



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/E0229**
Enquires: Aristotelis Kapsosideris
Telephone: 011 240 3398
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FACSIMILE: 086 549 4589
BY EMAIL: leslie@umnotho.org.za
BY REGISTERED MAIL

Umnotho for Empowerment
P. O. Box 1151
MULDERSDRIFT
1747

Telephone No.: 074 351 1166

Dear Mr. Leslie Gama

GDARD
Office of the HOD

25 APR 2017 000042

ENVIRONMENTAL AUTHORISATION GRANTED-BAR: PROPOSED DEVELOPMENT OF AN AFFORDABLE HOUSING DEVELOPMENT TO BE SITUATED ON PORTION 63 (A PORTION OF PORTION 3) OF THE FARM NOOITGEDACHT 534 JQ, MOGALE CITY LOCAL 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
PO Box 8769
JOHANNESBURG
2000

Physical Address:

The Appeals Administrator
Department of Agriculture and Rural Development
11 Diagonal Street
Diamond Building, 04th Floor
Newtown
JOHANNESBURG
2000

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: 25/04/07

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Office of the HOD
25 APR 2007
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GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

Reference Number:	Gaut 002/16-17/E0229
Holder of authorisation:	Umnotho for Empowerment
Location of activity:	Portion 63 (a Portion of Portion 3) of the farm Nooitgedacht 534 JQ, Mogale City Local 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. 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- **Umnotho for Empowerment** with the following contact details –

P. O. Box 1151
MULDERSDRIFT
1747
Telephone No.: 074 351 1166

GDARD
Office of the HOD
25 APR 2017 000042

To construct affordable housing township listed as Activity 9 and Activity 28 in GN R. 983, of the Environmental Impact Assessment Regulations, 2014 promulgated in terms of Sections 24 (2)(a) of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998, as amended), as described in the application form / Basic Assessment Report (BAR: On-site Notice). The site which measures 14, 5722 hectares in extent, is located on Portion 63 (a Portion of Portion 3) of the farm Nooitgedacht 534 JQ, which falls within the jurisdiction of Mogale City Local Municipality at the location stated below:

Proposal	Latitude(S)	Longitude(E)
	26° 01'13.81"	27° 54'03.55"
SG 21 Digit Code of the property	T0IQ00000000053400063	

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

3. Specific Conditions of Authorisation

- 3.1 Environmental Authorisation is granted for the proposed development of affordable housing township on Portion 63 (a Portion of Portion 3) of the farm Nooitgedacht 534 JQ, which falls within the jurisdiction of Mogale City Local Municipality.
- 3.2 The development will be according to drawing no: 2016/113 as depicted in Appendix C of the Final BAR.
- 3.3 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.
- 3.4 The construction area must be clearly demarcated before any construction activity takes place and signage must be displayed during the construction phase to inform the general public about potential dangerous conditions on site.
- 3.5 Storm water outlets are not allowed to lead directly into any of the water bodies in the area, unless a WULA (water use license application) is undertaken and permission granted with conditions for this purpose. Coupled to this Sustainable Urban Drainage Systems (SUDS) must be incorporated into the design of the development.
- 3.6 Rainwater harvesting must be incorporated into the development with owners and residents being encouraged to apply it in their daily activities.
- 3.7 The existing artificial dam on the north-eastern part of the site must form part of the open space or greening landscape planning of the development.

- 3.8 Construction activities in and around the above mentioned dam must take cognizance of the morphological change in the soil properties and adapt the foundations of the proposed activities to avoid geotechnical impacts or hazards.
- 3.9 The preparation of building material (e.g. mixing of cement, concrete, sand etc.) must be done on a concrete impermeable surface to avoid seepage into the soil and riverine areas.
- 3.10 If any soil contamination occurs during the construction phases of the proposed activity, the contaminated soil must be removed to a licensed landfill site and the site must be rehabilitated to the satisfaction of this Department.
- 3.11 The bulk services approval (e.g. water supply, sewage and disposal waste, electricity and storm water) and other related services must be obtained from the relevant competent authority.
- 3.12 Should any heritage resources of any nature be uncovered during the construction development, development must stop. South African Heritage Resource Agency and/ or professional Heritage Specialists must be contacted immediately for investigations.
- 3.13 Waste minimisation principles must be applied during the construction and operational phases of the development. Waste should ideally be avoided but where it does exist, it must be removed from the site and disposed of at a registered or licensed landfill site for the type of waste produced. All waste streams to be generated must be managed in accordance with the hierarchy of waste management principles. Proof of disposal of waste must be kept on site and made available to the Department upon request.
- 3.14 Green building techniques must be applied to the construction process to make use of natural light and heat and thus reduce energy use and emissions to the atmosphere.
- 3.15 Indigenous plants removed for the development, must be utilised in the post development landscaping which includes the park areas as stipulated in the layout plan.
- 3.16 Any rescue and relocation for both faunal and floral species as stipulated in the Ecological Assessment Report included in the Basic Assessment Report that is undertaken, must be overseen by a suitably qualified specialist.
- 3.17 An email entitled "request for medicinal plant rescue operation" must be sent to calvin.jonhasi@gauteng.gov.za a minimum of six weeks prior to site clearance. The following documents must be attached to the email: (1) A scanned version of the Environmental Authorisation, (2) a map clearly showing the location of the site, (3) a plant species list for the site, (4) the site layout plan, clearly indicating which areas are to be retained as natural open space. The email should also indicate (1) the size of the site, (2) the contact details (telephone, fax and email) of the environmental control officer, who must make themselves available during the rescue operations and (3) the contact details (telephone, fax and email) of the project proponent and/or landowner.
- 3.18 The Home Owners Association that will take over the development after its completion must facilitate the implementation of energy efficiency and water conservation measures during the operational phase of the development.

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4. Management of the activity

- 4.1 The Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is approved and must be implemented. It must be amended to include conditions given in this Environmental Authorisation.

5. Monitoring and Reporting

- 5.1 The commitment and recommendations in all submitted documentation, including the Environmental Management Programme (EMPr) are an extension of this Environmental Authorisation and are binding to all contractors and operators on site and must be implemented.
- 5.2 An environmental control officer (ECO) must be appointed by the Environmental Authorisation holder to ensure that the conditions as stipulated in the Environmental

Authorisation as well as the EMPr are adhered to. The contact details of the ECO must be forwarded to the Department, prior the commencement of the activity.

6. Decommissioning of the activity

Should the site for any reason be closed, a detailed decommissioning plan must be submitted to this Department for approval at least **thirty (30) days** prior to the decommissioning of the facility. The decommissioning plan must include discussions on the management of all possible environmental impacts envisaged during the closure of the activity.

7. Operation activity

- 7.1 These activities must commence within a period of **ten (10) years** from the date of issue of this Environmental Authorisation.
- 7.2 If commencement of the activities 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.

8. General conditions

- 8.1 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.
- 8.2 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 for a Part 1 Amendment from the Department as soon as the new details become known to the applicant.
- 8.3 The holder of the Environmental Authorisation must notify the Department, in writing and within **twenty four (24) hours**, if conditions of this Environmental Authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 8.4 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 and the regulations.
- 8.5 Authorisation of the activities is subject to the conditions contained in this Environmental Authorisation, which conditions form part of the Environmental Authorisation and are binding on the holder of the Environmental Authorisation.
- 8.6 The holder of the Environmental 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 Environmental Authorisation.
- 8.7 The activities which are authorised can only be carried out at the property indicated above.
- 8.8 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 further authorisation in terms of the regulations.
- 8.9 This Environmental Authorisation does not negate the holder to comply with any other statutory requirements that may be applicable to the undertaking of the activities.

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- 8.10 If the Department has reason to believe that the Environmental Authorisation was obtained through fraud, non-disclosure of material information or misrepresentation of a material fact, the Department may, in writing, suspend or partially suspend, with immediate effect, the

Environmental Authorisation and direct the holder of such Environmental Authorisation forthwith to cease any activities that have been commenced or to refrain from commencing any activities, pending a decision to withdraw the Environmental Authorisation.

9 Appeal of authorisation

- 9.1 The holder of the Environmental Authorisation must notify every registered interested and affected party, in writing and within **fourteen (14) days**, of receiving notice of the Department's decision to authorise the activities.
- 9.2 The notification referred to in 9.1 must:
- 9.2.1 Specify the date on which the Environmental Authorisation was issued;
 - 9.2.2 Inform the registered interested and affected party of the appeal procedure provided for in Chapter 2 of the National Appeals Regulations, 2014; and
 - 9.2.3 Advise the interested and affected party that a copy of the Environmental Authorisation and reasons for the decision will be furnished on

Date of Environmental Authorisation: 25/04/17

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Office of the HOD
25 APR 2017
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Annexure 1: Reasons for Decision

1. Background

The applicant **Umnotho for Empowerment** applied for authorisation to undertake the following activity listed as Activity 9 and Activity 28 in GN R. 983, for the proposed affordable housing township, as described in the application form / Basic Assessment Report (BAR: On-site Notice). The proposed township will be known as "Mogale Extension 28". The site is located on Portion 63 (A Portion of Portion 3) of the farm Nootgedacht 534 JQ, which falls within the jurisdiction of Mogale City Local Municipality and measures approximately 14, 5722 hectares in extent.

The applicant appointed Batho Social and Environmental Consultants to undertake a Basic Assessment process. No exemptions were 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 application form received by the Department on 18 November 2016 and the Basic Assessment Report received by the Department on the 31 January 2017, including:
 - Geotechnical Site Investigation;
 - Services outline scheme report;
 - Mogale City Spatial Development Framework, 2011;
 - Assessment of the Fauna and Flora; and,
 - Environmental Management Programme
- b) The comments received from interested and affected parties as included in the Environmental Impact Assessment Report submitted to the Department on the 31 January 2017.
- c) Relevant information contained in the Departmental information base including the Geographical Information System (GIS) and Conservation Plan Version 3.3.
- d) 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)
- e) The findings of the site inspection undertaken by Edith Ngoma, an official of this Department on 08 December 2016.

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) The Environmental sensitivities of the site.
- b) Suitability of the proposed activities within the existing development.
- c) Public participation process was conducted according to the Departmental requirements.

4. Findings

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

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- a) There are no major environmental sensitivities on site proposed for development according to Departmental GIS; and the observation and findings made during the site inspection indicate the site has been transformed and there is an existing residential development too.
- b) The proposed activity is not foreseen to result in any additional adverse environmental impacts provided the conditions are adhered to and the site managed accordingly.
- c) The public participation information including, but not limited to, site notices, written notices and newspaper advertisement was satisfactorily undertaken. A newspaper advert appeared in the Krugersdorp News on 28 October 2016.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the 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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Office of the HOD
25 APR 2017
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AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE HEAD OF DEPARTMENT (HOD)
Diamond Building, 11 Diagonal Street, Newtown
PO Box 8769, Johannesburg, 2000
Tel: 011 240 2500
Fax: 011 240 2700

Reference: **Gaut 002/16-17/E0230**
Enquiries: Aristotelis Kapsosideris
Telephone: 011 240 3398
Email: Aristotelis.Kapsosideris@gauteng.gov.za

FACSIMILE: 086 549 4589
BY EMAIL: leslie@umnotho.org.za
BY REGISTERED MAIL

Umnotho for Empowerment
P. O. Box 1151
MULDERSDRIFT
1747

Telephone No.: 074 351 1166

Dear Mr. Leslie Gama

GDARD
Office of the HOD

11 APR 2017 000029

ENVIRONMENTAL AUTHORISATION GRANTED-BAR: PROPOSED DEVELOPMENT OF AN AFFORDABLE HOUSING DEVELOPMENT TO BE SITUATED ON THE REMAINING EXTENT OF PORTION 79 (A PORTION OF PORTION 47) OF THE FARM RIETFONTEIN 189 IQ, MOGALE CITY LOCAL 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
PO Box 8769
JOHANNESBURG
2000

Physical Address:

The Appeals Administrator
Department of Agriculture and Rural Development
11 Diagonal Street
Diamond Building, 04th Floor
Newtown
JOHANNESBURG
2000

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Office of the HOD

11 APR 2017 000029

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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AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

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Environmental Authorisation

Reference Number:	Gaut 002/16-17/E0230
Holder of authorisation:	Umnotho for Empowerment
Location of activity:	Remaining extent of Portion 79 (a Portion of Portion 47) of the farm Rietfontein 189 IQ, Mogale City Local Municipality

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- **Umnotho for Empowerment** with the following contact details –

P. O. Box 1151
MULDERSDRIFT
1747
Telephone No.: 074 351 1166

GDARD
Office of the HOD

To construct affordable housing township listed as Activity 9 and Activity 28 in GN R. 983, of the Environmental Impact Assessment Regulations, 2014 promulgated in terms of Sections 24 (2)(a) of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998, as amended), as described in the application form / Basic Assessment Report (BAR: On-site Notice). The site is located on the remaining extent of Portion 79 (a Portion of Portion 47) of the farm Rietfontein 189 IQ, which falls within the jurisdiction of Mogale City Local Municipality at the location stated below.

Proposal	Latitude(S)	Longitude(E)
SG 21 Digit Code of the property	26° 01' 03.18"	27° 52' 53.94"
	T0IQ00000000018900079	

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

3. Specific Conditions of Authorisation

- 3.1 Environmental Authorisation is granted for the proposed development of an affordable housing township on the remaining extent of Portion 79 (a Portion of Portion 47) of the farm Rietfontein 189 IQ, which falls within the jurisdiction of Mogale City Local Municipality and with the land uses as depicted on drawing no 2016 / 238 of October 2016 in appendix C of the BAR
- 3.2 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.
- 3.3 The construction area must be clearly demarcated before any construction activity takes place and signage must be displayed during the construction phase to inform the general public about potential dangerous conditions on site.
- 3.4 Storm water outlets are not allowed to lead directly into any of the water bodies in the area, unless a WULA (water use license application) is undertaken and permission granted with conditions for this purpose. Coupled to this Sustainable Urban Drainage Systems (SUDS) must be incorporated into the design of the development.
- 3.5 Rainwater harvesting must be incorporated into the development with owners and residents being encouraged to apply it in their daily activities.
- 3.6 The preparation of building material (e.g. mixing of cement, concrete, sand etc.) must be done on a concrete impermeable surface to avoid seepage into the soil and riverine areas.
- 3.7 If any soil contamination occurs during the construction phases of the proposed activity, the contaminated soil must be removed to a licensed landfill site and the site must be rehabilitated to the satisfaction of this Department.

- 3.8 The bulk services approval (e.g. water supply, sewage and disposal waste, electricity and storm water) and other related services must be obtained from the relevant competent authority.
- 3.9 Where existing gravel and paved roads need upgrading due to the possible increase in vehicular traffic, this must be done in conjunction and with the guidance of the Gauteng Roads and Transport Department.
- 3.10 Should any heritage resources of any nature be uncovered during the construction development, SAHRA and/ or professional Heritage Specialists must be contacted immediately for investigations.
- 3.11 Waste minimisation principles must be applied during the construction and operational phases of the development. Waste should ideally be avoided but where it does exist, it must be removed from the site and disposed of at a registered or licensed landfill site for the type of waste produced. All waste streams to be generated must be managed in accordance with the hierarchy of waste management principles. Proof of disposal of waste must be kept on site and made available to the Department upon request.
- 3.12 Green building techniques must be applied to the construction process to make use of natural light and heat and thus reduce energy use and emissions to the atmosphere.
- 3.13 Indigenous plants removed for the development, must be utilised in the post development landscaping which includes the park areas as stipulated in the layout plan.

4. Management of the activity

- 4.1 The Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is approved and must be implemented. It must be amended to include conditions given in this Environmental Authorisation.

5. Monitoring and Reporting

- 5.1 The commitment and recommendations in all submitted documentation, including the Environmental Management Programme (EMPr) are an extension of this Environmental Authorisation and are binding to all contractors and operators on site and must be implemented.
- 5.2 Any proposed amendments to the EMPr (as a result of this Environmental Authorisation or otherwise) must be submitted in writing to the Department for approval prior to the amendment being implemented.
- 5.3 An environmental control officer (ECO) must be appointed by the Environmental Authorisation holder to ensure that the conditions as stipulated in the Environmental Authorisation as well as the EMPr are adhered to. The contact details of the ECO must be forwarded to the Department, prior the commencement of the activity.

6. Decommissioning of the activity

Should the site for any reason be closed, a detailed decommissioning plan must be submitted to this Department for approval at least **thirty (30) days** prior to the decommissioning of the facility. The decommissioning plan must include discussions on the management of all possible environmental impacts envisaged during the closure of the activity.

7. Operation activity

- 7.1 These activities must commence within a period of **ten (10) years** from the date of issue of this Environmental Authorisation.

- 7.2 If commencement of the activities 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.

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8. General conditions

- 8.1 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.
- 8.2 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 for a Part 1 Amendment to the Department as soon as the new details become known to the applicant.
- 8.3 The holder of the Environmental Authorisation must notify the Department, in writing and within **twenty four (24) hours**, if conditions of this Environmental Authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 8.4 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 and the regulations.
- 8.5 Authorisation of the activities is subject to the conditions contained in this Environmental Authorisation, which conditions form part of the Environmental Authorisation and are binding on the holder of the Environmental Authorisation.
- 8.6 The holder of the Environmental 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 Environmental Authorisation.
- 8.7 The activities which are authorised can only be carried out at the property indicated above.
- 8.8 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 further authorisation in terms of the regulations.
- 8.9 This Environmental Authorisation does not negate the holder to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- 8.10 If the Department has reason to believe that the Environmental Authorisation was obtained through fraud, non-disclosure of material information or misrepresentation of a material fact, the Department may, in writing, suspend or partially suspend, with immediate effect, the Environmental Authorisation and direct the holder of such Environmental Authorisation forthwith to cease any activities that have been commenced or to refrain from commencing any activities, pending a decision to withdraw the Environmental Authorisation.

9 Appeal of authorisation

- 9.1 The holder of the Environmental Authorisation must notify every registered interested and affected party, in writing and within **fourteen (14) days**, of receiving notice of the Department's decision to authorise the activities.
- 9.2 The notification referred to in 9.1 must:
- 9.2.1 Specify the date on which the Environmental Authorisation was issued;
- 9.2.2 Inform the registered interested and affected party of the appeal procedure provided

for in Chapter 2 of the National Appeals Regulations, 2014; and
9.2.3 Advise the interested and affected party that a copy of the Environmental Authorisation and reasons for the decision will be furnished on

Date of Environmental Authorisation: 10/04/17

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Office of the HOR

11 APR 2017

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Annexure 1: Reasons for Decision

1. Background

The applicant **Umnotho for Empowerment** applied for authorisation to undertake the following activity listed as Activity 9 and Activity 28 in GN R. 983, for the proposed affordable housing township, as described in the application form / Basic Assessment Report (BAR: On-site Notice). The proposed township will be known as "Greengate Extension 74". The site is located on the remaining extent of Portion 79 (a Portion of Portion 47) of the farm Rietfontein 189 IQ, which falls within the jurisdiction of Mogale City Local Municipality and measures approximately 5, 8317 hectares in extent.

The applicant appointed Batho Environmental Consulting to undertake a Basic assessment process. No exemptions were 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 application form received by the Department on 18 November 2016 and the Basic Assessment Report received by the Department on 17 January 2017, including:
 - Geotechnical Site Investigation;
 - Services outline scheme report;
 - Assessment of the Fauna and Flora; and,
 - Environmental Management Programme
- b) The comments received from interested and affected parties as included in the Environmental Impact Assessment Report submitted to the Department on the 17 January 2017.
- c) Relevant information contained in the Departmental information base including the Geographical Information System (GIS) and Conservation Plan Version 3.3.
- d) 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)
- e) The findings of the site inspection undertaken by Edith Ngoma, an official of this Department on 05 December 2016.

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Office of the HOD
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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) The Environmental sensitivities of the site.
- b) Suitability of the proposed activities within the existing development.
- c) Public participation process was conducted according to the Departmental requirements.

4. Findings

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

- a) There are no major environmental sensitivities on the site proposed for development according to Departmental GIS; and the observation and findings made during the site inspection indicate

the site has been transformed. There are existing dwelling houses and part of the site is currently used for cultivation.

- b) The proposed activity is not foreseen to result in any additional adverse environmental impacts provided the conditions are adhered to and the site managed accordingly. The proposed development is necessary for the provision of low-cost housing in the area.
- c) The public participation information including, but not limited to, site notices, written notices and newspaper advertisement was satisfactorily undertaken. A newspaper advert appeared in the Krugersdorp news on 28 October 2016.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the 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.**

GDARD
Office of the HOD

11 APR 2017 0 0 0 0 2 9



GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE HEAD OF DEPARTMENT (HOD)
Diamond Building, 11 Diagonal Street, Newtown
PO Box 8769, Johannesburg, 2000
Tel: 011 240 2500
Fax: 011 240 2700

Reference: **Gaut 002/15-16/E0233**
Enquiries: Aristotelis Kapsosideris
Telephone: 011 240 3398
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BY FACSIMILE: 086 549 4589
BY EMAIL: leslie@umnotho.org.za

BY REGISTERED MAIL

Umnotho For Empowerment
P O Box 1151
MULDERSDRIFT
1747

Telephone No.: 074 351 1166

Dear Mr. Leslie Gama

GDARD
Office of the HOD
20 JUN 2018 000060

ENVIRONMENTAL AUTHORISATION GRANTED-BAR: THE PROPOSED SELF-HOUSING TOWNSHIP DEVELOPMENT TO BE KNOWN AS GREENGATE EXTENSION 60 TO BE ESTABLISHED ON PORTION 130 (A PORTION OF PORTION 35) OF THE FARM RIETFONTEIN 189 IQ MULDERSDRIFT, MOGALE CITY LOCAL MUNICIPALITY

With reference to the above-mentioned application, please be advised that the Department has decided to grant Environmental 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 must, in writing and within **fourteen (14) days** of the date of the decision on the application ensure that all registered interested and affected parties are provided with access to the decision and the reasons for such a decision 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
PO Box 8769
JOHANNESBURG
2000

Physical Address:

The Appeals Administrator
Department of Agriculture and Rural Development
11 Diagonal Street
Diamond Building, 04th Floor
Newtown
JOHANNESBURG
2000

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



PP
MS THANDEKA MBASSA
HEAD OF DEPARTMENT
DATE: 20/06/16

(Act)

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Office of the HOA
20 JUN 2016
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GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

Reference Number:	Gaut 002/15-16/E0233
Holder of authorisation:	Umnotho For Empowerment
Location of activity:	Portion 130 (A Portion of Portion 35) of the farm Rietfontein 189 IQ, Mogale City Local 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. 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- **Umnotho For Empowerment** with the following contact details –

P O Box 1151
MULDERSDRIFT
1747

Telephone No.: 074 351 1166

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

listed as GN R. 983 Activity 28(ii) and Activity 9 of Environmental Impact Assessment Regulations, 2014 promulgated in terms of Sections 24 (2)(a) of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998, as amended), as described in the application form / Basic Assessment Report dated April 2016 at the location stated below:

Proposal	Latitude(S)	Longitude(E)
	26.03749°	27.86598°

for the proposed development of an affordable self-housing township to be established on Portion 130 (A Portion of Portion 35) of the farm Rietfontein 189 IQ Muldersdrift, Mogale City Local Municipality. The site measures approximately 8, 5653 hectares and it will entail 191 "Residential 1" erven, 1 "Residential 4" erf, an erf zoned "Special" and two erven for "Private Open Space".

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

3. Specific Conditions of Authorisation

- 3.1 Environmental Authorisation is granted the proposed development of an affordable self-housing township to be established on Portion 130 (A Portion of portion 35) of the farm Rietfontein 189 IQ Muldersdrift, Mogale City Local Municipality as outlined on layout plan 2015/290 at the site measuring 8, 5653 hectares.
- 3.2 A storm water management plan is to be implemented during construction and operation of the facility. This must not result in any increase in the velocity of storm water and potential erosion rates further downstream.
- 3.3 The bulk services approval (e.g. water supply, sewage and disposal waste, electricity and storm water) and other related services must be obtained from the relevant competent authority.
- 3.4 The Environmental Authorisation holder reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR become apparent later.

- 3.5 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.
- 3.6 The construction area must be clearly demarcated before any construction activity takes place and signage must be displayed during the construction phase to inform the general public about potential dangerous conditions on site.
- 3.7 All recommendations made in the Specialist Reports submitted as part of the application for Environmental Authorisation must be implemented.
- 3.8 The preparation of building material (e.g. mixing of cement, concrete, sand etc.) must be done on a concrete impermeable surface to avoid seepage into the soil.
- 3.9 If any soil contamination occurs during the construction phases of the proposed activity, the contaminated soil must be removed to a licensed landfill site and the site must be rehabilitated to the satisfaction of this Department.
- 3.10 Should any heritage resources of any nature be uncovered during the construction development, development must cease. South African Heritage Resource Agency (Gauteng Province) and/ or professional Heritage Specialists must be contacted immediately for investigations.
- 3.11 On completion of the project, all litter and construction debris must be removed from the site immediately. All waste must be disposed of at a registered or permitted waste disposal site for the type of waste produced. All waste streams to be generated must be managed in accordance with the hierarchy of waste management principles. Proof of disposal of waste must be kept on site and made available to the Department upon request.
- 3.12 Post development rehabilitation must make use of species which are indigenous to the area.
- 3.13 The rehabilitation, upgrade and maintenance of roads and sidewalks in the vicinity of the development and that will be impacted by the development must occur where necessary in consultation and in conjunction with the traffic and other relevant authorities so that they are congruent to the number and type of vehicles that are expected to use the roads. Other road users and residents in the area must be kept informed of developments as they pertain to safety and access aspects.
- 3.14 Energy efficiency and sustainability principles as outlined in Section D4 of the BAR must find practical application in the design and construction of the development.
 - Using natural light as a substitute for electrical lighting
 - Using more efficient heating and cooling equipment to satisfy reduced loads, etc.

4. Management of the activity

- 4.1 The Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is **approved** and must be implemented. In addition to the submitted EMPr, the following must be implemented and be considered part of the subject EMPr:
 - a) Noise generated from construction activities must not exceed the recommended noise level of 85dB as required by the Occupational Health and Safety Standards.
 - b) Dust dispersal must be managed throughout the construction phase.

5. Monitoring and Reporting

- 5.1 The commitment and recommendations in all submitted documentation, including the Environmental Management Programme (EMPr) are an extension of this Environmental Authorisation and are binding to all contractors and operators on site and must be implemented.

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- 5.2 An environmental control officer (ECO) must be appointed by the Environmental Authorisation holder to ensure that the conditions as stipulated in the Environmental Authorisation as well as the approved EMPr are adhered to. The contact details of the ECO must be forwarded to the Department, prior the commencement of the activity.

6. Decommissioning of the activity

Should the site for any reason be closed, a detailed decommissioning plan must be submitted to this Department for approval at least **thirty (30) days** prior to the decommissioning of the facility. The decommissioning plan must include discussions on the management of all possible environmental impacts envisaged during the closure of the activity.

7. Operation activity

- 7.1 These activities must commence within a period of **ten (10) years** from the date of issue of this Environmental Authorisation.
- 7.2 If commencement of the activities 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.

8. General conditions

- 8.1 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.
- 8.2 The activity authorised may only be carried out at site indicated in this Environmental Authorisation.
- 8.3 Any changes to, or deviations from, the activity description set out in this Environmental Authorisation must follow the amendment process as prescribed in Chapter 4 (Part 1 and 2) of the NEMA EIA Regulations, 2014 and 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 further authorisation in terms of the Regulations.
- 8.4 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.
- 8.5 This Environmental Authorisation, and EMPr, must be kept at the site where the activities will be undertaken. These documents must be produced to any authorised official of the Department who requests to inspect them and must also 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.
- 8.6 Where any of the applicant's contact details change, including the name of the responsible holder of the authorisation, the physical or postal address and/ or telephonic details, the applicant must follow an amendment process as prescribed in Chapter 5 of the NEMA Environmental Impact Assessment Regulations, 2014 by submitting an amendment application to the Department for consideration and decision making as soon as the new details become known to the applicant.

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- 8.7 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 (as amended) and the regulations.
- 8.8 The holder of the Environmental Authorisation must notify the Department, in writing and within **twenty four (24) hours**, if the conditions of this Environmental Authorisation cannot be or are not adhered.
- 8.9 If the Department has reason to believe that the Environmental Authorisation was obtained through fraud, non-disclosure of material information or misrepresentation of a material fact, the Department may, in writing, suspend or partially suspend, with immediate effect, the environmental authorisation and direct the holder of such Environmental Authorisation forthwith to cease any activities that have been commenced or to refrain from commencing any activities, pending a decision to withdraw the Environmental Authorisation.

9 Appeal of authorisation

- 9.1 The holder of the Environmental Authorisation must notify every registered interested and affected party, in writing and within **fourteen (14) days**, of receiving notice of the Department's decision to authorise the activities.
- 9.2 The notification referred to in 9.1 must:
- 9.2.1 Specify the date on which the Environmental Authorisation was issued;
 - 9.2.2 Inform the registered interested and affected party of the appeal procedure provided for in Chapter 2 of the National Appeals Regulations, 2014; and
 - 9.2.3 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: 20/06/16

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Annexure 1: Reasons for Decision

1. Background

The applicant **Umnotho For Empowerment** applied for authorisation to undertake the following activity listed as GN R. 983 Activity 28 (ii) and Activity 9 for the proposed development of an affordable self-housing township to be established on Portion 130 (A Portion of Portion 35) of the farm Rietfontein 189 IQ Muldersdrift, Mogale City Local Municipality

The applicant appointed **Batho Earth Environmental Consulting** to undertake a basic assessment process. No exemptions were 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 Basic Assessment Report dated April 2016 received by the Department on the 18 April 2016, including:
 - Traffic Assessment; and
 - Environmental Management Programme
- b) The comments received from interested and affected parties as included in the Basic Assessment Report dated April 2016 submitted to the Department on the 18th of April 2016.
- c) Relevant information contained in the Departmental information base including the Geographical Information System (GIS) and Conservation Plan Version 3.3.
- d) 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)
- e) The findings of the site inspection undertaken by Thabisile Nkosi, an official of this Department on May 2016.

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) Compatibility with the surrounding land uses.
- b) The proposed development is in line with Regional Spatial Development Framework.
- c) Public participation process complies with the requirements of Chapter 6 of the EIA Regulations, 2014.

4. Findings

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

- a) The proposed site is suitable for the proposed development as it is situated in Environmental Management Zone 1 of the Gauteng EMF which supports the streamlining of urban development within these areas. The development will therefore enhance and further shape the spatial development plans and future developments in the area. No major environmental sensitivities were encountered on site.

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- b) The proposed development is also a social project which will increase access of low income people into buying their own property without having to depend on grants from the government in order to access housing finance.
- c) The site is part vacant with a few debilitated buildings on the southern side of the site.
- d) The proposed development is surrounded by residential developments as well as some open space, a guesthouse/lodge on the Southern side of the site.
- e) The public participation process complies with the requirements of Chapter 6 of the EIA Regulations, 2014 and the comments from the organs of state and interested and affected parties have been included in the BAR dated 18 April 2016. The interested and affected parties' consultation process included the placing of advertisements in The Krugersdorp News newspaper dated 22 January 2016. Site notices were placed on the proposed site. Notifications were sent to adjacent land owners/ occupiers within a 100m radius of the proposed site. Comments have been received from the Mogale City Local Municipality and interested and affected properties. The public participation process was thus adequately conducted.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the 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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