



## GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT  
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE HEAD OF DEPARTMENT (HOD)  
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PER FACSIMILE: 086 567 0872

BY REGISTERED MAIL

Stylestar Investment (Pty) Ltd.  
P.O. Box 72689  
LYNNWOOD RIDGE  
0040

GDARD  
Office of the HOD

04 NOV 2015 000014

Telephone No.: 012 361 7970

Dear Pieter Beyers

**GRANTING OF ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED TOWNSHIP DEVELOPMENT (CAPITAL PARK EXTENSION 5) ON THE REMAINDER OF PORTION 33 AND REMAINDER OF PORTION 49 OF THE FARM ELOFF ESTATE 320-JR, CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

With reference to the above-mentioned application, please be advised that the Department has decided to **grant** authorisation. The Environmental Authorisation and reasons for the decision are attached herewith, as Annexure 1.

In terms of Regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014, you are instructed to notify all registered interested and affected parties, in writing and within **fourteen (14) 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  
P.O. Box 8769  
**JOHANNESBURG**  
2000

**Physical Address:**

The Appeals Administrator  
Department of Agriculture and Rural Development  
11 Diagonal Street  
Diamond Building, 4<sup>th</sup> Floor, Newtown  
**JOHANNESBURG**  
2000

**Fax No:** 011 240 3158/2700

**Email Address:** [appeals@gauteng.gov.za](mailto: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 [Tsholofelo.mere@gauteng.gov.za](mailto:Tsholofelo.mere@gauteng.gov.za). The appeal form is also available from our website: [www.gdard.gpg.gov.za](http://www.gdard.gpg.gov.za). 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.

**Yours faithfully**



**MS. THANDEKA MBASSA**  
**HEAD OF DEPARTMENT**  
**DATE:** 03/11/15

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**Office of the HOD**

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**GAUTENG PROVINCE**

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## **Environmental Authorisation**

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Office of the HOR

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**Reference Number:** Gaut 002/14-15/0265

**Holder of authorisation:** Stylestar Investments (Pty) Ltd.

**Location of activity:** Remainder of Portion 33 and Remainder of Portion 49 of the Farm Eloff Estate 320-JR

## 1. Decision

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

## 2. Activities Authorised

By virtue of the powers conferred by the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations, 2014, the Department hereby authorises **Stylestar Investment (Pty) Ltd.** with the following contact details:

P.O. Box 72689  
**Lynnwood Ridge**  
0040

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Office of the HOD

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Tel No.: 012 361 7970  
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to undertake residential development at a maximum density of 600 dwelling units to be zoned "Residential 3" including related uses listed as Activity 9, 10, 12, 19, 27 and 28 of Listing Notice 1 and Activity 4, 12 and 14 of Listing Notice 3 of the Environmental Impact Assessment Regulations, 2014. The site for the proposed activity falls within the jurisdiction of the City of Tshwane Metropolitan Municipality.

The granting of this Environmental Authorisation is subject to the conditions set out below.

## 3. Conditions

### 3.1 Specific conditions

- a) Environmental Authorisation is granted for the proposed township establishment to be known as Capital Park X5 comprised of a medium density residential development for a maximum of 600 dwelling units to be zoned "Residential 3".
- b) In particular, delineation of 1:50 or 1:100 year flood line area or 32 meters from either side of the riparian area of the river course must be done as outlined on the Layout Plan No. Capital Park X 5/3 dated June 2015.
- c) The activity must be undertaken in dry months to avoid siltation of the Apies River.
- d) Mature, indigenous trees and shrubs must be retained during construction activities and must be incorporated into the development's open space. Removal of existing vegetation must be done in a staged manner so as to minimize the duration of its exposure to erosion by wind and rain.
- e) The construction of storm water system and roads must not adversely affect the river system and associated wetlands on the site. This storm water system must not discharge water directly into the river or wetland but should have water breakers to reduce the velocity of water.
- f) Environmental Authorisation holder must be implemented to prevent ponding of water on the site as well as soil erosion as a result of increased storm water runoff because of the development.

### 3.1 Management of the activity

The Environmental Management Programme (EMPr) dated June 2015 submitted as part of the Basic Assessment Report must be implemented to ensure that the environmental impacts are minimised during construction of the proposed township. In line with the requirement for the implementation of the EMPr, the following must also be implemented:

- a) Proper training of contractors and workers in all aspects relating to impacts of construction activities on the environment and must be familiar with the content of the EMPr;

- b) Applicant must ensure that no refuse generated on site may be placed, dumped or deposited on adjacent properties or public places and open spaces during or after construction;
- c) Construction area must be rehabilitated as soon as construction activities ceases.
- d) All alien and invasive plants must be removed from the site.

### 3.2 General conditions

- a) Conditions of this Environmental Authorisation are binding on the holder of the Environmental Authorisation, 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 holder of the Environmental Authorisation.
- b) The activity which is authorised may only be carried out at the properties indicated above.
- c) Any changes to, or deviations from, the project description set out in this Environmental 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 is necessary for the holder of the authorisation to apply for further Authorisation in terms of the Regulations.
- d) This activity must commence within a period of **ten (10)** 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.
- e) This Environmental 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.
- f) A copy of this Environmental Authorisation must be kept at the property where the activity will be undertaken. The Environmental 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 on the site.
- g) Where any of the applicant's contact details changes, including 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.
- h) Non-compliance with a condition of this authorisation will result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (as amended) and the regulations.

### 4. Appeal of Authorisation

- 4.1 The holder of the Environmental Authorisation must notify all registered interested and affected party, in writing and within 12 days of receiving notice of the Department's decision to authorise the activities.
- 4.2 The notification referred to 4.1 above must –
  - specify the date on which the Environmental Authorisation was issued;
  - inform the registered interested and affected party of the appeal procedure provided for in Chapter 2 of the National Appeals Regulations, 2014; and
  - advise the registered interested and affected party that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.

Date of Environmental Authorisation: 03/11/15

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## **Annexure 1: Reasons for Decision**

### **1. Background**

The applicant, **Stylestar Investment (Pty) Ltd.** applied for environmental authorisation for the proposed township establishment to be known as Capital Park X5 comprised of a medium density residential development of a maximum for 600 dwelling units to be zoned "Residential 3". The sites for the proposed activity fall within the jurisdiction of City of Tshwane Metropolitan Municipality.

The applicant appointed **LEAP** to undertake a Basic Assessment process and to comply with all the requirements as outlined in the EIA Regulations.

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

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

- a) The information contained in the Basic Assessment Report dated August 2015 received by the Department on 28 August 2015.
- b) Information contained in the additional information received by this Department on the 16<sup>th</sup> of September 2015.
- c) Relevant information contained in the Departmental information base including -
  - The Geographical Information System (GIS);
  - Conservation Plan Version 3.3; and
  - City of Tshwane Open Space Framework.
- d) The objectives and requirements of relevant legislation, policies, guidelines including the principles contained in section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended).
- e) The observation and findings made during the site inspection undertaken by Fulufhelo Mulaudzi and representative from LEAP on 30 September 2015.

### **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) Location and compatibility of the proposed activity with other activities located adjacent to the proposed sites.
- b) Exclusion of development within 32 metres on the Apies River and its riparian vegetation situated on the western part of the site.
- c) Sensitive environmental features associated with the proposed development site are excluded.
- d) Impacts of the proposed development on the cultural heritage resources.

### **4. Findings**

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

- a) The activity is compatible with the existing structures since it is bordered by other residential townships on the east, west and north.
- b) Disturbance to riverine area will be minimized based on the implementation of conditions imposed in this authorisation.
- c) Clearance of vegetation will be limited to the area required for construction.
- d) Parts of the proposed site are disturbed and no specific features of heritage value were identified or should they be identified, appropriate measures will be taken to secure them.
- e) Findings of the traffic impact study marked as Annexure 14 confirmed that the proposed development can be accommodated on the surrounding roads network provided that roads indicated on the report are upgraded.

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 Environmental Authorisation **is accordingly granted.**

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