



GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE HEAD OF DEPARTMENT (HOD)
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Reference: Gaut 002/16-17/E0115
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BY FASCIMILE: 086 675 2331
BY EMAIL: jansmith@gaudeo.co.za

BY REGISTERED MAIL

GENTABIX (PTY) LTD
P.O. Box 35465
MENLO PARK
0102

TELEPHONE: 012 548 6441

Dear Mr. Jan Smith,

ENVIRONMENTAL AUTHORISATION GRANTED: PROPOSED MONTANA ELDERLY CARE CENTRE ON HOLDING 19 MONTANA AGRICULTURAL HOLDINGS TO BE KNOWN AS ELJADA PARK, 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 (EA) 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.

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, 4th Floor, Newtown
Johannesburg
2001

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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 Tsholofelo.mere@gauteng.gov.za. The appeal form is also available from our website: 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: 10/04/17

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11 APR 2017 000030



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AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

Reference Number:

GAUT 002/16-17/E0115

Holder of authorisation:

GENTABIX (PTY) LTD

Location of activity:

Holding 19 Montana Agricultural
Holdings, City of Tshwane Metropolitan
Municipality

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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. Activity 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 **Gentabix (Pty) Ltd** with the following contact details –

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11 APR 2017

000030

Fax No: 086 675 2331

Tel No: 012 548 6441

to establish the Montana elderly care centre on Holding 19 Montana Agricultural Holdings to be known as Eljada Park on a site measuring approximately 1,968 hectares Holdings listed activity 24, 27 and 28 of Listing Notice 1 and activity 4 of Listing Notice 3 of the Environmental Impact Assessment Regulations, 2014, of the Environmental Impact Assessment Regulations, 2014, (GN R.985) published under the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998, as amended). The development falls within the jurisdiction of 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 proposal for development of an elderly care centre on Holding 19 Montana Agricultural Holdings.
- b. The proposed activity must only commence after the approval of a stormwater management plan by City of Tshwane Metropolitan Municipality's Division of Roads and Stormwater and after receiving services agreement from the relevant Departments within the City.
- c. The stormwater drainage must be in accordance with the Water Research Commission Report, 2012 and the South African Guidelines for Sustainable Development.
- d. All construction activities must remain within the designated footprint and road servitudes.
- e. Soil management measures during construction phase must be put in place to prevent soil erosion and the resulting wash down into any storm water system on site.
- f. An Environmental Control Officer (ECO) must be appointed to ensure that regular inspections are performed during the construction phase to allow for the implementation of mitigation measures. An ECO must monitor the applicant's compliance with all the conditions of this authorisation.
- g. Outside lighting must be designed to minimize impacts on fauna and adjacent holdings. Fluorescent and mercury vapour lighting must be avoided and sodium vapour (yellow) lights must be used.
- h. Only indigenous plant species, preferably species that are indigenous or endemic to the area, must be used for landscaping in communal areas. Forage and host plants required by pollinators must also be planted in landscaped areas. Measures to ensure that those plant species survive the physical disturbance from the development must be implemented.
- i. In order to minimize artificially generated surface stormwater runoff, total sealing of paved areas such as parking lots, driveways, pavements and walkways should be avoided. Permeable material should rather be utilized for these purposes i.e. sustainable drainage system (SuDS) components must be included to the extent possible.

3.2 Management of the activity

- a. The Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be strictly adhered to.
- b. Compliance with the approved EMPr above is considered an extension to the conditions of the Environmental Authorisation. The contents of the EMPr and its objectives must be made known to all contractors, subcontractors, agents and other people working on the site.
- c. On completion of the project all litter and construction debris must be removed from the site immediately. Under no circumstances shall litter and debris be buried or hidden on or near the site after project completion. All waste must be disposed of at a registered or licensed landfill site for the type of waste produced.

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3.3 General conditions

11 APR 2017

000030

- 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 property or site 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 may be necessary for the holder of the Environmental Authorisation to apply for Environmental Authorisation in terms of the Regulations.
- d. These activities 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 Environmental 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 Environmental Authorisation who works or undertakes work at the property.
- g. 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 apply to the Department as soon as the new details become known to the applicant and agreement signed by both parties must be attached.
- h. The holder of the Environmental Authorisation must notify the Department, in writing and within **twenty four (24) hours**, if conditions above cannot be or are not adhered to. In all other cases, the holder of the Environmental Authorisation must notify the Department, in writing, within **seven (7) days** if all other conditions of this Environmental Authorisation are not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- i. Non-compliance with a condition of this Environmental Authorisation 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 Regulations.

4. Appeal of authorisation

- a. The holder of the Environmental Authorisation must notify all registered interested and affected party, in writing and within fourteen (14) days of receiving notice of the Department's decision to authorise the activity.
- b. The notification referred to above must specify the date on which the Environmental Authorisation was issued; and Advise the 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:

10/04/17

Annexure 1: Reasons for Decision

1. Background

The applicant, **Gentabix (Pty) Ltd**, applied for authorisation for the development of an elderly care centre on holding 19 Montana Agricultural Holdings to be known as Eljada Park.

The applicant appointed **Earth Ties Environmental Services (Pty) Ltd** to undertake a Basic Assessment 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 Final Basic Assessment Report (FBAR) received by the Department on 12 December 2016.
- b. Relevant information contained in the Departmental information base including Geographical Information System (GIS) and 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).
- d. Gauteng Provincial Environmental Management Framework (GEMF) November 2014.
- e. Site inspection undertaken by the Department's officials on the 24 January 2017.

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 most significant is set out below.

- a. The site is already transformed and the proposed activity is in line GEMF 2014 conditions.
- b. Compatibility of the proposed development with the surrounding land uses.
- c. Existing dwelling unit on site already being used for housing purposes.

11 APR 2017

000030

4. Findings

After consideration of the information and factors listed above, the Department established that -

- a. The proposed development is in line with the conditions set out in the GEMF 2014, document as it's located in zone 1 and development in this zone must promote development infill, densification and concentration of urban development within the urban development zones in order to establish a more effective and efficient city region and the site is already transformed.
- b. The site is surrounded by high density developments of a similar nature as the proposed activity.
- c. The existing buildings on site will be demolished to make way for the proposed development thus providing formal housing units for the elderly.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation and adherence to the recommendations made in the specialist reports and Environmental Management Plan, 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. Accordingly, Environmental Authorisation for the development is accordingly **granted**.