

NOTICE 678 OF 2007**NOTICE IN TERMS OF SECTION 32 OF THE ENVIRONMENT CONSERVATION ACT, 1989 (ACT NO 73 OF 1989), IN RESPECT OF ACTIVITIES ON PORTION 3 OF ERF 1820 SILVERTON EXTENSION 3**

I, Dr Stephen Thomas Cornelius, Head of the Department of Agriculture, Conservation and Environment, Gauteng ("the Department") hereby give notice in terms of section 32 of the Environment Conservation Act, 1989 (hereinafter "the Act") that I intend to issue a directive in terms of section 31A of the Act to Aquarella Investments 83 (Pty) Limited (hereinafter "Aquarella") in the terms set out hereunder:

"I, Dr Stephen Thomas Cornelius, Head of the Department of Agriculture, Conservation and Environment, Gauteng, hereby direct Blue Moonlight Properties 163 (Pty) Limited:

- 1 to suspend forthwith and not to proceed with or permit any development- and/or construction-related activities on portion 3 of erf 1820 Silverton Extension 3 (hereinafter "the property") without the prior written consent of the Department. The aforementioned activities include but are not limited to cutting down of grass, chopping trees, clearing vegetation, drilling, blasting, excavating, building and any activities on the property for the purposes of erecting residential units thereon;
- 2 within seven days of receipt of this notice, to remove all infrastructure installed on the property, including but not limited to the temporary sales office erected on the site;
- 3 within fourteen days of receipt of this notice, to appoint an independent environmental consultant to compile and submit rehabilitation plans for all areas affected by development- or construction-related activities on the property; the said plans are to be submitted to the Department for approval within fourteen days of the appointment of the independent environmental consultant; and

- 4 to implement all recommendations contained in the rehabilitation plan within thirty days of approval thereof by the Department.”

Take notice that it is my opinion that past and proposed development- and/or construction-related activities on the property by Aquarella and/or its agents have or may seriously damage, endanger or detrimentally affect the environment. The said environment includes a sensitive ridge system and a Red Data Plant species, *cerepigia decidua* supsp. *Pretoriensis* found on and/or near the property. The reasons for my aforementioned opinion are set out in my affidavits filed in Case No 9114/2007 before the Transvaal Provincial Division of the High Court, including the annexures thereto.

Interested parties, including Aquarella, are requested to submit comments in connection with the proposed directive, which must reach my office within thirty days of the date of publication of this notice.

Such comments are to be directed to my office:

by fax: 011 333 0667

by hand: 11th floor, Diamond Corner, 68 Eloff (corner Market) Street, Johannesburg; or

by mail: PO Box 8769, Johannesburg, 2000.