



GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Reference: Gaut 002/18-19/E0036

Enquiries: Tsakani Sithole

Tel: +27 (0)11 240 3403

Tsakani.Sithole@gauteng.gov.za

Omeida Trading 426 CC

P O Box 307

GROENKLOOF

0027

Email: idemslie@mweb.co.za

By Registered Mail

Dear Lovell Emslie,

ENVIRONMENTAL AUTHORISATION GRANTED: PROPOSED MEDIUM DENSITY TOWNSHIP DEVELOPMENT ON HOLDINGS 105 AND 106 OF BLUE HILLS AGRICULTURAL HOLDINGS, CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY.

Regarding the above-mentioned application, please be advised that the Department has decided to grant Environmental Authorisation (EA). The EA and reasons for the decisions are attached herewith.

In terms of Regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014, you must notify all registered interested and affected parties, in writing, and within 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.

Your attention is drawn to Chapter 2 of the National Appeals Regulations, 2014 which regulates the appeal process. Should you wish to appeal any aspect of the decision, you must within 20 days of the date of the 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

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0 0 0 0 4 1

Physical Address

The Appeals Administrator
Department of Agriculture and Rural Development
56 Eloff Street, Umnotho House, 23rd Floor
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 any queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

Kind regards,



MS PRISCILLA PIETERSEN

ACTING HEAD OF DEPARTMENT: AGRICULTURE AND RURAL DEVELOPMENT

DATE: 30/08/18

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ENVIRONMENTAL AUTHORISATION

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Reference Number:	GAUT 002/18-19/E0036	
Holder of Authorisation:	Omeida Trading 426 CC	
Location of Activity / Activities:	On Holdings 105 and 106 of Blue Hills Agricultural Holdings, City of Johannesburg Metropolitan Municipality.	
Coordinates:	Latitude (S)	Longitude (E)
	25° 57' 28.23" S	28° 05' 26.07" E
SG DIGIT CODE (S)	T0JR00160000010400000	

1. Decision

The Department is satisfied, based on the information available to it and subject to compliance with the conditions of this Environmental Authorisation (EA), that the applicant should be authorised to undertake the activities specified below:

2. Activities Authorised

Under the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations, 2014, the Department hereby authorises-

Omeida Trading 426 CC

with the following contact details:

P O Box 307
GROENKLOOF
0027

E-mail: idemslie@mweb.co.za

Telephone No: 083 412 7931

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to undertake the activities applied for the proposed development which falls under Activities 19 (i), 27, 28 (i) and 56 (i) of Listing Notice 1 (GN. R 983.) as well as Activities 4 (c) (iv) and 12 (c) (ii) of Listing Notice 3 (GN R 985) of the Environmental Impact Assessment Regulations, 2014 (Amended as of 7 April 2017).

The Granting of this EA is subject to the conditions set out below:

3. Specific Conditions of Authorisation

- 3.1 Environmental Authorisation is granted for the proposed Layout Plan No. 07-18535/P2/2018, which entails medium density township development (to be known as Blue Hills Extension 105) as well as extension and widening of the existing roads on Holdings 105 and 106 of Blue Hills Agricultural Holdings, City of Johannesburg Metropolitan municipality.
- 3.2 No any other development must occur within the 30-meter wetland buffer except for the extension and widening of the existing roads and the installation of a new 160-mm council water pipe.
- 3.3 The edge of the wetland must be clearly demarcated in the field with pegs or poles that will last for the duration of the construction phase, colour-coded as follows:
 - ☐ RED – Indicating the edge of the wetland (Note: This includes the permanent, seasonal and temporal wetlands, or parts thereof) [These should be put along the entire length of the property/site.],
 - ☐ ORANGE – Indicating the edge of the buffer zone (30m within urban areas).
- 3.4 Furthermore, all water use authorisations must be obtained from Department of Water and Sanitation regarding the activities that will take place within the wetland.
- 3.5 It is indicated in the Terrestrial Ecological Habitat Integrity Investigation that there is likelihood that *Boophane disticha*, *Hypoxis hemerocallidea* and *Atelexis frontalis* are likely to be present within the proposed site. The orange listed species must be conserved within the private open space as indicated in the Layout Plan. However, should, a rescue operation in compliance with GDARD requirements be needed? An email entitled "request for rescue operation" must be sent to calvin.jonhasi@gauteng.gov.za within a minimum of six weeks prior to the 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.
- 3.6 All naturally disturbed areas must be rehabilitated after construction by locally indigenous species.
 - 3.7 The surface storm water management plan must be approved by Johannesburg Roads Agency and must be based on Sustainable Urban Drainage Systems (SUDS) Principles and must consider source, local and regional controls.
 - 3.8 Dust suppression measures that include sprinkling of water must be implemented to reduce dust pollution to adjacent areas.

4. Management of the Activities

- 4.1 The Environmental Management Programme ("EMPr") submitted as part of the Final Basic Assessment Report dated July 2018 is approved. Recommendations and mitigation measures made by the all Specialist Report must be included in the EMPr and must be adhered to.
- 4.2 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.
- 4.3 All waste generated during construction and operational phase must be managed in accordance with the hierarchy of waste management principles and disposal at an authorised landfill site must be the last option. Proof of disposal of waste must be kept on site and made available to the Department upon request. Waste must be separated at source and record of recyclable materials must be submitted to this Department's Waste and Pollution Management Directorate.
- 4.4 Energy savings technologies (such as compact fluorescents, light emitting diodes lights, passive infra reds switches to switch off lighting when areas are unoccupied) and water savings technologies (such as rain water harvesting) must be implemented to contribute in reducing the impact of climate change.
- 4.5 If any subsurface archaeological material, bones or fossils are discovered, construction must be stopped immediately and a qualified archaeologist must be contacted to assess the findings and contact the Gauteng Provincial Heritage Resources Agency.
- 4.6 An Environmental Control Officer (ECO) must be appointed to ensure that regular inspections are performed during the construction and operation phase to allow for the implementation of mitigation measures and to monitor the applicant's compliance with all the conditions of this authorisation.

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5. Monitoring and Reporting

- 5.1 Departmental official must be given access to the property referred to above for the purpose of ascertaining and/ or monitoring compliance with the conditions contained in this Environmental Authorisation at all times.

6. General Conditions

- 6.1 The conditions of this EA are binding on the holder of the EA ("The Holder"), 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 EA.
- 6.2 The activities authorised may only be carried out at the property or site indicated in this EA.
- 6.3 The activities must commence within a period of 10 years from the date of issue of this EA. If commencement of the activities does not occur within that period, and the EA lapses, a new application for EA must be made for the activity or activities to be undertaken.

- 6.4 Any changes to, or deviation from, the activities description set out in this EA must follow the appropriate amendment process described in the Environmental Impact Assessment Regulations, and be approved, in writing, by the Department before such changes or deviation are effected. In assessing whether to approve such changes 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 EA to apply for further authorisations in terms of the Regulations.
- 6.5 Where any of the applicant's contact details change, including the name of the holder of the EA, the physical or postal address and/or telephonic details, the applicant must follow the relevant amendment process as prescribed in the Environmental Impact Assessment Regulations, by submitting an amendment application to the Department for consideration and decision making as soon as the new details become known to the applicant.
- 6.6 This EA does not negate the holder's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- 6.7 This EA and EMPr must be kept at the property or site where the activity or activities will be undertaken. The 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 EA who works or undertakes work at the property.
- 6.8 Non-compliance with a condition of this EA 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 Environmental Impact Assessment Regulations 2014 (as amended).
- 6.9 If the Department has reason to believe that the EA 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 EA and direct the holder of such EA forthwith to cease any activities that have been commenced with or to refrain from commencing any activity, pending a decision to withdraw the EA.

Date of the Environmental Authorisation: 30 August 2018

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ANNEXURE 1: REASON FOR DECISION

1. Background

The applicant, **Omeida Trading 426 CC**, applied for EA to undertake activities listed as activities 19 (i), 27, 28 (i) and 56 (i) of Listing Notice 1 (GN.R 983.) as well as activities 4 (c) (iv) and 12 (c) (ii) of Listing Notice 3 (GN R 985) of the Environmental Impact Assessment Regulations, 2014 (Amended as of 7 April 2017) for the proposed medium density township development (to be known as Blue Hills Extension 105) as well as extension and widening of existing roads on holdings 105 and 106 of Blue Hills Agricultural Holdings, City of Johannesburg Metropolitan Municipality.

The applicant appointed **Seedcracker Environmental Consulting CC** to undertake the Basic Assessment process.

2. Information Considered in Making the Decision

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

- 2.1 The information contained in the application form received on 22 May 2018 and Basic Assessment Report dated July 2018 received by this Department on 02 August 2018 including:
 - 2.1.1 Freshwater resource ecological assessment.
 - 2.1.2 Terrestrial ecological habitat integrity investigation.
 - 2.1.3 Geotechnical investigation.
 - 2.1.4 Outline scheme report.
 - 2.1.5 Flood line determination.
 - 2.1.6 Heritage impact assessment.
 - 2.1.7 Traffic study.
- 2.2 The relevant information contained in the Departmental information base including the Geographical Information System (GIS), Gauteng Conservation Plan Version 3.3 and the Gauteng Provincial Environmental Management Framework (GPEMF, 2015).
- 2.3 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).
- 2.4 The findings of the site inspection undertaken by Edward Magaga, the official of this Department on 18 June 2018.

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3. Key Factors Considered in Making the Decision

All information presented to the Department was considered 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.

- 3.1 The impact the proposed development will have on the surrounding environment.
- 3.2 The biodiversity sensitivities of the site, and the fact that there is a wetland on the southern side of the site.
- 3.3 Zoning of the area in terms of the Gauteng Provincial Environmental Management Framework (GPEMF, 2015).
- 3.4 Public participation process was conducted in accordance to the EIA Regulations 2014 requirements.

4. Findings

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

- 4.1 In terms of the Gauteng Conservation Plan version 3.3, the site falls within an Ecological Support Area and Threatened Ecosystems, however, the site is transformed with existing buildings.
- 4.2 There is a wetland on the southern part of the site, however, the proposed residential development is outside the wetland area and its buffer.
- 4.3 The mitigation measures proposed in the EMPr are deemed adequate to manage impacts of the activities on both construction and operational phases.
- 4.4 The extension and widening of the existing roads and the installation of a new 160-mm council water pipe will encroach the wetland and its buffer, however, the permission to work within the wetland and its buffer must be sourced from Department of Water and Sanitation.
- 4.5 The Gauteng Environmental Management Framework, 2015 (GEMF, 2015) identifies the proposed site as falling within Environmental Management Zone 1 (Urban development zone) hence the proposed development is compatible with the intentions of this zone.
- 4.6 The public participation process was conducted and the comments from the registered interested and affected parties were included in the Basic Assessment Report dated July 2018. The proposed project was advertised on the Star dated 11 April 2018. Site notices were placed on various conspicuous places such poles and along the road.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in this EA, the activities will not conflict with the general objectives of integrated environmental management laid down in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.

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