



GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

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Reference: S24G/03/13-14/0260

Mrs. Constance Netshifhefhe
Impact for Christ Ministries
P.O Box 32099
BRAAMFONTEIN
2017

Tel: (011) 334 4615
Fax: (086) 177 7268

Dear Ms Netshifhefhe

ENVIRONMENTAL AUTHORISATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 107 OF 1998 ("NEMA"): PROJECT REFERENCE S24G/03/13-14/0260: UNLAWFUL CONSTRUCTION OF ACTIVITIES WITHIN 32 METERS OF A WATERCOURSE ON PORTION 39 NIETGEDACHT 535 JQ LANSERIA, CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY

Your application for rectification dated 18 June 2013 in terms of Section 24G of the NEMA read with the Environmental Impact Assessment Regulations Listing Notice 1 of 18 June 2010 ("Listing Notice 1 of 2010") and the Environmental Impact Assessment Regulations Listing Notice 1 of 08 December 2014, as amended ("Listing Notice 1 of 2014, as amended") promulgated in terms of NEMA, refers.

ENVIRONMENTAL AUTHORISATION

1. DESCRIPTION OF THE ACTIVITY

The activity undertaken involves the construction of a lapa within 32 metres of a watercourse on Portion 39 Nietgedacht 535 JQ, Lanseria, City of Johannesburg Metropolitan Municipality.

This authorisation is solely applicable to the abovementioned activity commenced with on the premises indicated. It does not include any proposed activities, processes and infrastructure that would require additional authorisation from the Gauteng Department of Agriculture and Rural Development.

The activity is identified in terms of Listing Notice 1 of 2010 and similarly listed in Listing Notice 1 of 2014 (as amended), as follows:

Activity in terms of Listing Notice 1 of 2010 promulgated in terms of NEMA	Similarly activity in terms of Listing Notice 1 of 2014 (as amended)
<p>Activity 11(x)(xi)</p> <p>The construction of</p> <p>(x) Building exceeding 50 square metres in size; or</p> <p>(xi) Infrastructure or structure covering 50 square metres or more -</p> <p>Where such construction occur within a watercourse or within 32 meters of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development set back.</p>	<p>Activity 12</p> <p>The development of</p> <p>(i) Dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeding 100 square metres; or</p> <p>(ii) Infrastructure or structures with a physical footprint of 100 square metres or more -</p> <p>Where such development occurs-</p> <p>(a) within a watercourse</p> <p>(b) in front of a development setback; or</p> <p>(c) If no development setback exists, within 32 metres of watercourse, measured from the edge of watercourse;</p> <p>excluding -</p> <p>(aa) The development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(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;</p> <p>(cc) Activities listed in activity 14 in listing notice 2 of 2014 or activity 14 in listing notice 3 of 2013, in which case that activity applies;</p> <p>(dd) Where such development occurs within an urban area;</p> <p>(ee) where such development occurs within existing roads or road reserves or railway line reserves; or</p> <p>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks or the commencement of development and where the indigenous vegetation will not be cleared."</p>

Hereafter referred to as ***"the activity"***.

2. LOCATION

The property on which the activity took place and is continuing is located on Portion 39 Nietgedacht 535 JQ, City of Johannesburg Metropolitan Municipality.

Co-ordinates:

Latitude: 27° 94' 34.89"S

Longitude: 26° 00' 90.87"E

Hereafter referred to as "**the location/the site**".

3. THE HOLDER OF THE ENVIRONMENTAL AUTHORISATION

Impact for Christ Ministries

Company Registration Number: 2003/015996/08

c/o Mrs. Constance Netshifhefhe

RSA Identity Number: 8010300599082

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2017

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4. ENVIRONMENTAL ASSESSMENT PRACTITIONER

Phuka tsa Nong (Pty) Ltd

Company Registration Number:

Mrs. Kelebogile Mogajane

P.O Box 13661

Vorna Valley

1686

Tel: (083) 478 5753

Fax: (086) 572 3779

5. SITE INSPECTION

A site inspection was conducted by Officials of this Department on 04 September 2014.

6. DECISION

In terms of Section 24G (2)(b) of the NEMA, you are hereby granted **authorisation subject to the conditions** contained in this Environmental Authorisation, for the continuation of the activity in respect of the abovementioned application. Authorisation is only granted in terms of Section 24G of NEMA, read with Listing Notice 1 of 2010 and Listing Notice 1 of 2014 (as amended) promulgated in terms of NEMA.

This environmental authorisation is granted solely for the purpose of undertaking the activity referred to in section one above. It does not include any proposed activities, processes or infrastructure that would require additional authorisation from the Gauteng Department of Agriculture and Rural Development, and does not exempt the Holder of the Authorisation hereof, from complying with any other statutory requirements applicable to undertaking the activity. This environmental authorisation shall only take effect from the date of signature.

7. CONDITIONS

7.1. Approvals and Submissions

- 7.1.1. An updated Operational Environmental Management Program ("EMPr") for the site must be submitted to the Department within ninety (90) days of receipt of this authorisation. The updated EMPr must highlight management and mitigation measures for the site, particularly around the areas within close proximity to the sensitive areas around the site. Once submitted, the updated operation EMPr will form an extension of this authorisation and all procedures indicated therein must be adhered to.
- 7.1.2. The Storm Water Management Plan (SWMP) dated 07 September 2015 compiled by Sazi Environmental Consulting and submitted as part of the Environmental Impact Report dated 30 June 2015 must be amended and designed to suit the possible post development impacts around the site where the activity is continuing. The plan must be prepared by a qualified engineer and must be submitted to the relevant municipal office for approval. A copy of the Plan must be submitted to this Department within three (3) months of the date of approval by the relevant municipality. To this effect, the Holder of the Authorisation shall remain responsible for ensuring implementation and compliance with the approved SWMP. Once approved, the plan will form an extension of this authorisation and all recommendations therein must be adhered to.
- 7.1.3. The Emergency Response Procedure submitted as part of the Environmental Impact report dated November 2015 and compiled by Phuka Tsa Nong is noted. All recommendations contained therein must be adhered to.

7.2. Appointment of Environmental Control Officer

7.2.1. An Environmental Control Officer ("ECO") must be appointed to monitor compliance to the EMPr. The name and contact details of the ECO must be submitted to the Department within ninety (90) days of receipt of this authorisation. The duties of the appointed ECO must include, but not be limited to the following:

7.2.1.1. Monitor of compliance to the issued Environmental Authorisation.

7.2.1.2. Undertake training sessions on the contents, requirements and implementation of the EMPr with all contractors and staff working on-site, prior to such persons being allowed to continue with the activities on site. Proof all trainings conducted must be retained and must be presented upon request by the Environmental Management Inspectors ("EMIs") and any other officials from relevant authorities.

7.2.1.3. Determine and facilitate the appointment of any additional relevant specialists to assist in achieving mitigation, decommissioning and rehabilitation activities on site when required.

7.2.1.4. Compilation and submission of monitoring and audit reports, when required.

7.3. Operation and Management of the Activity

7.3.1. No surface or ground water may be polluted as a result of any activity on the site. "Pollution" in relation to a water resource is defined in the National Water Act, 1998 (Act 36 of 1998) as the direct or indirect alteration of the physical, chemical or biological properties of a water resource so as to make it-

(a) less fit for any beneficial purpose for which it may reasonably be expected to be used;

(b) harmful or potentially harmful-

- to the welfare, health or safety of human beings;
- to any aquatic or non-aquatic organisms;
- to the resource quality; or
- to property.

7.3.2. All effluent from the site must meet both the relevant municipal authority and the Department of Water and Sanitation ("DWS") requirement before being discharged into a municipality sewer or watercourse or reused in such a way that may not result in the contamination of any surface/ground water.

7.3.3. No further development must be undertaken within 32m of the watercourse, the existing riparian buffer zone or any area demarcated as environmentally sensitive on the site.

7.3.4. The Holder of the Authorisation must ensure that all surface run-offs are managed in a way that ensures soil erosion is prevented. The areas on site which are prone to erosion must also be adequately vegetated.

- 7.3.5. The Holder of the Authorisation must ensure that all areas still in their natural state are maintained and protected.
- 7.3.6. The Holder of the Authorisation must ensure that plants and groundcover endemic to the site are maintained and previously disturbed areas are designed to blend in with the natural landscape of the area.
- 7.3.7. All alien species found on site must be eradicated and disposed of at a registered landfill site.
- 7.3.8. An integrated waste management approach based on waste minimisation must be implemented. This must also incorporate re-use, recycling and recovery of waste in terms of Chapter 5 of the National Environmental Management: Waste Act No. 59 of 2008.
- 7.3.9. Litter bins with covers must be provided and these must be placed in accessible areas to store general waste prior to disposal at an appropriately licensed waste disposal site. No waste must be disposed into the water course
- 7.3.10. Adequate safety signage and emergency contact numbers must be visually displayed at relevant points on site.
- 7.3.11. A 'complaint' and 'incident' register must be instituted within three (3) months of the signature of this environmental authorisation. All complains and incidents resulting from the operation of the facility and actions taken to remediate the incidents must be recorded in this register. The register must be made available to officials of this Department on request.

7.4. Monitoring, Audits and Reporting Protocol

- 7.4.1. Audits must be conducted bi-annually by the Holder of the Authorisation and a report compiled based on the findings of the audits. The results of the audit must be kept on site and made available to the Environmental Management Inspectors ("EMI's") and any other official from relevant authorities upon request. The internal report must include discussions on, but not be limited to, the following:
 - a) Compliance with the conditions of this Authorisation.
 - b) Storm water management around the facility, and erosion impact.
 - c) Details of any emergency incidence at the site during the period under review and how it was managed. Emergency preparedness to prevent any future occurrence must also be discussed.
 - d) Copies of updated emergency/monitoring procedures for the site, if any.

7.5. Compliance with Legislation and Other Licenses or Permits

- 7.5.1.** The Holder of the Authorisation must obtain an authorisation from this Department for any further proposed activity (ies) listed in terms of Section 24 and 24D of the NEMA, prior to commencement thereof.
- 7.5.2.** The Holder of the Authorisation is responsible for compliance with the provisions for duty of care and remediation of environmental damage as contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- 7.5.3.** This authorisation does not exempt the Holder of the Authorisation thereof from complying with any other relevant legislation and requirements of other governmental Departments (i.e. National, Provincial and Local). The Holder of the Authorisation must ensure that all necessary permits and/or authorisations are obtained from the relevant authorities.
- 7.5.4.** It is the responsibility of the Holder of the Authorisation to ensure that a Water Use Licence in terms of Section 21 of the National Water Act is obtained from the National Department of Water and Sanitation should the activities require such.

7.6. Decommission, Closure and Rehabilitation

- 7.6.1.** Should the Holder of the Authorisation plan to decommission this activity for any reason, a decommissioning plan must be submitted to the Department at least thirty (30) days prior to decommissioning the facility. The plan must highlight the necessary steps to be taken to prevent any environmental damage during the decommissioning phase. Please note that should decommissioning of the activity be considered a listed activity in future, the necessary authorisation must be obtained prior to decommissioning and/or site closure.
- 7.6.2.** The Holder of the Authorisation shall remain responsible for the site and/or any of its impacts on the environment, after operations on the site have ceased.

7.7 General Conditions

- 7.7.1.** The activity which is authorised in terms of Section 24G of NEMA already exists on the property indicated above.
- 7.7.2.** The Holder of the Authorisation must take reasonable steps to minimize or prevent any activity in violation of this authorisation which has a reasonable likelihood of adversely affecting human health or the environment.

- 7.7.3. The Holder of the Authorisation shall be responsible for ensuring compliance with the conditions contained in this Authorisation by any person acting on his behalf, including but not limited to, an agent, servant, or employee or any person rendering a service to the Holder of the Authorisation in respect of the activity, including but not limited to, contractors and consultants.
- 7.7.4. 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.
- 7.7.5. The Holder of the Authorisation must, within twenty four (24) hours, notify the Department of the occurrence or detection of any incident on the site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.
- 7.7.6. The Holder of the Authorisation must -
- (a) Notify the Department in writing, at least fourteen (14) days prior to the change of the Holder of the Authorisation's trading name, registered name or registered physical/postal address and/or telephonic details.
 - (b) Notify the Department in writing, at least fourteen (14) days prior to the change in particulars of the Holder of the Authorisation's ultimate holding company (including details of an ultimate holding where the Holder of the Authorisation has become a subsidiary).
 - (c) Notify the Department in writing, at least fourteen (14) days prior to the change of project developer/manager for the activity described in this Environmental Authorisation.
 - (d) Submit an amendment application in terms of Part 1 of Chapter 5 of the Environmental Impact Assessment Regulations of 08 December 2014 for a change of ownership or transfer/alienation of rights and obligations for the activities described in terms of this Environmental Authorisation.
- 7.7.7. Should the new information not be known to the Holder of the Authorisation prior to the change, the Department must be informed within fourteen (14) days of the new details being known to the Holder of the Authorisation.
- 7.7.8. The Holder of the Authorisation must furnish a copy of this authorisation to the new owner, developer or person to whom the rights accrue and inform the new owner, developer or person to whom the rights accrue that the conditions contained herein are binding on them.

- 7.7.9. The Applicant must within fourteen (14) days of receiving this Environmental Authorisation ensure that –
- (a) All registered interested and affected parties are provided with access to the Environmental Authorisation; and
 - (b) All registered interested and affected parties are notified of the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 as indicated in paragraph 9 below.
- 7.7.10. Departmental officials shall be given access to the property referred to on item 2 above for the purpose of assessing and/or monitoring compliance with the conditions contained in this document at all reasonable times.
- 7.7.11. A copy of this Authorisation must be kept at the property where the activity is being undertaken. The Authorisation must be produced to any official of the Department who requests to see it and must be made available for inspection by employees or agents of the Holder of the Authorisation who undertakes work at the property.
- 7.7.12. This Authorisation shall not be construed as exempting the Holder of the Authorisation from compliance with the provisions of any other National and Provincial Legislation, and any relevant Ordinance, Regulation, by-laws and National Norms and Standards.

8. KEY FACTORS INFORMING THE DECISION

- 8.1 In reaching its decision in respect of the application, the Department of Agriculture and Rural Development ("the Department") has taken, *inter alia*, the following into consideration:
- 8.1.1 The section 24G application dated 06 June 2013.
 - 8.1.2 Information obtained from the Department's Geographic Information System Data Base i.e. the Gauteng Conservation Plan (Version 3).
 - 8.1.3 The findings of the site inspection conducted by officials of this Department on 04 September 2014.
 - 8.1.4 The Environmental Impact Assessment Report compiled by Phuka Tsa Nong (Pty) Ltd dated 30 June 2015.
 - 8.1.4 The payment and proof thereof of the imposed administrative fine of R 50 000.00 (Fifty Thousand Rand).

8.2 In reviewing this information, the Department made the following findings:

8.2.1 Biophysical

- (i) The Departmental information base indicates that the site is located within 32m of a water course and a wetland. The site is also within an Important Ecological Support Area with Orange Listed Plant Species.
- (ii) Based on the information above, the Department is of the view that the development will not contravene its policy on the protection of non-renewable resources provided the conditions of this environmental authorisation are strictly adhered to.

8.2.2 Public Participation

- (i) The unlawful activity was advertised in a local newspaper – The Fourways Review, on 10 June 2015.
- (ii) Site notices were placed on and around the site.
- (iii) Neighbouring land owners and occupiers of land in close proximity to the site and the relevant authorities received written notices.
- (iv) Interested and Affected Parties were given a (30) thirty day period within which to lodge any objections and/or comments.
- (v) Proof of publication of the advertisement, the site notice as well as notification to the adjacent landowners were submitted to the Section 24G Unit of this Department as required.
- (vi) No objection or comment was received from the Interested and Affected Parties on the application.

8.2.3. Other Considerations/ Reports

- (i) An Environmental Impact Report was submitted to the Department which provided mitigation measures for the impacts that could result from the activity.
- (ii) Sufficient information was submitted to enable the Department to make an informed decision regarding this application.

In view of the above, this Department is satisfied that, subject to compliance with the conditions stipulated in this decision, the activity does not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 107 of 1998 and that any potentially detrimental environmental impacts resulting from the activity can be mitigated to acceptable levels. The section 24G environmental authorisation is accordingly granted.

9. APPEALS

9.1 Any affected person who wishes to appeal against this decision must lodge such appeal in accordance with the procedure stipulated in The National Appeals Regulations of 08 December 2014 (as amended). An Appellant must submit the appeal to the Department's Appeal Administrator, and a copy of the appeal to the Holder of the Authorisation, any Registered Interested and Affected Party, and any organ of state interested in the matter, within 20 days from:

- (a) The date that the notification of the decision for an application for an environmental authorisation or a waste management license was sent to the registered interested and affected parties by the Applicant; or
- (b) The date that the notification of the decision was sent to the Applicant by the competent authority, issuing authority or licensing authority, in the case of decisions other than those referred to in paragraph (a).

9.2 Further, an appeal submission must be-

- (a) done in writing in the form obtainable from the Department's Appeal Administrator at telephone number 011 240 3204 or email address tsholofelo.mere@gauteng.gov.za or the Department's website: www.gdard.gpg.gov.za; and
- (b) accompanied by-
 - (i) a statement setting out the grounds of appeal;
 - (ii) supporting documentation which is referred to in the appeal submission; and
 - (iii) a statement, including supporting documentation, by the Appellant to confirm compliance with section 4(1) of the National Appeals Regulation of 08 December 2014 (as amended).

9.3 Appeals can be submitted through the following means:

By hand: Umnotho House, 56 Eloff Street, Marshalltown, Johannesburg

By post: MEC: Gauteng Agriculture and Rural Development
P. O. Box 8769
Johannesburg
2000.

All interested and affected parties that wish to appeal must serve on the Holder of the Application a copy of their notice of intention to appeal as well as a notice indicating where and for what period the appeal submission will be available for inspection by the Holder of the Application.

If the Holder of the Authorisation should decide to appeal, the Holder of the Application must serve a copy of the 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.

10. CONSEQUENCES OF NON-COMPLIANCE

The Holder of the Authorisation must comply with the conditions set out in this authorisation. Failure to comply with any of the above conditions may result in, inter alia, the institution of criminal proceedings and/or issuing a compliance notice. Furthermore, the Department may also choose to withdraw the Authorisation, issue a Directive to address any environmental damage as well as institute civil proceedings where necessary.

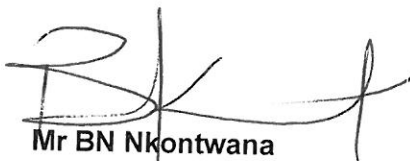
Please note that designated Environmental Management Inspectors from this Department are given wide powers in terms of the NEMA to investigate whether or not you are complying with the conditions of this Authorisation, and to enforce any contravention, including the power to seize items used in the commission of the offence as well as the power of arrest. Please note that failure to comply with a condition of this Environmental Authorisation and an approved document is an offence in Section 49A read with Section 49B of NEMA.

11. AMENDMENT TO ENVIRONMENTAL AUTHORISATION

The Environmental Impact Assessment Regulations of 08 December 2014 (as amended) issued in terms of NEMA provide for the amendment of an Environmental Authorisation by the Holder of the Authorisation and on the initiative of the Department. Please take note of the provisions set out in Chapter 5 of these regulations should you wish to apply for an amendment to this Authorisation.

Should the Holder of the Authorisation wish to amend the Environmental Authorisation, the amendment must be done in writing on the form obtainable from the S24G Unit Manager via email address maryjane.ramahlodi@gauteng.gov.za or the Department's website: www.gdard.gpg.gov.za.

Yours faithfully



Mr BN Nkontwana

HEAD OF DEPARTMENT: AGRICULTURE AND RURAL DEVELOPMENT

Date: 20/9/2017

cc: Compliance and Monitoring

Phuka Tsa Nong (Pty) Ltd

Attn: **Ms. Cecilia Petlane**
Fax: (086) 420 2110

Attn: **Ms. Kelebogile Mogajane**
Tel: (011) 054 0883
Fax: (086) 5723779

ENVIRONMENTAL AUTHORISATION IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 107 OF 1998 ("NEMA"): PROJECT REFERENCE S24G/03/13-14/0260: UNLAWFUL CONSTRUCTION OF ACTIVITIES WITHIN 32 METERS OF A WATERCOURSE ON PORTION 39 NIETGEDACHT 535 JQ LANSERIA, CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY

ACKNOWLEDGEMENT OF RECEIPT:

Received by Mr/Ms: _____ ID. No. _____ on
behalf of the Company _____ on
this _____ day of _____ 2017, at _____

Signature: _____