulations; and advise the interested and affected party that a copy of the authorisation and reasons for the decision will be furnished on request.

### Management of the activity

- 1.9 The layout plan needs to be resubmitted, prior to commencement of the proposed activity, for approval by the Department taking into account the following:
  - The ridge on site is a class 1 ridge. According to the ridges policy of the department, no further development is allowed on a class 1 ridge. Furthermore, only low impact activities with a footprint of 5% or less is allowed within the 200m buffer of the ridge.
- 1.10 The EMP submitted as part of the application for the Environmental Authorization is approved.
- 1.11 Indigenous species to the area must be used in the landscaping of the dwellings.

### Monitoring

- 1.12 The development must comply with the conditions of this environmental authorisation.
- 1.13 An Environmental Control Officer (ECO) must be appointed to monitor compliance with the environmental authorization during the construction phase.

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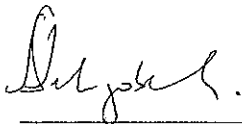
### Commissioning of the activity

- 1.14 A fourteen (14) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.

### General

- 1.15 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 1.16 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 1.17 The holder of the authorisation must notify the Department, in writing and within twenty four (24) hours, if conditions of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 1.18 Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.

Date of environmental authorisation: 25/7/2011



Ms S.J. Sekgobela  
Head: Agriculture and Rural Development

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STAMPED & SIGNED  
11-07-23 000049

## Annexure 1: Reasons for Decision

### 1. Background

The applicant, Platinum Mile Investments 542 (Pty) Ltd applied for authorization to carry on the following activity –

Activities in terms of GN R. 386 of 21 April 2006

Listed Activity No. **1(k)**. *The construction of facilities or infrastructure, including associated structures or infrastructure for the bulk transportation of sewage and water, including storm water, in pipelines with*

- (i) *an internal diameter of 0.36 metres or more, or*
- (ii) *a peak throughput of 120 litres per second or more;*

Listed Activity No. **1(m)** *The construction of facilities or infrastructure, including associated structures or infrastructure, for any purpose in the one in ten year flood line of a river or stream, or within 32 metres from the bank of a river or stream where the flood line is unknown, excluding purposes associated with existing residential use, but including:*

- (a) *Canals*
- (b) *Channels*
- (c) *Bridges*
- (d) *Dams; and*
- (e) *Weirs*

Listed Activity No. **1(o)** *The construction of facilities or infrastructure, including associated structures or infrastructure, for the recycling, re-use, handling, temporary storage or treatment of general waste with a throughput capacity of 20 cubic metres or more daily average measured over a period of 30 days, but less than 50 tons daily average measured over a period of 30 days.*

Listed Activity No. **4**. *The dredging, excavation, infilling, removal or moving of soil, sand or rock exceeding 5 cubic metres from a river, tidal lagoon, tidal river, lake, in-stream dam, floodplain or wetland.*

Listed Activity No **15**. *The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long.*

Listed Activity No **18**. *The subdivision of land of 9 hectares or more into portions of 5 hectares or less.*

Activities in terms of GN R. 387 of 21 April 2006 –

Listed Activity No. **1(p)**. *The construction of facilities or infrastructure, including associated structures or infrastructure, for the treatment of effluent, wastewater or sewage with an annual throughput capacity of 15 000 cubic metres or more.*

Listed Activity No. **2**. *Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be, 20 ha or more.*

The applicant appointed African EPA to undertake an Environmental Impact Assessment process.

Notification, Public Participation Process, Basic Assessment Report compiled and submitted to Gauteng Department of Agriculture and Rural Development for review. No exemption was granted during the process.

## **2. Information considered in making the decision**

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

- a) The information contained in the letter denying Environmental Authorisation dated 27 February 2009
- b) The Appeal decision dated 30 April 2009 allowing the proposed development subject to the following conditions:
  - i. One (1) unit per hectare to be developed for purposes of establishing a rural residential development.
  - ii. Exclusion of the townhouse development as it changes the character of the area.
  - iii. Retention of 75% of the land as a natural environment to be utilised as described in the Environmental Impact Assessment Report (EIAR).
  - iv. Submission of an amended layout plan taking into account the biodiversity sensitivities of the entire area that is compliant with all the Department's policy relating to sensitivity mapping rules for biodiversity assessments.
- c) The revised layout received by the Department on 14 July 2011
- d) Relevant information contained in the Departmental information base including information in the Geographic Information Systems
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

## **3. 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:

- a) That the proposal may be allowed in low sensitivity areas based on the following conditions in the Appeal decision:
  - a. 1 unit per hectare and excluding any townhouse development.
  - b. Retention of 75% of the land as natural environment.
  - c. Submitting an amended layout plan that complies with the sensitivity mapping rules for biodiversity assessments.
- b) The biodiversity mapping rules state that the ridge and a 200m buffer zone must be designated as sensitive. No development is allowed in this area, except for low density development as per the ridges guideline.

## **4. Findings**

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

- a) The layout needs to be revised to comply with the second and third requirement of the appeal decision dated 30 April 2009.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National



Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels.

The application is accordingly granted.

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Office of the MEC

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