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# SECTION 24G RECTIFICATION APPLICATION FOR THE UNAUTHORISED ACTIVITY ON PORTION 308 OF THE FARM ROODEKRANS 183-IQ, ROODEPOORT, CITY OF JOHANNESBURG

*DRAFT ENVIRONMENTAL IMPACT REPORT  
JUNE 2020*



The RPR Family Trust  
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## EXECUTIVE SUMMARY

1. *Environmental Management Inspectors (EMIs) from the City of Johannesburg (CoJ) visited the site on 21 September 2016.*
2. *A follow up site meeting was conducted on 12 October 2016.*
3. *A Notice of Intention to issue a Compliance Notice was issued by the Gauteng Department of Agriculture and Rural Development (GDARD) on 14 March 2017.*
4. *Written representation from Tsetsetse Consulting, the appointed Environmental Assessment Practitioner (EAP) was submitted on 15 May 2017.*
5. *A site meeting was held between CoJ's EMIs and the EAP on 11 January 2018 to discuss the submitted written representation.*
6. *An email from the appointed EAP responding to Mr Maphuti Moabelo of Environment and Infrastructure Services Department within CoJ on the status of the requested additional information was delivered on 6 February 2018.*
7. *A follow-up email from Mr. Moabelo on 6 June 2018 requesting additional information as committed by the EAP during the site meeting on 11 January 2018 was sent in which the EAP's failure to respond to the initial email was addressed.*
8. *A letter providing a "Final Opportunity to Re-submit a Rehabilitation Plan or Section 24G Application..." was signed on 19 June 2019.*
9. *Mr Ragimana appointed PENSU Environmental to undertake the S24G application. An extension request for the submission of a Section 24G application was submitted by to CoJ on 1 July 2019.*
10. *CoJ granted a 30-day extension for the submission of the S24G application.*
11. *The preliminary notification of the project was advertised in the Roodepoort Record on 12 July 2019. PENSU Environmental had made progress with the S24G application as required and was due to submit the application according to the specified timeframe, namely 2 August 2019. The project ran into a slight hurdle when it became apparent that Totius Road does not fall under Roodekrans despite such indications on the municipal account. According to Ward Councillor, Leah Knott, from Ward 97, Totius Road falls under Amorosa and should, therefore, have been advertised in the Roodepoort Northsider as opposed to the Roodepoort Record, in order for residents to see the advert.*
12. *PENSU Environmental requested an additional extension to the submission of the S24G in order to re-advertise in the correct local newspaper. The preliminary notification was advertised in the Roodepoort Northsider on 2 August 2019. Interested and Affected Parties (I&APs) were given a further twenty (20) days to register.*
13. *The S24G application has been made available to registered I&APs on 15 August 2019 for a seven (7) day period to review the contents of the application.*
14. *The S24G application was submitted to GDARD on 23 August 2019.*
15. *A letter of acknowledgement for the submission of the S24G application was received from GDARD on 6 September 2019.*



16. A site inspection was conducted by EMIs on 29 October 2019.
17. A Directive was issued by GDARD on 21 February 2020.
18. This Environmental Impact Report is in response to requirements specified in the Directive.

**Background:**

The applicant, Mr. Rotondwa Praise Ragimana, commenced with a listed activity between December 2012 and July 2013 without the necessary environmental authorisation and is now applying for ex post facto approval. The activity took place at 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, City of Johannesburg.

**Applicable legislative provision contravened:**

The contravened legislation is Listing Notice 3, Activity 12 (b) of GN R 546 of 18 June 2010 (as amended) of the Environmental Impact Assessment (EIA) Regulations (2010), of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA): The clearance of an area of 300m<sup>2</sup> or more of indigenous vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation within Critical Biodiversity Areas identified in bioregional plans; and Listing Notice 3, Activity 12 (c)(ii) of GN R 985 of 8 December 2014 (as amended) of the Environmental Impact Assessment (EIA) Regulations (2014), of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA): The clearance of an area of 300m<sup>2</sup> or more of indigenous vegetation within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans.

The property on a ridge has been cleared of indigenous vegetation and excavated for the purposes of constructing a residential house. The clearance of the area has resulted in approximately 8500m<sup>2</sup> of indigenous vegetation being permanently eradicated.

**Explanation for why environmental authorization was not obtained:**

The applicant sought guidance from the City of Joburg and was instructed to submit building plans for approval. Following the completion of the building, an official from the City of Joburg did a site inspection and awarded the applicant with a Certificate of Occupancy. While ignorance is no excuse for anyone, one would assume that the Local Authority would be aware of potential authorisations and/ or permits required and should advise the applicant that other relevant authorities should be consulted to confirm whether or not additional authorisations and/ or permits are indeed required for their particular application. It was always the applicant's intention to follow due process and he would have applied for environmental authorization had he been aware of such a legal requirement.

**Receiving Environment:**

The vegetation type found on the adjacent site represents typical Gold Reef Mountain Bushveld (SVcb9, Mucina & Rutherford 2009). This is representative of the vegetation that was present on 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, City of

*Johannesburg, before the development commenced. This is the typical vegetation that is restricted to the rocky ridges of the Magaliesberg; the east-west stretching ridges of the Witwatersrand from Krugersdorp in the west to the eastern parts of Johannesburg, and also to the ridges at Suikerbosrand. Due to the great variation in topography, rockiness and soil depth, many micro-habitats occur, causing great variation in plant species composition and presence of different plant communities. This richness in plant species and plant communities offers habitat for a variety of fauna and consequently resulting in high flora and fauna (biodiversity) richness, therefore leading to high conservation value.*

*Of particular interest is that seven different parts of the Gold Reef Mountain Bushveld have been recognized and identified as Threatened Ecosystems, implying great conservation need in this vegetation type that is restricted to hills and ridges in Gauteng and North-West Province. The site 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, is located in one of these threatened ecosystems, namely the Roodepoort Reef Mountain Bushveld, listed as Critically Endangered in the National Environmental Management: Biodiversity Act (Act 10 of 2004) – National list of Ecosystems that are threatened and in need of Protection (Government Gazette 1002, 2011). The GDARD hills and ridges policy (GDARD 2001 updated) assists in conserving this Critically Endangered ecosystem.*

### **Alternatives:**

*Three types of alternatives could have been considered. These include layout, technology and environmental alternatives.*

#### **Layout Alternatives:**

*This alternative considers the most appropriate siting of the two main buildings. It is not anticipated that there will be a significant difference in impacts if the layout had been changed considering the size of the buildings and associated infrastructure.*

#### **Technology Alternatives:**

*A more significant consideration would be that of building design. The building was designed and built prior to any regulated requirements to consider energy efficiency and other sustainability concepts associated with green buildings.*

#### **Environmental Alternatives:**

*The first environmental alternative relates to landscaping options. Indigenous gardening could be achieved, incorporating the flora typical of the ridge.*

*The second environmental alternative relates to the construction of the boundary wall. Appropriate measures could encourage ecosystem functioning by allowing movement through the property.*

### **Public Participation:**

*Prior to the submission of the S24G application, a preliminary public participation process was undertaken. A preliminary advertisement, in compliance with the requirements outlined in Annexure A, Section D of the Section 24G Fine Regulations, 2017, was placed in the Roodepoort Record on 12 July 2019. A second advertisement was placed in the Roodepoort*

*Northsider on 2 August 2019 after it was brought to the EAP's attention that the Roodepoort Record was not the correct local newspaper to use for the relevant community.*

*Stakeholders and potential I&APs were identified and were notified of the preliminary advertisement via email.*

*The application was made available to registered I&APs seven days prior to submission to GDARD.*

*A further public participation process has been undertaken as outlined in the Directive:*

- An updated notice was erected at the entrance to the property.*
- An updated written notice was given to the owners and occupiers of land adjacent to the site.*
- Stakeholders and I&APs identified previously, were sent an updated written notice and were formally invited to register as I&APs and were provided thirty (30) day period within which to comment*
- A register of Interested and Affected Parties was opened during the preliminary PPP and has been maintained.*

### **Key Issues:**

*The following potential impacts were identified as being of a Medium-High significance rating:*

- Flora - Loss of plant species of conservation concern.*
- Flora - Destruction of indigenous flora typical of the ridge.*
- Fauna - Disturbance and displacement of animals.*
- Aesthetics - Reduction in visual quality.*
- Socio-Economic (of a positive nature)- Job creation and provision of employment.*

### **Specialist Input:**

*On the site, only the tree Protea caffra is considered to be of conservation concern. Most of the general area surrounding the site has already been developed. Therefore, the vegetation (of the adjacent site, but also on Portion 308) was fairly isolated, resulting in a lower conservation value. Nevertheless, the sensitivity analysis indicated that the vegetation still has a Medium-High ecological sensitivity. This implies that conservation of at least a part of the natural vegetation on Portion 308 could have contributed to conserving a Critically Endangered ecosystem.*

### **Conclusion:**

*The activity was undertaken in ignorance. Guidance had been sought from the local authority who failed to alert the applicant of his need to consult other relevant authorities to confirm what authorisations and/ or permits were necessary for this particular application.*

*With the necessary input, mitigation measures would have reduced the impact of the development on the environment, and in particular, could have contributed to the conservation of a Critically Endangered ecosystem.*

*Retrofitting of resource efficient and environmentally responsible materials and processes could be considered on all future renovations. In the immediate term, measures could be undertaken to change lifestyle habits to ensure the efficient use of resources such as water and energy. These measures might include a recycling programme, rain water harvesting, reuse of grey water etc.*

*One may consider rehabilitating a portion of the current lawn to a more natural state by designing a landscape similar to that which has been lost. While this area is limited in size and is isolated from the surrounding vegetation, it may still contribute to conserving the critically endangered ecosystem. The rehabilitation of this portion of the site would also result in water conservation as the indigenous vegetation would not require the same volume of irrigated water as the current kikuyu lawn requires.*

**THE PRP FAMILY TRUST  
DRAFT ENVIRONMENTAL IMPACT REPORT**

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## 1 INTRODUCTION

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### 1.1 Background

The applicant, Mr. Rotondwa Praise Ragimana, commenced with a listed activity between December 2012 and July 2013 without the necessary environmental authorisation and is now applying for ex post facto approval. The activity took place at 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, City of Johannesburg. The contravened legislation is Listing Notice 3, Activity 12 (b) of GN R 546 of 18 June 2010 (as amended) of the Environmental Impact Assessment (EIA) Regulations (2010), of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA): *The clearance of an area of 300m<sup>2</sup> or more of indigenous vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation within Critical Biodiversity Areas identified in bioregional plans; and Listing Notice 3, Activity 12 (c)(ii) of GN R 985 of 8 December 2014 (as amended) of the Environmental Impact Assessment (EIA) Regulations (2014), of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA): The clearance of an area of 300m<sup>2</sup> or more of indigenous vegetation within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans.*

The property on a ridge has been cleared of indigenous vegetation and excavated for the purposes of constructing a residential house. The clearance of the area has resulted in approximately 8500m<sup>2</sup> of indigenous vegetation being permanently eradicated.

### 1.2 Purpose of this Study

A Directive was issued by Abimbola Olowa, Grade 1 EMI, of GDARD, in terms of Section 24G(1) of NEMA, on 21 February 2020 (refer to Appendix A). The purpose of this study is to undertake an assessment of the environmental impact, with associated Public Participation Process (PPP) and specialist studies as specified in the Directive, to enable the competent authority to make an informed decision regarding the application as well as the administrative fine amount.

### 1.3 Objectives of this Report

This Environmental Impact Report (EIR) documents the process and findings of the assessment. This report will be subject to a 30-day public comment period after which it will be finalised and submitted to the competent authority.

### 1.4 Details of the Applicant

<b>Project applicant:</b>	The RPR Family Trust
<b>Contact person:</b>	Mr. Rotondwa Praise Ragimana
<b>Physical address:</b>	430 Totius Road, Roodekrans
<b>Postal address:</b>	Roodepoort, 1724
<b>Telephone:</b>	(083) 597 4872
<b>Fax:</b>	N/A
<b>Cell:</b>	(083) 597 4872



<b>E-mail:</b>	Ragimana@hotmail.com
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### 1.5 Details of the Environmental Assessment Practitioner

<b>Environmental Assessment Practitioner</b>	PENSU Environmental Consulting (Pty) Ltd
<b>Contact person:</b>	Natalie Pullen
<b>Postal address:</b>	15 Roodezand Place   Faerie Glen   0081
<b>Cell:</b>	082 558 9079
<b>E-mail:</b>	natalie@pensu.co.za

The Environmental Assessment Practitioner (EAP) undertaking this assessment is **Natalie Pullen**, who holds an MSc degree in Environmental Biotechnology through Rhodes University. Natalie has sixteen years of experience in Integrated Environmental Management, Integrated Waste Management and Water Resource Management. Natalie's experience includes undertaking project-based environmental and waste studies such as Basic Assessments, Environmental Impact Assessments, Environmental Management Plans and programmes and Integrated Waste Management Plans. Natalie is registered with EAPASA as an EAP (number 2018/132). She is a professional member of the South African affiliate of the International Association of Impact Assessors (membership no 5170), where she currently serves as Vice-Chair on the Gauteng Branch Committee. She is also a professional member of the Institute of Waste Management (membership no 10117002).

Natalie's detailed CV is attached as Appendix I.

### 1.6 Structure of this Report

**Chapter 1** of this report provides an introduction, outlining the background, purpose of this study, the objectives of the report, details of the applicant and EAP and compliance with the Directive. **Chapter 2** describes the project location and the project description is given in **Chapter 3**. This includes the overview of the project as well as the listed activities that have been triggered by the development. The assumptions, uncertainties and gaps in knowledge have been described in **Chapter 4**. **Chapter 5** provides the policy and legislative context with the need and desirability being discussed in **Chapter 6**. Alternatives assessed are given in **Chapter 7**. **Chapter 8** describes the public participation process followed. The environmental attributes of the receiving environment are unpacked in **Chapter 9**. An impact assessment is undertaken in **Chapter 10** and the summary of the findings and recommendations of the specialist studies is provided in **Chapter 11**. An environmental impact statement is given in **Chapter 12** and conclusions and recommendations are made in **Chapter 13**. The report concludes with the necessary appendices.

### 1.7 Compliance with the Directive

The Directive states in Section 8.5 and 8.6 that within four months from the date of receipt of the Directive (i.e. by 21 June 2020), an EAP must be appointed to investigate, evaluate and assess the impact of the activities on the environment and compile an Environmental Impact Report (EIR) containing the information requested in the Directive.



Subsequent to the issuing of the Directive, President Cyril Ramaphosa declared a national state of disaster for the COVID-19 pandemic, on 15 March 2020. According to Section 5(a) and (b) of GN R. 439 Disaster Management Act, 2002 (Act No. 57 of 2002): Directions issued by the Minister of Forestry, Fisheries and the Environment in terms of Regulation 10 (8) of the Regulations issued in terms of section 27 (2) of the Act: Measures to Address, Prevent and Combat the Spread of COVID-19 (31 March 2020), the timeframe for the environmental authorisation process was extended by the number of days of the duration of the lockdown period of the national state of disaster declared for the COVID-19 pandemic, including any extensions to such duration, with effect from 27 March 2020 until the termination of the lockdown period.

According to Section 4.3 of GN R. 650 Disaster Management Act, 2002 (Act No. 57 of 2002): Directions Regarding Measures to Address, Prevent and Combat the Spread of COVID-19 Relating to National Environmental Management Permits and Licences as issued on 05 June 2020, timeframes which were suspended on 27 March 2020 are now resumed.

As one month had passed prior to the suspension of the timeframes, there are a remaining three months to submit the report following the lifting of the suspension. The report must therefore be submitted by 21 September 2020.

**Table 1.1** indicates how this document complies with these requirements.

**Table 1.1: Content requirements for the EIR**

<b>Section of the Directive</b>	<b>Section in the EIR</b>
<b>8.6.1 The appointed EAP must provide the following:</b>	
8.6.1.1 In the introductory section of the report, the details of the EAP who compiled the report must be clearly indicated. The expertise of the EAP with specific reference to undertaking public participation processes (PPP), the translation of scientific reports into the an environmental impact report; understanding and interpretation of financial information must be included upfront within this section of the report.	Section 1.4
8.6.1.2 A sworn affidavit by the EAP that the information provided to the Department was at no stage influenced by the Applicant and that the EAP has explained the potential consequences of submitting this application.	Appendix J
<b>8.6.2 Public Participation Process (PPP)</b>	Section 8
Please note the PPP conducted prior to the submission of the Application is considered to be a preliminary notification to the public of the intention of the applicant to submit a Section 24G application. You are therefore directed to further conduct a PPP as indicated below. (a) Interested and affected parties (I&APs) must be afforded a further 30-day comment period from the date of advertisement/ notice. The EAP must ensure that the comments of I&APs are recorded in reports and the written comments including records of meetings are attached to the EIR referred to be submitted.	Section 8 Appendix D



Section of the Directive	Section in the EIR
<p>(b) A description of the subsequent PPP followed during the course of compiling the report including all additional comments received from I&amp;APs and an indication of the manner in which these were addressed must be submitted to the Department by the EAP.</p> <p>(c) the following, amongst others, must be indicated in the advert/ notice:</p> <p>(i) the Department's reference number for the Section 24G application.</p> <p>(ii) the specific listed activities as confirmed in paragraph 2 above must be indicated in the advert.</p>	
<p>8.6.2.1 An updated notice must be given to all potential I&amp;APs by fixing a notice board at a place conspicuous to the public at the boundary or on the fence of where the activity occurred (refer to the attached at both advertising guidelines on Annexure A).</p>	Appendix D2
<p>8.6.2.2 An updated written notice must be given to -</p> <p>(a) the owner or person in control of that land if the applicant is not the owner or person in control of the land;</p> <p>(b) the occupiers of the site where the activity is being undertaken, was undertaken, or is to be undertaken;</p> <p>(c) Owners and occupiers of land adjacent to the site where the activity is being undertaken, was undertaken, or is to be undertaken;</p> <p>(d) Any organisation of ratepayers that represent the community in the area;</p> <p>(e) The municipal councillor of the ward in which the site is situated and/or the municipality which has jurisdiction in the area. The Environmental Component of the relevant municipality must be formally invited to register as an I&amp;AP and be provided a 30-day period within which to comment on the application for rectification. A copy of their comments and/or objections must be submitted along with the information requested above; and</p> <p>(f) any organ of state having jurisdiction in respect of any aspect of an activity triggered.</p>	Appendix D1
<p>8.6.2.3 The updated notice and notice board must include colour photographs of the site, each illegal activity and transgression point (please refer to Annexure A for site notice).</p>	Appendix D2
<p>8.6.2.4 An updated advertisement must be placed in at least one local and one provincial newspaper (refer to the attached advertising guideline). Proof of the publication of the notice, placement of the notice on site and notifications must be submitted.</p>	Appendix D3 Note: refer to email dated 11 June 2020 received from Ms Tshilidzi Masindi confirming that it is not necessary to advertise in the provincial paper due



Section of the Directive	Section in the EIR
	to the nature and location of the project.
<p>8.6.2.5 the updated notice, notice board and newspaper advertisement referred to above must include the following –</p> <ul style="list-style-type: none"> <li>(a) details of the application which is subjected to public participation;</li> <li>(b) details of the Competent Authority (CA) to whom the application has been submitted;</li> <li>(c) a statement that <b>the activities have commenced <u>illegally</u> and that the application is for <i>ex post facto</i> authorisation in respect of the illegal activities</b></li> <li>(d) a list of illegal activities commenced and/or undertaken without approval;</li> <li>(e) the nature and location of the activity to which the application relates;</li> <li>(f) where further information on the application or unlawful activity can be obtained; and</li> <li>(g) the manner in which the person to whom, representations in respect of the application may be made by interested and affected persons.</li> </ul>	Appendix D1-3
<p>8.6.2.6 A description of the manner in which disadvantaged persons (e.g. instances of illiteracy, disability etc.) were accommodated in the PPP.</p>	
<p>8.6.2.7 A register of I&amp;APs must be opened and maintained, which contain the names, contact details and addresses of –</p> <ul style="list-style-type: none"> <li>(a) all persons who, as a consequence of the PPP conducted in respect of the application, have submitted written comments or attended meetings with the Applicant or EAP;</li> <li>(b) All persons who, after completion of the PPP have requested the Applicant or the EAP managing the application, in writing, for their names to be placed on the register; and</li> <li>(c) all organs of the state which have jurisdiction in respect of the activity to which the application relates.</li> </ul>	Appendix D5
<p>8.6.2.8 The EAP may give access to the register to any person who submits a request for access in writing. This may be done upon agreement with the registered I&amp;APs.</p>	Noted
<p>The PPP will be considered sufficient in the event that the above requirements are met and the EAP has submitted proof thereof.</p>	Noted
<p><b>8.6.3 Scientific reports and other requirements</b></p>	
<p>8.6.3.1 A detailed description of all the activities that was undertaken on site in terms of this application including, but not limited to:</p>	Section 3
<ul style="list-style-type: none"> <li>(a) A detailed description of the need and desirability of the activity;</li> </ul>	Section 6



Section of the Directive	Section in the EIR
(b) A site layout plan indicating the location and physical footprint (in square metres) of all developed infrastructure and structures associated with the listed activities applied for;	Appendix B
(c) A detailed description of the storm water management system currently operational on site, as well as pollution prevention measures surrounding the facility and the adequacy thereof;	Section 3.1.2.4 Figure 3.2
(d) Discussion on any other permit(s) obtained regarding the activity. Copies of such permit(s) must be attached to the report;	Section 11.2 Appendix F1
(e) A4 (210mm x 297mm) colour photographs of the affected sites from various angles.	Appendix C
8.6.3.2 A description of the environment that has been and may further be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects have been and may further be affected by the activity;	Section 9
8.6.3.3 An assessment of the nature, extent, duration, impact and significance of the consequences for or impact on the environment of each of the activities unlawfully commenced with, and the cumulative impacts on the environment must also be discussed. An indication of the methodology used in determining the significance of actual and/ or potential environmental impacts must be outlined. The effects of the activity on the affected community must be described.	Section 10
8.6.3.4 An operational Environmental Management Programme (EMPr) including – (a) details of the person who prepared the EMPr; (b) the expertise of the person who prepared the EMPr; (c) the name and contact details of the person or Environmental Control Officer (ECO) responsible for the monitoring of compliance to the EMPr; (d) information on all mitigation measures undertaken, or that will be taken to address the environmental impacts that have been identified in the EIR, including environmental impacts or objectives in respect of – (i) operation or undertaking of the activity; (ii) maintenance of the structures on site; (iii) rehabilitation plan of the environment; and (iv) closure. (e) proposed mechanisms and frequency for monitoring compliance with and performance assessment against the environmental management programme and reporting thereon.	Appendix H
8.6.3.5 All specialist reports must have the following details: (a) the person who prepared the report; and	Appendix E





Section of the Directive	Section in the EIR
<ul style="list-style-type: none"> <li>(b) the expertise of that person to carry out the specialist study or specialised process;</li> <li>(c) a declaration that the person is independent in a form as specified by the competent authority;</li> <li>(d) An indication of the scope of and the purpose for which the report was prepared;</li> <li>(e) a description of the methodology adopted in preparing the report or carrying out the specialised process;</li> <li>(f) a description of the any assumptions made and any uncertainties or gaps in knowledge;</li> <li>(g) a description of the findings and potential implications of such findings on the activity, including identified alternatives, on the environment;</li> <li>(h) recommendations in respect of any mitigation measures that should be considered by the Applicant and the CA;</li> <li>(i) a description of any consultation process that was undertaken during the course of carrying out the study; and</li> <li>(j) a summary and copies of any comments that were received during any consultation process.</li> </ul>	
<p>8.6.3.6 all environmental management measures introduced and implemented as instructed in paragraph 8.3 (of the Directive) must be reported on and submitted as part of this report.</p>	<p>Not applicable. All construction on site was completed prior to the issuing of the Directive. There was no need to control, contain nor prevent any pollution or degradation on site.</p>
<p>8.6.3.7 Please be advised that if any section of the Specific Environmental Management Acts is applicable to your activity, you are requested to furnish this Department with a written comment from the relevant authority. In the event that this is not the case, the EAP managing the project must inform this Department accordingly, in writing.</p>	<p>Appendix F2</p>
<p><b>8.6.4 Financial Considerations</b></p>	<p>Appendix G</p>
<p>As stated above this application is subject to a fine not exceeding R5 000 000.00 (five million Rand) to be determined by the CA. In order to provide the CA with a description of the financial profile of the Applicant to assist in this determination, the following is required.</p>	
<p>8.6.4.1 A report compiled by suitably qualified financial expert in which an assessment of the financial advantage gained, including any profits derived, by the Applicant as a result of the contravention is detailed.</p>	
<p>8.6.4.2 Where the Applicant is a juristic person, the annual financial statements over the proceedings three-year period or, for the period from the date of commencement until the submission of this</p>	



Section of the Directive	Section in the EIR
application, whichever is the longer; compiled by an independent and accredited accounting/ auditing firm.	
8.6.4.3 Where the person is an individual, bank statements of that person for the preceding three-year period or for the period from the date of commencement until the submission of this application, whichever is the longest.	
9 The information requested above must be contained in a <b>single report</b> . Please ensure that the report is complete and set out in the format above and reflect the correct Departmental reference number [S24G/03/19-20/0466].	This report has been prepared in line with the requirements of the Directive and all the information is contained within this single report.

## 2 LOCATION OF THE PROJECT

In terms of the regional context, the property is situated within Region C, sub-area 7 of the City of Johannesburg. This development falls within the agricultural holdings of Farm Roodekrans 183-IQ, along the main Witwatersrand ridge, 1.5km south-east of the Walter Sisulu National Botanical Garden.

The project is located at 430 Totius Road, Roodekrans on Portion 308 of the Farm Roodekrans 183-IQ, Roodepoort, City of Johannesburg, and the 21-digit SG code is T0IQ0000000018300308. The coordinates of the centre of the site are 26° 5' 45.08" S and 27° 51' 23.33" E. The property is zoned Residential 2.

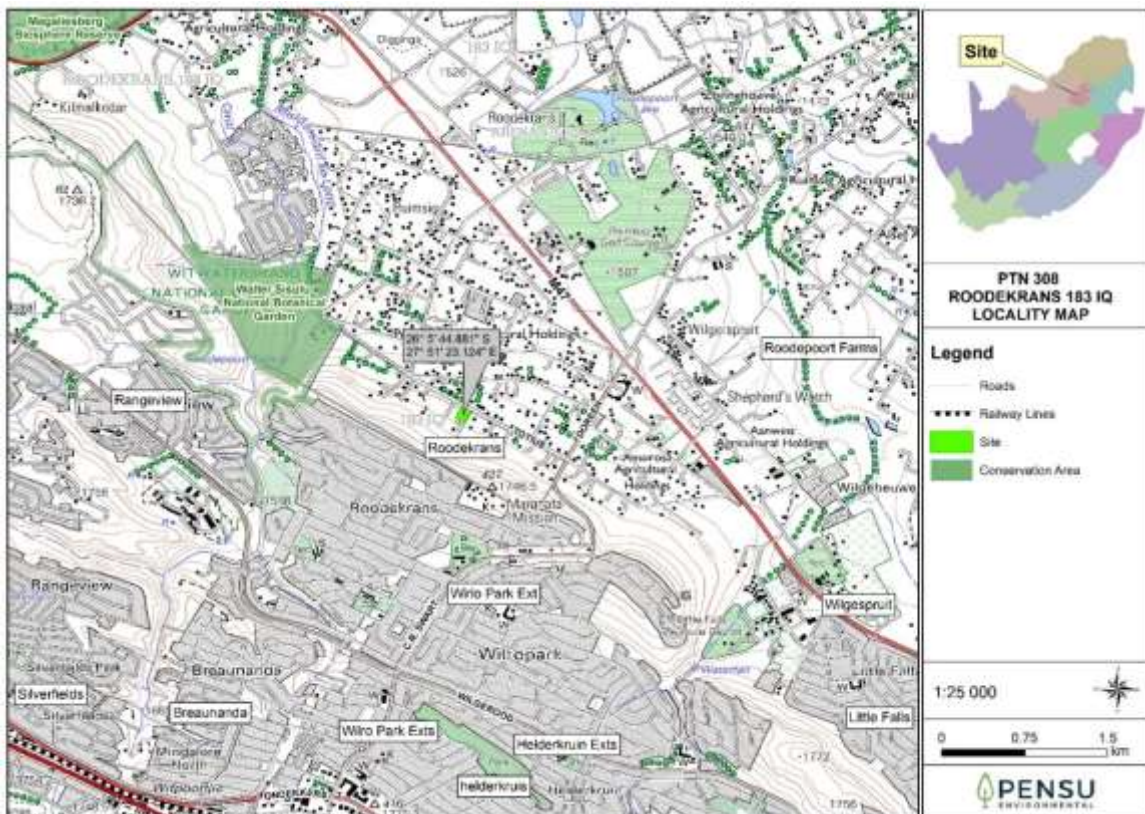


Figure 2.1: Locality of Study Area





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### 3 PROJECT DESCRIPTION

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This section describes the project and activities listed in the EIA Regulations 2014, as amended, that have been triggered by the project.

#### 3.1 Overview of the project

The property, which lies on a ridge and falls within a critically endangered ecosystem (Roodepoort Reef Mountain Bushveld), has been cleared of indigenous vegetation and excavated for the purposes of constructing a residential house. The clearance of the area has resulted in approximately 8596.23m<sup>2</sup> of indigenous vegetation being permanently eradicated. All construction on the property is complete. Please refer to Appendix C2 for the Google Earth timeline of events. The following lists gives a chronological sequence of the project development:

1. Removal of vegetation (between 9 December 2012 and 14 July 2013)
2. Site clearance (between 14 July 2013 and 29 October 2013)
3. Initial earth works (between 29 October 2013 and 27 August 2014)
4. Commencement of constructing the main house basement (between 27 August 2014 and 18 March 2015)
5. Construction of the ground floor (between 18 March 2015 and 9 September 2015)
6. Construction of the first floor (between 9 September 2015 and 9 May 2017)
7. Foundation of the new entertainment area (between 9 May 2017 and 12 August 2017)
8. Construction of the outdoor swimming pool (between 9 May 2017 and 12 August 2017)
9. Construction of the new entertainment area (between 12 August 2017 and 16 February 2018)
10. Laying of the driveway (between 16 February 2018 and 27 May 2018)
11. Landscaping (between 27 May 2018 and 7 May 2019)

##### 3.1.1 Structures

There are two main structures on the property. The main house and the entertainment area. The main house has a basement; ground floor (garage, ground floor, covered patio, staff quarters, entertainment area); and first floor (first floor with balconies).

The entertainment area has a ground floor (covered entrance, indoor pool area, entertainment ground floor, staff rooms, staff covered patio, covered patio indoor pool); and first floor (entertainment and balcony).





**Figure 3.1: Two main structures on the property**

### **3.1.2 Infrastructure**

#### **3.1.2.1 Access**

Access to the property is off Totius Road through a secure guard house. The driveway runs up the south eastern boundary wall to the top of the property.

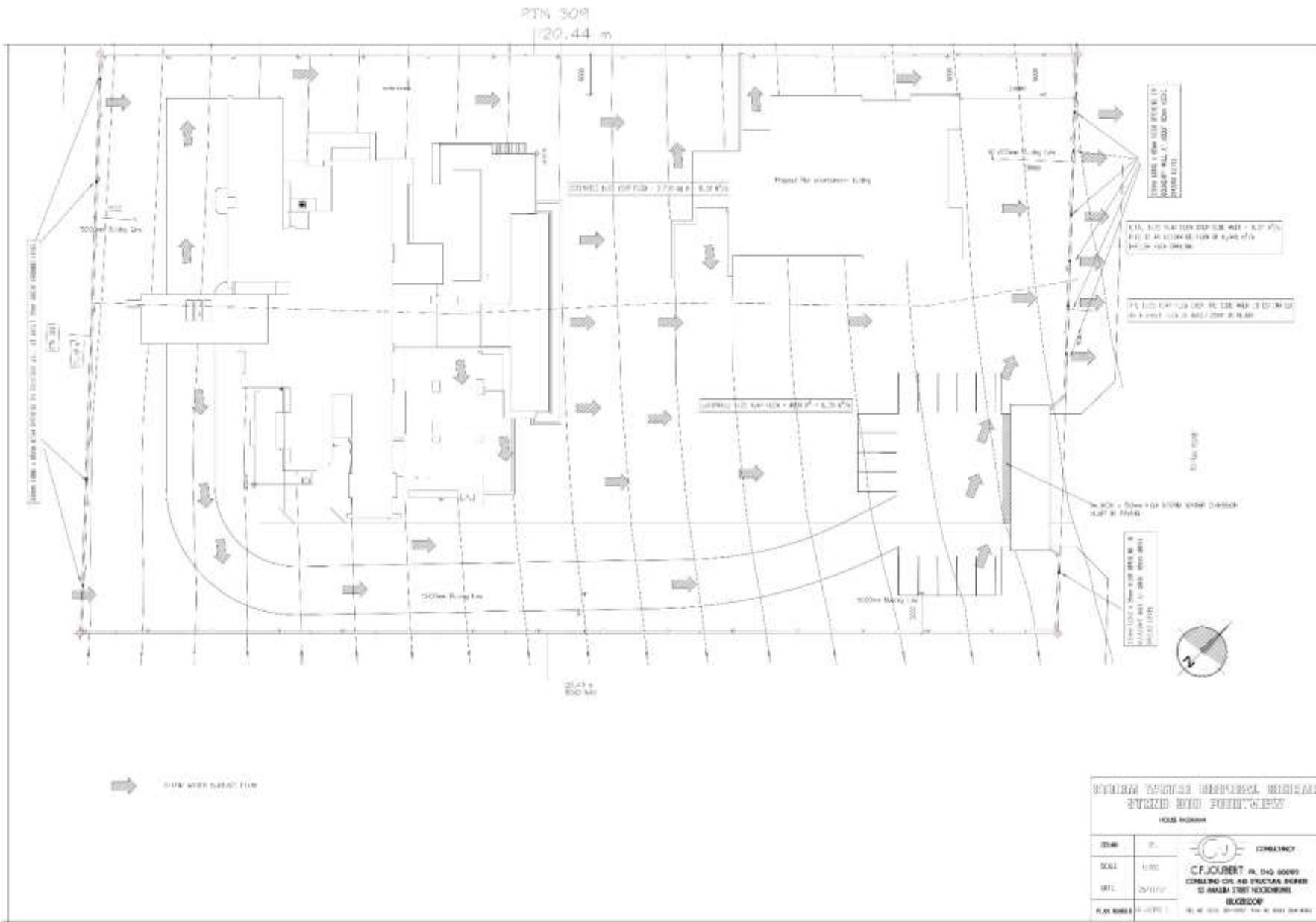
#### **3.1.2.2 Sewage**

Sewerage is connected to a conservancy tank in the northern corner of the site. A honey sucker tanker removes sewage from the conservancy tank once full.

#### **3.1.2.3 Electricity**

Power is supplied by City of Joburg. The development was designed in 2013 prior to the enforcement of the SANS 10400–XA Regulations on energy efficiency. The home is, however, fitted with solar powered geysers and gas.





**Figure 3.2: Storm Water Disposal Scheme**



#### 3.1.2.4 Storm water

The storm water management system was designed by CFJ consulting Engineers. The storm water flow drains down the slope of the property in a north-easterly direction. There are four openings in the south-western boundary wall, 330mm long by 85mm high at about 85mm above ground level. Water is diverted south-east and north-west at the main entrance to the main building to flow down the side boundary walls towards the main access gate to the property. A 1m wide by 150mm high storm water diversion hump in the paving has been constructed at the main gate, diverting water to the northern corner of the property. There are six openings in the boundary wall at this point, 330mm long by 85mm high openings at about 85mm above ground. The 1:25-year flow over the side walk is estimated as a sheet flow of about 25mm in height, at a speed of 0,27m<sup>3</sup>/s. This is an estimated flow of 0,045m<sup>3</sup>/s through each opening.

#### 3.1.2.5 Water

Ground water supplies the property with water for all purposes, including domestic, irrigation, and pool water. There is access to municipal supply in the event that there is trouble with the borehole.

In calculating the amount of water used for domestic purposes, Joburg water standards suggests 2,700 l/hh/day for a family of 4 in a high income area, i.e. 2,700 x 30 = 81,000 litres/month x 1.5 summer peak factor = 121,500 litres/month. Autumn/winter = 81,000 x 6 months. Summer/ spring = 121,500 x 6. The average per month for domestic use is calculated to be 101,250 litres/month.

An additional 150 l/c/day has been included for the 5 staff workers, i.e. 150 x 5 x 30 = 22,500 litres/month for staff.

In calculating the amount of water used for irrigation purposes, the following is assumed:

- 5mm/day for irrigation of grass and other association of landscaping (general landscape practise)
- The total coverage area is 6700 m<sup>2</sup> (i.e. you will use 52 sprinklers discharging at 39.6 l/min for 15mins)
- The irrigation happens once a day for 30 days
- Therefore, we say 52 x 39.6 x 15 = 30,888 litres per day
- 30,888 litres per day x 30 days

The average per month for irrigation use is calculated to be 926,640 litres per month.

In calculating the amount of water used for pool purposes, the following is assumed:

- 1% of volume of system is lost to evaporation per day / 30% per month
- Water feature: (0,5x3,4x12,3) = 20.91m<sup>3</sup>
- Jacuzzi/ Spa: (0,9x4,4x4,5) = 17.82m<sup>3</sup>
- Fish pond: (1,0x2,3x5,0) = 11.5m<sup>3</sup>
- Outdoor Pool: (1,7x5,1x24,9) = 215.883m<sup>3</sup>



- Total volume = 266.113m<sup>3</sup>
- Top up per month: 30% of 266.113m<sup>3</sup>

The average per month for pool water is calculated to be 79.8339m<sup>3</sup>/ 79833.9 litres.

Therefore, adding everything up the estimated monthly water consumption is 1,130,223.9 litres per month or 1130.22m<sup>3</sup>. The gross average daily consumption is 37 674.13 litres or 37.67m<sup>3</sup>.

### 3.1.2.6 Solid waste

To date, all general waste has been disposed of as serviced by the City of Joburg (Pikitup). It is estimated that 1,920 litres/ 1.92 m<sup>3</sup> of solid waste is generated per month based on the following assumptions:

- Assume a maximum standard size of 240 litre waste bin;
- Assume two bins fill up each week due to number of people staying there, visitors per month as well as weekly activities of a high income family (foodstuff, garden waste, old clothing, packaging material such as glass, paper and cardboard, plastics and in certain cases ash);
- Therefore, in a month they will use 240 x 2 x 4

There has been no waste separation at source but rather all waste has been sent to landfill.

A recycling program should be adopted in the household.

In terms of Section 22 of the City's Waste Management By-laws (2013), "the Council may prescribe by a notice published in the Provincial Gazette that, from a prescribed date, areas, specific generators or holders of particular categories of waste must for the purpose of recycling, separate those categories of waste and must, store, dispose of or treat the separated waste in the manner prescribed in the notice".

In line with this section of the waste management by-law, the City has implemented a mandatory separation at source of dry recyclables and garden waste in certain areas of the city from the **1st July 2018**. It is compulsory for residents in the affected areas who are currently receiving the recycling bag to place dry recyclables (paper, plastics, metal and glass) for kerbside collection by Pikitup or its service providers for further processing.

This site falls outside of the targeted areas. Wards 44 and 89 are the only ones in Region C that are included in the list for mandatory separation at source. The communities that fall outside of the targeted areas for mandatory separation at source have been encouraged to recycle through the drop-off recycling programme. The City intends to roll this project out to the entire City of Joburg over the next 3 years (budget permitting).

<https://roodepoortrecord.co.za/2018/08/22/guide-city-johannesburgs-mandatory-waste-separation-source-programme/>

## 3.2 Listed Activities Triggered by the Development of the Residential Home

Activities triggered by the development of the residential home as identified in GN R 546 of 18 June 2010 (as amended) of the Environmental Impact Assessment (EIA) Regulations (2010), and GN R 985 of 8 December 2014 (as amended) of the EIA Regulations (2014), and GN R



324 of 7 April 2017 (as amended) of the EIA Regulations (2017), of NEMA are presented in **Table 3.1**.

**Table 3.1: Listed Activities triggered by the development of the residential home:**

Listed activity as described in GN R 546 (2010), 985 (2014) and 324 (2017)	Description of project activity that triggers listed activity
<p><b>GN R. 546 (12(b)):</b></p> <p>The clearance of an area of 300m<sup>2</sup> or more of indigenous vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation within Critical Biodiversity Areas identified in bioregional plans;</p>	<p>The property, which lies on a ridge in a CBA and falls within a critically endangered ecosystem (Roodepoort Reef Mountain Bushveld), has been cleared of indigenous vegetation and excavated for the purposes of constructing a residential house. The clearance of the area has resulted in approximately 8596.23m<sup>2</sup> of indigenous vegetation being permanently eradicated. The clearing of indigenous vegetation took place between 9 December 2012 and 14 July 2013.</p>
<p><b>GN R. 985 (12(c)(ii)):</b></p> <p>The clearance of an area of 300m<sup>2</sup> or more of indigenous vegetation within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans.</p>	
<p><b>GN R. 324 (12(c)(i)&amp;(ii)):</b></p> <p>The clearance of an area of 300m<sup>2</sup> or more of indigenous vegetation within any critically endangered ecosystem and within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans.</p>	

#### **4 ASSUMPTIONS, UNCERTAINTIES AND GAPS IN KNOWLEDGE**

The following assumptions, uncertainties and gaps in knowledge are applicable:

- All information provided by Mr. Rotondwa Praise Ragimana and his assistants are valid and accurate.

In addition to the assumptions above, the following assumptions and limitations were noted by the specialists:

##### **4.1 Biodiversity Specialist**

Even though every care is taken to ensure the accuracy of this report, environmental assessment studies are limited in scope, time and budget. Discussions and proposed mitigations are to some extent made on reasonable and informed assumptions built on *bone fide* information sources, as well as deductive reasoning. Deriving a 100% factual report based on field collecting and observations can only be done over several years and seasons to account for fluctuating environmental conditions and migrations. Since environmental impact studies deal with dynamic natural systems, additional information may come to light at a later stage. EcoAgent can therefore not accept responsibility for conclusions and mitigation measures made in good faith based on own databases or on the information provided at the time. This report should therefore be viewed and acted upon with these limitations in mind.



## 5 POLICY AND LEGISLATIVE CONTEXT

### 5.1 Legislation applicable to this process

**Table 5.1: Legislation of relevance to this process.**

Legislation	Administering Authority	Type Permit/ license/ authorization/comment	Date (if already obtained):
Constitution of the Republic of South Africa (Act No. 108 of 1996)	Department of Justice and Constitutional Development	NA	NA
National Environmental Management Act, 1998 (Act No. 107 of 1998)	Department of Environment, Forestry and Fisheries (DEFF), GDARD	Environmental Authorisation	-
2014 Environmental Impact Assessment Regulations, promulgated in terms of Section 24(5) of NEMA (as amended on 07 April 2017)	DEFF, GDARD	Environmental Authorisation	-
National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)	DEFF, GDARD	Permit	-
National Water Act (Act No.36 of 1998)	Department of Human Settlements, Water and Sanitation	Registration	-
National Heritage Resources Act (Act No.25 of 1999)	South African Heritage Resources Agency, Provincial Heritage Resources Agency-Gauteng (PHRA-G)	Record of Decision	-
National Forests Act (Act No. 84 of 1998)	DEFF	Permit	-
<b>POLICY/ GUIDELINES</b>		<b>ADMINISTERING AUTHORITY</b>	
Gauteng Spatial Development Framework (01 February 2011)		GDARD	
Gauteng Ridges Policy (23 June 2006)		GDARD	
Gauteng Conservation Plan (December 2010)		GDARD	
Gauteng Environmental Management Framework (May 2015)		GDARD	
Gauteng Red Data Policy (September 2001)		GDARD	





CoJ Integrated Development Plan (IDP) and Spatial Development Framework (SDF)	City of Joburg
Joburg Growth and Development Strategy 2040 (August 2011)	City of Joburg
CoJ Bioregional Plan (October 2011)	City of Joburg

## 5.2 Guidelines Considered

- DEAT Integrated Environmental Management Information Series 1-5 and 12-15
- NEMA draft Implementation Guideline
- Western Cape DEA and Development Planning NEMA EIA Regulations Guideline and Information Document Series – Guideline on Public Participation (2007)
- IAIA guidelines
- DEA (2017), Guideline on Need and Desirability, (DEA), Pretoria, South Africa (ISBN: 978-0-9802694-4-4)
- Public Participation Guideline published in 2012 (GN 807 of 10 October 2012) in terms of section J of NEMA (NEMA, 1998).
- SAHRA Archaeology, Palaeontology and Meteorites (APM) Guidelines: Minimum Standards for the Archaeological and Palaeontological Components of Impact Assessment Reports (2007).
- International Union for the Conservation of Nature (IUCN) Red List (IUCNRedList.org 2016-2).
- Gauteng Spatial Development Framework (01 February 2011)
- Gauteng Ridges Policy (23 June 2006)
- Gauteng Conservation Plan (December 2010)
- Gauteng Environmental Management Framework (May 2015)
- Gauteng Red Data Policy (September 2001)
- CoJ Integrated Development Plan (IDP) and Spatial Development Framework (SDF)
- Joburg Growth and Development Strategy 2040 (August 2011)
- CoJ Bioregional Plan (October 2011)

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## 6 NEED AND DESIRABILITY

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The suburbs in the north of Roodepoort are among the most attractive residential areas within the City of Joburg, with houses dotted along rolling hills offering good views of the city to the east and the Magaliesberg to the west. The development fits in to the existing character of area and helps to contribute to property values in the area, strengthening the property market. Vacant land always carries the risk of illegal land invasion.

According to the IDP, the priority issues for Region C are:

- *Access to sustainable Human Settlements (i.e. houses, water, electricity.)*
- *Access to health-care services (i.e. clinics).*
- *Improved safety and security.*





- *Improved quality of roads and transport.*
- *Local Economic Development (i.e. jobs, business)*

The development of this residential home not only addresses the need for housing, but also provided employment opportunities during the construction phase and now five new permanent jobs have been created.

The site falls within the urban edge and is serviced by the City of Joburg. The majority of the adult population in this area is in the middle to the high-income bracket.

This development falls within the agricultural holdings of Farm Roodekrans 183-IQ. The building plans were approved in May 2013.

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## **7 ALTERNATIVES ASSESSED**

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Three types of alternatives could have been considered. These include layout, technology and environmental alternatives.

### Layout Alternatives:

This alternative considers the most appropriate siting of the two main buildings. It is not anticipated that there will be a significant difference in impacts if the layout had been changed considering the size of the buildings and associated infrastructure.

### Technology Alternatives:

A more significant consideration would be that of building design. The building was designed and built prior to any regulated requirements to consider energy efficiency and other sustainability concepts associated with green buildings.

### Environmental Alternatives:

The first environmental alternative relates to landscaping options. Indigenous gardening could be achieved, incorporating the flora typical of the ridge.

The second environmental alternative relates to the construction of the boundary wall. Appropriate measures could encourage ecosystem functioning by allowing movement through the property.

### **7.1 No Project Alternative**

The no project alternative would entail not using the site for the establishment of a residential home. As the home has already been constructed, it would require the rehabilitation of the site to its original condition prior to the site clearing in 2012. From certain perspectives this is not a viable option as the site is situated within an urban residential area surrounded by either upcoming or already existing residential communities. By not developing the site, the site will be anomalous in the context of the surrounding urban residential land uses, and some of the direct and indirect socio-economic benefits (i.e. job creation, housing shortages, provision of further housing aimed at the mature living market, etc.) will not materialise.



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## **8 PUBLIC PARTICIPATION**

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### **8.1 Preliminary Public Participation Process**

Prior to the submission of the S24G application, a preliminary public participation process was undertaken. A preliminary advertisement, in compliance with the requirements outlined in Annexure A, Section D of the Section 24G Fine Regulations, 2017, was placed in the Roodepoort Record on 12 July 2019. A second advertisement was placed in the Roodepoort Northsider on 2 August 2019 after it was brought to the EAP's attention that the Roodepoort Record was not the correct local newspaper to use for the relevant community.

Stakeholders and potential I&APs were identified and were notified of the preliminary advertisement via email.

The application was made available to registered I&APs seven days prior to submission to GDARD.

### **8.2 Further Public Participation Process**

A further public participation process has been undertaken as outlined in the Directive:

- An updated notice was erected at the entrance to the property.
- An updated written notice was given to the owners and occupiers of land adjacent to the site.
- An updated advertisement was placed in the Roodepoort Northsider, a local newspaper, on the 18 June 2020. GDARD agreed that due to the nature and location of the project that it was not necessary to place a second advert in a provincial newspaper (see Appendix D3 for proof of correspondence).
- Stakeholders and I&APs identified previously, were sent an updated written notice and were formally invited to register as I&APs and were provided thirty (30) day period within which to comment
- A register of Interested and Affected Parties was opened during the preliminary PPP and has been maintained.

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## **9 ENVIRONMENTAL ATTRIBUTES OF THE RECEIVING ENVIRONMENT**

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### **9.1 Climate**

According to the South African Weather Service, the City of Johannesburg has a subtropical highland climate classified as Cwb under the Köppen climatic classification. Characterized by hot, rainy days and cool evenings in summer and relatively dry sunny days and cold nights in winter, Johannesburg is generally sunny throughout the year, with winter being the sunniest season.

In winter, rainfall is minimal, with the highest reading being 20.3mm, and it only rains for an average between one day and three days across the winter months. It is, however, quite a sunny period in winter, with the sun shining for an average of nine hours per day.

In summer, the afternoons are accompanied by showers of rain with high possibilities of thunderstorms. The evenings and nights are relatively calm, and the days' temperatures have an average of 30°C with clear skies and light winds.



Spring and autumn are mildly hot and sunny throughout with relatively high rainfall and temperatures. There are warm days and cold nights and occasional rain accompanied by light thunderstorms.

The coldest month in Johannesburg is June, with an average high-temperature of 16°C and an average low-temperature of 4.1°C.

In Johannesburg, during the entire year, the rain falls for 99.3 days and collects up to 713mm of precipitation.

## 9.2 Topography and Landscape

The area forms part of the Highveld, with the suburbs in the north of Roodepoort occurring along rolling hills which offer good views of the City of Joburg to the east and the Magaliesberg to the west. The site occurs on the side slope of a Class 3 Ridge and generally falls from the South to the North with an estimated slope steepness of 1:5. The residential home is within keeping with the character of neighbouring properties. It is well below the ridgeline and does not break the horizon. There are other houses above this property.



Figure 9.1: View looking back towards the property

## 9.3 Geology and soils

According to the 1:250 000 West Rand 2728 geological map, the site is underlain by Mafic and Ultramafic rocks of the Swazian Age, bordered by quartzites or shales of the Orange Grove Formation.

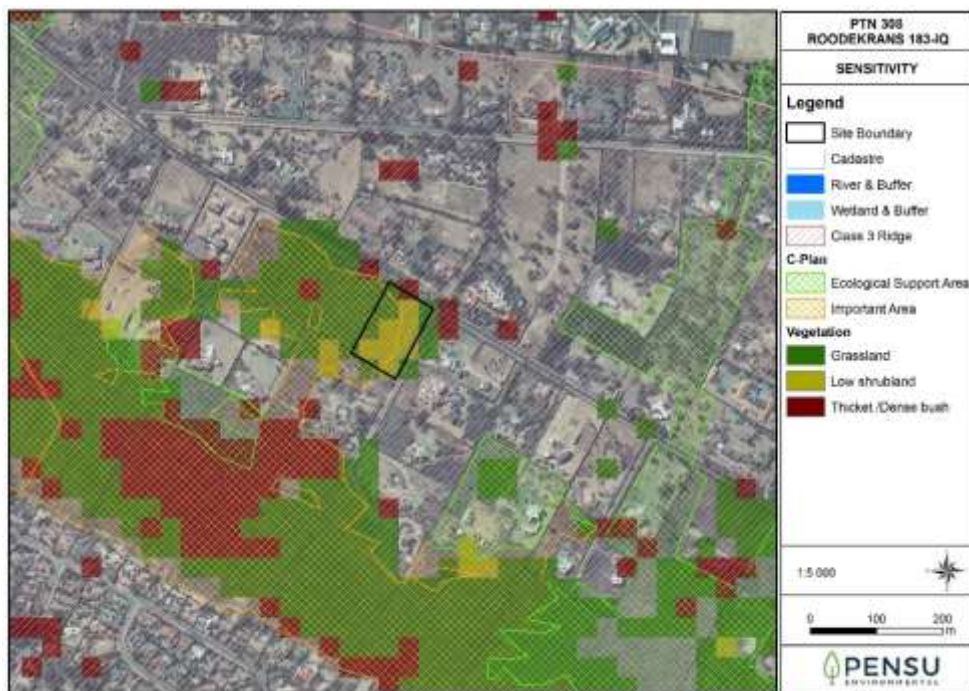
## 9.4 Fauna and Flora

The vegetation type found in the area represents typical Gold Reef Mountain Bushveld (SVcb9, Mucina & Rutherford 2009). This is the typical vegetation that is restricted to the rocky ridges of the Magaliesberg; the east-west stretching ridges of the Witwatersrand from Krugersdorp in the west to the eastern parts of Johannesburg, and also to the ridges at Suikerbosrand. Due to the great variation in topography, rockiness and soil depth, many micro-habitats occur, causing great variation in plant species composition and presence of different



plant communities. This richness in plant species and plant communities offers habitat for a variety of fauna and consequently resulting in high flora and fauna (biodiversity) richness, therefore leading to high conservation value.

Seven different parts of the Gold Reef Mountain Bushveld have been recognized and identified as Threatened Ecosystems, implying great conservation need in this vegetation type that is restricted to hills and ridges in Gauteng and North-West Province. The site is located in one of these threatened ecosystems, namely the Roodepoort Reef Mountain Bushveld, listed as Critically Endangered in the *National Environmental Management: Biodiversity Act (Act 10 of 2004) – National list of Ecosystems that are threatened and in need of Protection (Government Gazette 1002, 2011)*. The GDARD hills and ridges policy (GDARD 2001 updated) assists in conserving this Critically Endangered ecosystem.



**Figure 9.2: Sensitivity Map**





**Figure 9.3: Threatened Ecosystems Map**

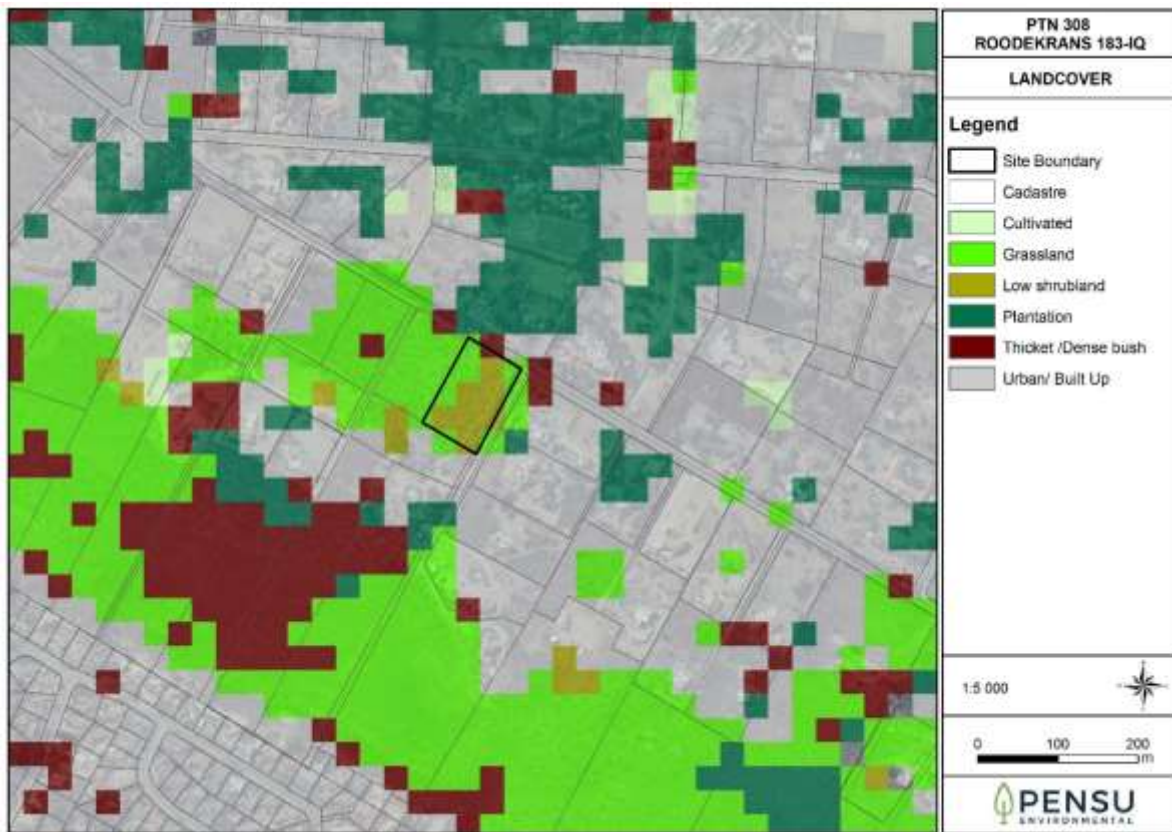
### 9.5 Land Use

The area falls within Region C of the CoJ and is well linked to the rest of the city by major roads, such as Main Reef Road, Ontdekkers Road, Beyers Naude Drive and Malibongwe Drive. The land use in the north of Roodepoort is characterised by low density residential areas with plenty of open spaces, golf courses and entertainment areas, as well as the Walter Sisulu National Botanical Garden. Picturesque natural spaces are abundant, most of which feature rocky ridges and watercourses.

The region's vast tracks of developable vacant land are vulnerable to uncontrolled and unmanaged development, land invasion, leapfrog development, illegal uses, urban sprawl and the loss of valuable agricultural lands.







**Figure 9.4: Landcover Map**

### 9.6 Socio-Economic Characteristics

The following information was taken off the City of Joburg’s website:

[https://www.joburg.org.za/about/\\_regions/Pages/Region%20C%20-%20Roodepoort/region-c.aspx](https://www.joburg.org.za/about/_regions/Pages/Region%20C%20-%20Roodepoort/region-c.aspx)

Roodepoort and its surrounding suburbs are mainly residential areas, with lower levels of economic growth compared to the central business areas of Randburg and Sandton. The region includes agricultural holdings in the north, mining in the south and commercial areas like Westgate, Constantia, Northgate, Princess Crossing and Laser Park.

Its built-up areas have a fairly even profile, with few high-rise buildings penetrating the skyline. Residential density varies, with concentrations of high densities in new residential suburbs in Wilgespruit.

Region C is part of Gauteng's Primary Urban Development Support Zone. The implications of this include the integration of the region with Joburg's southern areas and residential growth in the northwest, with infill and densification. Protection, growth and enhancement of residential areas should ensure the attraction of further investment.

While the region has good links with the Johannesburg central business district, road links with other economic hubs, such as Randburg and Sandton, are poor. This has resulted in increased traffic congestion on several secondary roads, putting pressure on residential areas. The major arterials, such as Ontdekkers Road, Hendrik Potgieter Road, Beyers Naude Drive and Christiaan de Wet Road, are seen as the backbones for development, which will involve the stimulation of economic growth, the promotion of easy access and movement, and investment for better services.



Of the region's mature population of 225 000, 65% are economically active and about 24% are of school-going age. The majority of the adult population is in the middle to the high-income bracket, with many young working individuals and small families. Around 32% of the population has a post-matric qualification.

### 9.6.1 Socio-economic implications of the activity

The expected capital value of the activity on completion is approximately R 20 million. The value of the employment opportunities generated to date is approximately R 192 000.00. Five permanent new employment opportunities have been created. One hundred percent of these employment opportunities have accrued to previously disadvantaged individuals.

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## 10 IMPACT AND RISK ASSESSMENT

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### 10.1 Assessment Methodology

#### Assessment Methodology

The significance of the potential impacts has been considered before and after identified mitigation is implemented.

The following criteria have been used to evaluate significance:

- **Nature (N):** This is an appraisal of the type of effect the activity is likely to have on the affected environment. The description includes what is being affected and how. The nature of the impact will be classified as positive or negative, and direct or indirect.
- **Extent (E):** This indicates the spatial area that may be affected (Table 10.1).

**Table 10.1: Geographical extent of impact**

Rating	Extent	Description
1	Site	Impacted area is only at the site – the actual extent of the activity.
2	Local	Impacted area is limited to the site and its immediate surrounding area and the neighbouring properties.
3	Regional	Impacted area extends to the city.
4	Provincial	Impact considered of provincial importance.
5	National	Impact considered of national importance – will affect entire country.

- **Duration (D):** This measures the lifetime of the impact (Table 10.2).

**Table 10.2: Duration of Impact**

Rating	Duration	Description
1	Short term	0 – 3 years, or length of construction period
2	Medium term	3 – 10 years
3	Long term	> 10 years, or entire operational life of project.
4	Permanent mitigated	– Mitigation measures of natural process will reduce impact – impact will remain after operational life of project.



Rating	Duration	Description
5	Permanent – no mitigation	No mitigation measures of natural process will reduce impact after implementation – impact will remain after operational life of project.

- **Intensity / severity (I):** This is the degree to which the project affects or changes the environment; it includes a measure of the reversibility of impacts (Table 10.3).

**Table 10.3: Intensity of Impact**

Rating	Intensity	Description
1	Negligible	Change is slight, often not noticeable, natural functioning of environment not affected.
2	Low	Natural functioning of environment is minimally affected. Natural, cultural and social functions and processes can be reversed to their original state.
3	Medium	Environment remarkably altered, still functions, if in modified way. Negative impacts cannot be fully reversed.
4	High	Cultural and social functions and processes disturbed – potentially ceasing to function temporarily.
5	Very high	Natural, cultural and social functions and processes permanently cease, and valued, important, sensitive or vulnerable systems or communities are substantially affected. Negative impacts cannot be reversed.

- **Degree of Reversibility (R):** This is the degree to which the impacted environment can be reversed to pristine conditions (Table 10.4).

**Table 10.4: Potential of reversibility**

Rating	Degree of reversibility	Description
5	Low	Impacts cannot be reversed to pristine environmental conditions.
3	Medium	Impacts can be replaced, with effort.
1	High	The impacted state of the environment can be reversed to pristine conditions without a doubt.

- **Potential for irreplaceable loss of resources (IR):** This is the degree to which the project will cause loss of resources that are irreplaceable (Table 10.5).

**Table 10.5: Potential for irreplaceable loss of resources**





Rating	Potential for irreplaceable loss of resources	Description
1	Low	No irreplaceable resources will be impacted.
3	Medium	Resources can be replaced, with effort.
5	High	There is no potential for replacing a particular vulnerable resource that will be impacted.

- **Probability (P):** This is the likelihood or the chances that the impact will occur (Table 10.6).

**Table 10.6: Probability of Impact**

Rating	Probability	Description
1	Improbable	Under normal conditions, no impacts expected.
2	Low	The probability of the impact to occur is low due to its design or historic experience.
3	Medium	There is a distinct probability of the impact occurring.
4	High	It is most likely that the impact will occur.
5	Definite	The impact will occur regardless of any prevention measures.

- **Confidence (Cf):** This is the level of knowledge or information available, the environmental impact practitioner or a specialist had in his/her judgement (Table 10.7).

**Table 10.7: Confidence in level of knowledge or information**

Rating	Confidence	Description
5	Low	Judgement based on intuition, not knowledge/information.
3	Medium	Common sense and general knowledge informs decision.
1	High	Scientific / proven information informs decision.

- **Consequence (Cs):** This is calculated as extent + duration + intensity + reversibility + potential impact on irreplaceable resources.

$$Cs = E + D + I + R + IR$$

- **Significance (S):** The significance will be rated by combining the consequence of the impact and the probability of occurrence (i.e. consequence x probability = significance). The maximum value which can be obtained is 100 significance points (Table 10.8).

$$S = Cs \times P$$



**Table 10.8: Significance of issues (based on parameters)**

Rating	Significance	Description
1-20	Low	Impacts are within the acceptable range.
21-40	Medium	Impacts are within the acceptable range but should be mitigated to lower significance levels wherever possible.
41-60	Medium High	Impacts are important and require attention; mitigation is required to reduce the negative impacts to acceptable levels.
61-80	High	Impacts are of great importance, mitigation is crucial.
81-100	Very high	Impacts are unacceptable.

- **Cumulative Impacts:** This refers to the combined, incremental effects of the impact, taking other past, present and future developments in the same area into account. The possible cumulative impacts will also be considered.



**Table 10.9: Quantification of impacts related to development activities**

Where N = Nature, E = Extent, D = Duration, I = Intensity, R = Reversibility, IR = Impact on Irreplaceable Resources, Cs = Consequence, P = Probability of occurrence, Cf = Confidence and S = Significance.

Environmental Component	Activity	Potential Impact	Environmental Significance Score									
			N	E	D	I	R	IR	Cs	P	Cf	S
Geology and Soil	Site clearance during construction phase	Loss of topsoil.	Without mitigation									
			-ve	2	1	2	3	3	11	2	3	22 Med
			With mitigation									
			-ve	1	1	2	1	1	6	1	3	6 Low
Geology and Soil	Site clearance during construction phase	Soil Erosion.	Without mitigation									
			-ve	2	1	2	3	3	11	2	3	22 Med
			With mitigation									
			-ve	1	1	2	1	1	6	1	3	6 Low
Flora	Site clearance during construction phase	Loss of plant species of conservation concern.	Without mitigation									
			-ve	2	3	3	3	3	14	4	3	56 Med-High
			With mitigation									
			-ve	1	1	2	3	3	10	3	3	30 Med
Flora	Site clearance during construction phase	Destruction of indigenous flora typical of the ridge.	Without mitigation									
			-ve	2	4	3	3	3	15	4	3	60 Med-High
			With mitigation									
			-ve	2	4	3	3	3	15	4	3	60 Med-High



Where N = Nature, E = Extent, D = Duration, I = Intensity, R = Reversibility, IR = Impact on Irreplaceable Resources, Cs = Consequence, P = Probability of occurrence, Cf = Confidence and S = Significance.

Environmental Component	Activity	Potential Impact	Environmental Significance Score									
			N	E	D	I	R	IR	Cs	P	Cf	S
Flora	Site clearance during construction phase	Vegetation and habitat disturbance due to the accidental introduction of alien species.	Without mitigation									
			-ve	2	2	2	3	1	10	2	3	20 Low
			With mitigation									
			-ve	1	1	1	1	1	5	1	3	5 Low
Fauna	Site clearance during construction phase	Disturbance and displacement of animals.	Without mitigation									
			-ve	2	4	3	3	3	15	4	3	60 Med-High
			With mitigation									
			-ve	2	4	3	3	3	15	3	3	45 Med-High
Fauna	Residential dwelling	Disturbance and displacement of animals.	Without mitigation									
			-ve	2	4	3	3	3	15	4	3	60 Med-High
			With mitigation									
			-ve	2	4	3	3	3	15	3	3	45 Med-High
Air Quality	Construction activities and movement of construction vehicles.	Excessive dust levels	Without mitigation									
			-ve	2	1	2	1	1	7	3	3	21 Med
			With mitigation									
			-ve	2	1	1	1	1	6	1	3	6 Low



Where N = Nature, E = Extent, D = Duration, I = Intensity, R = Reversibility, IR = Impact on Irreplaceable Resources, Cs = Consequence, P = Probability of occurrence, Cf = Confidence and S = Significance.

Environmental Component	Activity	Potential Impact	Environmental Significance Score									
			N	E	D	I	R	IR	Cs	P	Cf	S
Air Quality	Vehicles and construction machinery.	Air emissions.	Without mitigation									
			-ve	2	1	2	1	1	7	3	3	21 Med
			With mitigation									
			-ve	2	1	2	1	1	7	3	3	21 Med
Air Quality	Construction workers making fires.	Smoke from uncontrolled fires.	Without mitigation									
			-ve	2	1	2	1	1	7	2	3	14 Low
			With mitigation									
			-ve	2	1	1	1	1	6	1	3	6 Low
Noise	Construction activities	Excessive noise levels as a result of construction activities.	Without mitigation									
			-ve	2	1	2	1	1	7	2	3	14 Low
			With mitigation									
			-ve	1	1	1	1	1	5	2	3	10 Low
Aesthetics	Construction activities and development of vacant land	Reduction in visual quality.	Without mitigation									
			-ve	2	1	3	5	1	12	4	3	48 Med-High
			With mitigation									
			-ve	2	1	3	5	1	12	4	3	48 Med-High



Where N = Nature, E = Extent, D = Duration, I = Intensity, R = Reversibility, IR = Impact on Irreplaceable Resources, Cs = Consequence, P = Probability of occurrence, Cf = Confidence and S = Significance.

Environmental Component	Activity	Potential Impact	Environmental Significance Score									
			N	E	D	I	R	IR	Cs	P	Cf	S
Aesthetics	Residential dwelling	Reduction in visual quality.	Without mitigation									
			-ve	2	3	2	5	1	13	4	3	52 Med-High
			With mitigation									
			-ve	2	3	2	5	1	13	4	3	52 Med-High
Safety and Security	Construction activities	Construction employees getting injured.	Without mitigation									
			-ve	1	1	2	3	5	12	2	3	24 Med
			With mitigation									
			-ve	1	1	1	1	3	7	1	3	7 Low
Safety and Security	Construction activities	Open trenches and construction vehicles may pose a safety risk to pedestrians and animals.	Without mitigation									
			-ve	1	1	2	3	5	12	2	3	24 Med
			With mitigation									
			-ve	1	1	1	1	3	7	1	3	7 Low
Waste Management	Poor waste management practices during construction and operation	Land, air and water pollution.	Without mitigation									
			-ve	2	3	2	3	3	13	2	3	26 Med
			With mitigation									
			-ve	1	3	1	1	1	7	2	3	14 Low



Where N = Nature, E = Extent, D = Duration, I = Intensity, R = Reversibility, IR = Impact on Irreplaceable Resources, Cs = Consequence, P = Probability of occurrence, Cf = Confidence and S = Significance.

Environmental Component	Activity	Potential Impact	Environmental Significance Score									
			N	E	D	I	R	IR	Cs	P	Cf	S
Traffic	Construction activities	Increase in traffic.	Without mitigation									
			-ve	2	1	2	1	1	7	2	3	15 Low
			With mitigation									
			-ve	2	1	1	1	1	6	1	3	6 Low
Socio-Economic	Construction and operational activities	Job creation and provision of employment.	Without mitigation									
			+ve	3	3	4 (+ve)	1	1	12	4	3	48 Med-High
			With mitigation									
			+ve	3	3	4 (+ve)	1	1	12	4	3	48 Med-High
Socio-Economic	The presence of contractors on site	Increased crime	Without mitigation									
			-ve	2	1	2	1	1	7	3	3	21 Med
			With mitigation									
			-ve	2	1	1	1	1	7	2	3	14 Low
Heritage	Earthworks	Damage to archaeological items	Without mitigation									
			-ve	1	1	4	5	5	16	2	3	32 Med
			With mitigation									
			-ve	1	1	3	5	5	15	1	3	15 Low



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## 11 SUMMARY OF FINDINGS AND RECOMMENDATION OF THE SPECIALISTS STUDIES

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### 11.1 Biodiversity Assessment

The Biodiversity Assessment was undertaken by Prof G.J. Bredenkamp of EcoAgent cc. Prior to development the site of 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, City of Johannesburg was covered by natural Gold Reef Mountain Bushveld, particularly by the Critically Endangered Roodepoort Reef Mountain Bushveld. The vegetation *Protea caffra* woodland. The site is on the foot slope of the ridge. Due to differences in topography, slope, rockiness and soil depth this type of vegetation is rich in indigenous plant species and fauna.

It is noted that the neighbouring stand, to the west of the site, is still covered with the natural vegetation of the area, namely *Protea caffra*-dominated, temperate mountain bushveld. It is also noted that the stand to the north, east and south of the site have all been developed. During a vegetation survey on the undeveloped adjacent stand, still covered by natural vegetation, a rich plant species composition was recorded, though the survey did not confirm presence of the several plant and fauna species of conservation concern, that may occur in this vegetation type. The survey was however limited by season (August 2019) and large part of the vegetation had been burned shortly before the date of the survey.

Most of the general area surrounding the site has already been developed. Therefore, the vegetation (of the adjacent site, but also on Portion 308) was fairly isolated, resulting in a lower conservation value. Nevertheless, the sensitivity analysis indicated that the vegetation still has a Medium-High ecological sensitivity. This implies that conservation of at least a part of the natural vegetation on Portion 308 could have contributed to conserving a Critically Endangered ecosystem.

### 11.2 Heritage Assessment

The Heritage Assessment was undertaken by Prof AC van Vollenhoven of Archaetnos Culture and Cultural Resource Consultants. It was recommended that the project be exempted from doing a Heritage Impact Assessment (HIA). The following is applicable:

- The site is entirely developed consisting of the buildings, infrastructure and landscaped gardens.
- Any possible heritage features that may have existed would have been removed during the clearing of the site done in 2012 and 2013.

A response from PHRA-G was received, as discussed by the PHRA-G HIA Committee on 30 August 2019. It is noted that the PHRA-G HIA Committee has requested a detailed report about the site and heritage resources that were on site, to assist in making an informed decision. The report should amongst other things:

- Clearly identify and map the heritage resources on the earmarked property/ area;
- Give the historical background of the area;





- Show how the proposed work might have an impact on heritage resources;
- Outline recommendation and mitigation measures; and
- Give a report on the public participation process followed during the assessment phase.

As the site was cleared for development between 9 December 2012 and 14 July 2013, any possible heritage features that may have existed would have been removed during this time. It is therefore not possible to identify and map heritage resources on the property. The chances of finding any heritage related features are indeed extremely slim, if any. Mitigation measures will not be helpful as the development is already complete and no additional development is anticipated.

No surface deposits or skeletal remains were unearthed during excavation during construction. Historical images of the site do not indicate any structures historical or modern on the said site. It is not clear how any further detailed heritage studies will provide additional information that will change the status of any heritage resources.

The public participation that is to be followed for the environmental process will provide opportunity for Interested and Affected Parties (I&AP's) to comment on heritage matters regarding the property. The advertisement for the environmental process will incorporate the requirements of the heritage assessment (including advertisement in the newspaper). The said advertisement and any heritage related comments received will be submitted to PHRA-G for review.

PHRA-G has therefore been requested to reconsider their request for a detailed report and exempt this development from doing an HIA.

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## 12 ENVIRONMENTAL IMPACT STATEMENT

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A summary of the impact assessment is presented in the table below. This provides an indication of the significance of the rating of impacts without and with mitigation measures.

**Table 12.1: Summary of impact assessment**

Possible Impacts	Significance rating of impacts (Low, Medium, Medium-High, High, Very High):	
	Without mitigation	With mitigation
Geology and Soil - Loss of topsoil.	Medium	Low
Geology and Soil - Soil Erosion.	Medium	Low
Flora - Loss of plant species of conservation concern.	Medium-High	Medium
Flora - Destruction of indigenous flora typical of the ridge.	Medium-High	Medium-High
Flora - Vegetation and habitat disturbance due to the accidental introduction of alien species.	Low	Low



Possible Impacts	Significance rating of impacts (Low, Medium, Medium-High, High, Very High):	
	Without mitigation	With mitigation
Fauna - Disturbance and displacement of animals. (Construction & Operational)	Medium-High	Medium-High
Air Quality - Excessive dust levels.	Medium	Low
Air Quality - Air emissions.	Medium	Medium
Air Quality - Smoke from uncontrolled fires.	Low	Low
Noise - Excessive noise levels as a result of construction activities.	Low	Low
Aesthetics - Reduction in visual quality. (Construction & Operational)	Medium-High	Medium-High
Safety and Security - Construction employees getting injured.	Medium	Low
Safety and Security - Open trenches and construction vehicles may pose a safety risk to pedestrians and animals.	Medium	Low
Waste Management - Land, air and water pollution. (Construction & Operational)	Medium	Low
Traffic - Increase in traffic during construction.	Low	Low
Socio-Economic - Job creation and provision of employment. (Construction & Operational)	Medium-High (+ve)	Medium-High (+ve)
Socio-Economic - Increased crime	Medium	Low
Heritage - Damage to archaeological items	Medium	Low

As was noted in the biodiversity assessment, a critically endangered ecosystem was destroyed through the development of the residential home. However, most of the general area surrounding the site, which falls within the same critically endangered ecosystem, has already been developed. The remaining vegetation of the adjacent site is fairly isolated, even if Portion 308 was not developed, resulting in a lower conservation value. Nevertheless, the sensitivity analysis indicated that the vegetation still has a Medium-High ecological sensitivity. This implies that conservation of at least a part of the natural vegetation on Portion 308 could have contributed to conserving a critically endangered ecosystem.

The operation of high income households is resource intensive, using a high volume of water and electricity, as well as generating high volumes of waste. This was confirmed in a study by Senatla, Energy Research Centre, University of Cape Town (2011) who found that high income households consumed more energy than the middle and low income households.



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## 13 CONCLUSION AND RECOMMENDATIONS

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This Environmental Impact Report is in response to the requirements specified in the Directive that was issued by GDARD on 21 February 2020.

The activity was undertaken in ignorance. Guidance had been sought from the local authority who failed to alert the applicant of his need to consult other relevant authorities to confirm what authorisations and/ or permits were necessary for this particular application.

With the necessary input, mitigation measures would have reduced the impact of the development on the environment, and in particular, could have contributed to the conservation of a Critically Endangered ecosystem.

Retrofitting of resource efficient and environmentally responsible materials and processes could be considered on all future renovations. In the immediate term, measures could be undertaken to change lifestyle habits to ensure the efficient use of resources such as water and energy. These measures might include a recycling programme, rain water harvesting, reuse of grey water etc.

One may consider rehabilitating a portion of the current lawn to a more natural state by designing a landscape similar to that which has been lost. The area indicated in red in Figure 13.1 below amounts to 700m<sup>2</sup>. While this area is limited in size and is isolated from the surrounding vegetation, it may still contribute to conserving the critically endangered ecosystem. It will not be possible to completely rehabilitate this portion of the site, because of possible alterations to the soil, rocky substrate etc. The ridge vegetation will also result in some maintenance implications as the new landscape will not burn nor be grazed.

The site was cleared of *Protea caffra*, which is a protected species in Gauteng, according to Transvaal Nature Conservation Ordinance 12 of 1983. However, according to the SANBI website, the cultivation of *Protea caffra* has so far proven to be difficult. The germination of seed in cultivation is possible, although transplanting quickly kills the seedlings. Mature sugarbushes in gardens where the original, natural vegetation has been retained also eventually succumb (refer to photo 11 and 12 of Appendix C1). This may be due to the disturbance of the roots, too much water and sensitivity to fertilisers.

While the procurement and relocation of *Protea caffra* may be very challenging (potentially impossible), there are many other tree species listed for the vegetation type that can be planted, in addition to forbs and grasses indigenous to the area.

The rehabilitation of this portion of the site would also result in water conservation as the indigenous vegetation would not require the same volume of irrigated water as the current kikuyu lawn requires.





**Figure 13.1: Area that could potentially be rehabilitated**

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## 14 LITERATURE

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## 15 APPENDICES

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The following appendices are attached to this report:

Appendix A:	Directive issued by GDARD
Appendix B:	Site Plans
Appendix B1:	Approved Site Plan
Appendix B2:	Approved Sections of the New Entertainment Area
Appendix B3:	Approved Elevations of the New Entertainment Area
Appendix B4:	Approved Entertainment Area First Floor
Appendix C:	Photographs
Appendix C1:	Current photographs of the site
Appendix C2:	Google Earth Timeline (2007 – 2019)
Appendix D:	Public Participation
Appendix D1:	Updated written notification
Appendix D2:	Proof of site notice
Appendix D3:	Proof of newspaper advertisement
Appendix D4:	Communications to and from interested and affected parties
Appendix D5:	Copy of the register of I&APs
Appendix E:	Specialist studies
Appendix E1:	Fauna and Flora Study
Appendix E2:	Heritage Impact Assessment Exemption Letter
Appendix F:	Other permits (PHRA-G & SEMAs)
Appendix F1:	Correspondence with PHRA-G
Appendix F2:	Applicability of Specific Environmental Management Acts to this activity
Appendix F3:	Certificate of Occupancy
Appendix F4:	Municipal Account
Appendix F5:	Borehole Certificate
Appendix G:	Financial Considerations
Appendix H:	Operational EMPr
Appendix I:	EAP Curriculum Vitae
Appendix J:	Sworn affidavit by the EAP





## 15.1 Appendix A: Directive issued by GDARD



### GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT  
REPUBLIC OF SOUTH AFRICA

Enquiries: Tshildzi Masindi / Phindy Malaza  
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Reference: S24G/03/19-20/0466

#### BY HAND AND EMAIL

**Mr Rotondwa Praise Ragimana**  
The RPR Family Trust  
430 Totius Road  
Roodekrans  
Roodepoort  
1724

Tel: (083) 597 4872  
E-Mail: [Ragimana@hotmail.com](mailto:Ragimana@hotmail.com)

Dear Sir

**DIRECTIVE IN TERMS OF SECTION 24G (1) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998, AS AMENDED ("NEMA"): UNLAWFUL CLEARANCE OF INDIGENOUS VEGETATION FOR THE PURPOSE OF DEVELOPMENTING A RESIDENTIAL HOUSE ON PORTION 308 OF THE FARM ROODEKRANS 183-IQ, ROODEPOORT, CITY OF JOHANNESBURG MUNICIPALITY ("THE SITE")**

#### INTRODUCTION

1. Your application for authorisation in terms of Section 24G of NEMA received by this Department on 26 August 2019 ("the Application"), for the continuation of the listed activities indicated below which commenced unlawfully in December 2012 refers.

#### 2. Details of relevant listed activities:

Listed activity in terms of Listing Notice 3 of 2010 NEMA as amended	Listed activity in terms of Listing Notice 3 of 2014 NEMA as amended 107 of 1998) (the "NEMA")	Activity details (clear description including extent i.e. GPS coordinates)	Timeframes when physical activity commenced
--	--	--	---

Tel: (011) 240 2500 | Fax: 088 420 1020  
56 Buell Street, Umhatho House, Johannesburg, 2010 | PO Box 8799, Johannesburg, 2009  
[www.gauteng.gov.za](http://www.gauteng.gov.za) | Hotline: 0800 11020



<p><b>Activity 12</b></p> <p>The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>(b) Within critical biodiversity areas identified in bioregional plans.</p>	<p><b>Activity 12</b></p> <p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>c. Gauteng ii. Within Critical Biodiversity Areas or Ecological Support Areas Identified in the Gauteng Conservation Plan or bioregional plans; or</p>	<p>activity entails the clearance of indigenous vegetation for the purpose of development of a residential house, on Portion 308 of the farm Roodekrans 183-Iq, Roodepoort, City of Johannesburg Municipality</p> <p><b>Coordinates:</b> Longitude: 27° 51' 23.33" E Latitude: 26° 5' 45.08" S</p> <p>The site is approximately 8 596.23 m<sup>2</sup> in extent.</p>	<p>The activity commenced for the first time on December 2012.</p>
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3. As is evidenced by the application, Mr. Rotondwa Praise Ragimana (The Applicant) commenced with the above-mentioned activities, which were, at all relevant times, listed pursuant to section 24(2) of NEMA as activities that require an Environmental Authorisation ("EA") in terms of the NEMA Environmental Impact Assessment Regulations read with the relevant Listing Notices before it may be commenced with.
4. Please note that the Department does not promote any unlawful commencement of activities listed under any Regulation promulgated in terms of Sections 24 and 44 of the NEMA and Section 19 of the National Environmental Management: Waste Act 59 of 2008 ("NEM: WA") hence Applicants must understand that lodging an application in terms of section 24G of NEMA does not necessarily imply that the activity can continue or even be authorised to continue.

#### FINDINGS

5. The Department refers to the following:
  - 5.1. The section 24G application dated 26 August 2019 submitted to this Department by PENSU Environmental Consulting(Pty) Ltd;
  - 5.2. Notice of intention to issue a compliance notice from Department of Agriculture and Rural Development (GDARD) dated 14 March 2017;
  - 5.3. The findings of the site inspection conducted by Environmental Management Inspectors ("EMIs") on 29 October 2019 of which the following were noted:

S24G/03/18-19/0466: Directive in terms of Section 24G (1) of NEMA: Unlawful Clearance of Indigenous Vegetation for the purpose of development a residential House on Portion 308 of the Farm Roodekrans 183-IQ, Roodepoort, City of Johannesburg Municipality





- (a) The activity entails the clearance of indigenous vegetation for the purpose of constructing a residential house.
- (b) The area inspected shows relatively high level of disturbance, signs includes:
  - (i) Two main structures, the main house and entertainment area was observed;
  - (ii) Brick fence around the property;
  - (iii) Paved driveway;
  - (iv) Landscaped garden with grass and flowers; and
  - (v) Swimming pool.
- (c) All vegetation on site have been cleared and the area been transformed.

5.4. Furthermore, to the above, the Environmental Assessment Practitioner ("EAP") confirmed that

- a) The clearance was done to build a family house;
- b) Commencement of removal of the vegetation was done between 9 December 2012 and 14 July 2013;
- c) Clearance resulted in approximately 8500m<sup>2</sup> of indigenous vegetation being permanently eradicated;
- d) It is confirmed that construction on site is completed; and
- e) There is no environmental authorisation obtained from the Department for clearance of indigenous vegetation.

#### INSTRUCTIONS

- 6. In view of your application, I, Abimbola Olowa, in my capacity as a Grade 1 EMI, hereby issue you, Mr. Rotondwa Praise Ragimana, with this Directive in terms of section 24G(1) of NEMA. The Directive I am issuing will enable the Department to make an informed decision regarding your application as well as the administrative fine amount. You are therefore required to follow the process set out below and to submit the information requested herein to the Department within the stipulated timeframes.
- 7. Following the above, it must be noted that -
  - (a) This Department does not in any way promote the continuation of any activity commenced without an authorisation as required in terms of the environmental legislation. To this effect this Department places on record that it exonerates itself from any liability that is related to any unforeseen activities or incidents that may occur on site as a result of the development or activities undertaken.
  - (b) In voluntarily submitting the section 24G application you acted in *bona fide* and illustrated your commitment to complying with the legal prescripts associated with the activity undertaken.
  - (c) Further, the Department's information base, more specifically the Geographical Information System (GIS) identified that the site is located within a Critical biodiversity Area and Important Area.
  - (d) The activity is undertaken within Zone 2 of **High control zone (within the urban development zone)** where sensitive areas within the urban development zone must be

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conserved as indicated by the Gauteng Provincial Environmental Management Framework.

- (e) Although Section 24G of NEMA provides for an opportunity to authorise the unlawfully commenced activity, it must however be noted that an application submitted in terms section 24G does not imply that the activity applied for will be authorised and allowed to continue, hence issuing of this directive does not imply that the activity will, at the end of the process, be authorised and/or allowed to continue.

8. In view of the above, I hereby direct you as follows:

- 8.1.** Immediately (**on receipt of this Directive**) cease with any activity or process that may cause pollution or environmental degradation, which has not been authorised in terms of the law.
- 8.2.** The activity applied for **MUST NOT** be expanded in any way beyond the current scope pending the finalisation of the section 24G process, as expansion of the activity may change the nature and extent of the activity as applied for in the submitted section 24G application, and consequently impact on the final decision to be made by the Department.
- 8.3.** Within **thirty (30) days of the date of receipt of this Directive**, control, contain and prevent any pollution observed on site that may have occurred as a result of the activity, and ensure that environmental management measures to manage any pollution or degradation that may occur as a result of the activity commenced with onsite are put in place.

The report on the measures implemented must be included in the final report to be submitted to the Department. All the copies of these reports must be kept on site and be available upon request by the EMIs or any relevant authority.

- 8.4.** Immediately comply with all the instructions made in this directive. Please be advised that this Directive should not be construed to be an environmental authorisation from the Department. Should there be any non-compliance discovered during the Section 24G process, then a decision to cease with the activities will be issued and the MEC or the delegated authority may decide whether to refer the matter for criminal proceedings.
- 8.5.** Within **four (4) months** from the date of receipt of this Directive, investigate, evaluate and assess the impact of the activities on the environment and compile a report containing the information requested below.
- 8.6.** Appoint an Environmental Assessment Practitioner ("EAP") and compile an Environmental Impact Report ("EIR") containing the following:

**8.6.1. The Appointed EAP must provide the following:**

- 8.6.1.1.** In the introductory section of the report, the details of the EAP who compiled the report must be clearly indicated. The expertise of the EAP with specific reference to undertaking public participation processes ("PPP"), the translation of scientific

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reports into an environmental impact report; understanding and interpretation of financial information must be included upfront within this section of the report.

- 8.6.1.2.** A sworn affidavit by the EAP that the information provided to the Department was at no stage influenced by the Applicant and that the EAP has explained the potential consequences of submitting this application.

**8.6.2. Public Participation Process ("PPP")**

Please note the PPP conducted prior to the submission of the Application is considered to be a preliminary notification to the public of the intention of the Applicant to submit a section 24G application. You are therefore directed to further conduct a PPP as indicated below.

- (a) Interested and affected parties must be afforded a further thirty (30) day comment period from the date of advertisement/notice. The EAP must ensure that the comments of I&APs are recorded in reports and the written comments, including records of meetings, are attached to the EIR referred to be submitted.
- (b) A description of the subsequent PPP followed during the course of compiling the report, including all additional comments received from Interested & Affected Parties ("I&AP's"), and an indication of the manner in which these were addressed must be submitted to the Department by the EAP.
- (c) The following, amongst others, must be indicated in the advert/notice –
  - (i) the Department's reference number for the section 24G application.
  - (ii) the specific listed activities, as confirmed in paragraph 2 above must be indicated in the advert.

- 8.6.2.1.** An updated notice must be given to all potential I&APs by fixing a notice board at a place conspicuous to the public at the boundary or on the fence of where the activity occurred (refer to the attached advertising guideline on Annexure A).

**8.6.2.2.** An updated written notice must be given to-

- (a) the owner or person in control of that land if the Applicant is not the owner or person in control of the land;
- (b) the occupiers of the site where the activity is being undertaken, was undertaken, or is to be undertaken;
- (c) owners and occupiers of land adjacent to the site where the activity is being undertaken, was undertaken, or is to be undertaken;
- (d) any organisation of ratepayers that represent the community in the area;
- (e) the municipal councillor of the ward in which the site is situated and/or the municipality which has jurisdiction in the area. The Environmental Component of the relevant Municipality must be formally invited to register as I&AP and be provided a thirty (30) day period within which to comment on the application for rectification. A copy of their comments and/or objections must be submitted along with the information requested above; and
- (f) any organ of state having jurisdiction in respect of any aspect of an activity triggered.





- 8.6.2.3.** The updated notice and notice board must include colour photographs of the site, each illegal activity and transgression point (please refer to the Annexure A for Site Notice).
- 8.6.2.4.** An updated advertisement must be placed in at least one local and one provincial newspaper (refer to the attached advertising guideline). Proof of the publication of the notice, placement of the notice on site and notifications must be submitted.
- 8.6.2.5.** The updated notice, notice board and newspaper advertisement referred to above must include the following—
- (a) details of the application which is subjected to public participation;
  - (b) details of the Competent Authority ("CA") to whom the application has been submitted to;
  - (c) a statement that **the activities have commenced illegally and that the application is for *ex post facto* authorisation in respect of the illegal activities;**
  - (d) a list of illegal activities commenced and/or undertaken without approval;
  - (e) the nature and location of the activity to which the application relates;
  - (f) where further information on the application or unlawful activity can be obtained; and
  - (g) the manner in which, and the person to whom, representations in respect of the application may be made by interested and affected persons.
- 8.6.2.6.** A description of the manner in which disadvantaged persons (e.g. instances of illiteracy, disability, etc.) were accommodated in the PPP.
- 8.6.2.7.** A register of I&APs must be opened and maintained, which contains the names, contact details and addresses of—
- (a) all persons who, as a consequence of the PPP conducted in respect of the application, have submitted written comments or attended meetings with the Applicant or EAP;
  - (b) all persons who, after completion of the PPP have requested the Applicant or the EAP managing the application, in writing, for their names to be placed on the register; and
  - (c) all organs of state which have jurisdiction in respect of the activity to which the application relates.
- 8.6.2.8.** The EAP may give access to the register to any person who submits a request for access in writing. This may be done upon agreement with the registered I&APs.

**The PPP will be considered sufficient in the event that the above requirements are met and the EAP has submitted proof thereof.**

### **8.6.3. Scientific Reports and Other Requirements**

- 8.6.3.1.** A detailed description of all the activity that was undertaken on site in terms of this application including, but not limited to:

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- (a) A description of the need and desirability of the activity;
  - (b) A site layout plan indicating the location and physical footprint (in square meters) of all developed infrastructure and structures associated with the listed activities applied for;
  - (c) A detailed description of the storm water management system currently operational on site, as well as pollution prevention measures surrounding the facility and the adequacy thereof;
  - (d) Discussion on any other permit(s) obtained regarding the activity. Copies of such permit(s) must be attached to the report;
  - (e) A4 (210mm x 297mm) colour photographs of the affected site from various angles
- 8.6.3.2.** A description of the environment that has been and may further be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects have been and may further be affected by the activity;
- 8.6.3.3.** An assessment of the nature, extent, duration, impact and significance of the consequences for or impacts on the environment of each of the activities unlawfully commenced with, and the cumulative impacts on the environment must also be discussed. An indication of the methodology used in determining the significance of actual and/or potential environmental impacts must be outlined. The effects of the activity on the affected community must be described;
- 8.6.3.4.** An operational Environmental Management Programme ("EMPr") including—
- a) details of the person who prepared the EMPr;
  - b) the expertise of the person who prepared the EMPr;
  - c) the name and contact details of the person or Environmental Control Officer ("ECO") responsible for the monitoring of compliance to the EMPr;
  - d) information on all mitigation measures undertaken, or that will be taken to address the environmental impacts that have been identified in the EIR, including environmental impacts or objectives in respect of—
    - (i) operation or undertaking of the activity;
    - (ii) maintenance of the structures on site
    - (iii) rehabilitation plan of the environment; and
    - (iv) closure.
  - e) proposed mechanisms and frequency for monitoring compliance with and performance assessment against the environmental management programme and reporting thereon.
- 8.6.3.5.** All specialist reports must have the following details:
- (a) the person who prepared the report; and
  - (b) the expertise of that person to carry out the specialist study or specialised process;
  - (c) a declaration that the person is independent in a form as specified by the competent authority;
  - (d) an indication of the scope of and the purpose for which the report was prepared;

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- (e) a description of the methodology adopted in preparing the report or carrying out the specialised process;
- (f) a description of any assumptions made and any uncertainties or gaps in knowledge;
- (g) a description of the findings and potential implications of such findings on the activity, including identified alternatives, on the environment;
- (h) recommendations in respect of any mitigation measures that should be considered by the Applicant and the CA;
- (i) a description of any consultation process that was undertaken during the course of carrying out the study; and
- (j) a summary and copies of any comments that were received during any consultation process.

**8.6.3.6.** All environmental management measures introduced and implemented as instructed in paragraph 8.3 above must be reported on and submitted as part of this report.

**8.6.3.7.** Please be advised that if any section of the Specific Environmental Management Acts is applicable to your activity; you are requested to furnish this Department with a written comment from the relevant authority. In the event that this is not the case, the EAP managing the project must inform this Department accordingly, in writing.

#### **8.6.4. Financial Considerations**

As stated above, this application is subject to a fine not exceeding R5 000 000.00 (five Million Rand) to be determined by the CA. In order to provide the CA with a description of the financial profile of the Applicant to assist in this determination, the following is required.

**8.6.4.1.** A report compiled by a suitably qualified financial expert in which an assessment of the financial advantage gained, including any profits derived, by the Applicant as a result of the contravention is detailed.

**8.6.4.2.** Where the Applicant is a juristic person, the annual financial statements over the preceding three-year period or, for the period from the date of commencement until the submission of this application, whichever is the longer; compiled by an independent and accredited accountant/auditing firm.

**8.6.4.3.** Where the person is an individual, bank statements of that person for the preceding three-year period or for the period from the date of commencement until the submission of this application, whichever is the longest.

#### **PROCEDURE**

**9.** The information requested above must be contained in a **single report**. Please ensure that the report is complete and set out in the format above and reflects the correct Departmental reference number **[S24G/03/19-20/0466]**.

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10. The application for authorisation for the continuation of activities that commenced/ was undertaken unlawfully is subject to the payment of an administrative fine that may not exceed five million Rand (R5, 000,000.00). You will be informed of the amount of the fine once the above requirements have been complied with, and information requested has been submitted to, and considered by, this Department.
11. All information required above, including proof of public participation and copies of objections/comments must be submitted in one electronic copy (CD/DVD) and two hard copies. The information must reach this Department within **four months** of receipt of this directive. Should the Department not receive this information **within the four months' period** or at least receive a request for an extension of time within the two months period, your section 24G file will be closed and there will be no further opportunity for you to obtain authorisation for the continuation of the activity that commenced/ was undertaken or conducted unlawfully (refer to table above).
12. An affidavit deposed to by the Applicant/a person duly authorised by the Applicant to depose thereto, explaining why the Applicant did not obtain an EA prior to commencing with the activity and a commitment that no activities listed under the sub-regulations promulgated in terms of sections 24 and 44 of the NEMA and sections 19 and 69 of the NEM: WA would be undertaken in future within the Gauteng Province without written approval from GDARD. It is acknowledged that this affidavit may not be used in any associated criminal prosecution with regards to this application. The affidavit must be submitted as part of the report.
13. Activities which result in detrimental impacts to the environment are considered in a serious light by the CA and accordingly Applicants must understand that by lodging an application for the continuation of activities that commenced/ was undertaken unlawfully does not necessarily imply that the activity will be authorised. In terms of the NEMA, the MEC may either refuse to issue an EA, conditionally authorise the activity or direct you, the Applicant, to provide further information or take further steps prior to making a decision.
14. Please note that an EA obtained pursuant to an application in terms of section 24G of NEMA shall only take effect from the date on which it has been issued.
15. The instructions contained herein are made in the interest of responsible environmental management and with a view to a co-operative resolution of this issue. Depending on the outcome of the representations made in this regard, the Department will decide upon a way forward on the submitted section 24G application. The submission of the requested information above does not imply that no further action would be taken against you.
16. Further note that the Department complies with the legislative provisions in the Promotion of Access to Information Act, 2000 (Act 2 of 2000) (PAIA). Hence any information provided in the report will only be utilised by the Department for the purpose of processing your S24G application. To this effect the information provided in the reports will not be made available for public consumption without the approval of the Department's PAIA Officer and this will be done completely in compliance with the requirements of the PAIA.

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**ADDITIONAL FACTORS TO BE CONSIDERED:**

17. Section 24G of the NEMA, without affecting any criminal liability of a person who has acted in contravention of the above, makes provision for that person to submit an application to the relevant MEC, which, if successful, will enable that person lawfully to continue with the listed activity and/or legalise an otherwise unlawful structure.
18. In terms of Section 24G (4) of NEMA, as amended, the MEC may, before taking a decision in respect of the application, provide that the Applicant pay an appropriate administrative fine, determined by the competent authority, which may not exceed five million Rand (R5 000 000.00) per listed activity unlawfully commenced.
19. It is the responsibility of the Applicant to familiarise himself with all the possible consequences associated with the submission of this application including, but not limited to, the following:
- a. This application (including a positive decision in respect hereof) in no way affects any criminal liability that the Applicant may have incurred in respect of the activities which were commenced, undertaken and/or conducted unlawfully as listed in paragraph 1 above, and in respect of which this application relates.
  - b. The submission of an application in terms of section 24G of NEMA does not, in any way, derogate from the EMIs or the South African Police Services' authority to investigate any transgression in terms of NEMA or any Specific Environmental Management Act and the National Prosecuting Authority's legal authority to institute any criminal prosecution.
  - c. This application may be deferred pending the outcome of criminal proceedings, should criminal proceedings be instituted against the Applicant in respect of the abovementioned activities; or where criminal proceedings are pending against the Applicant in respect of a similar contravention of section 24F of NEMA or section 20(b) of NEM: WA.
  - d. Before the CA may take a decision on the application, an administrative fine determined by the competent authority must be paid, in full, by the Applicant.
  - e. That neither the submission of this application, nor the payment of the administrative fine implies that authorisation will be issued for the continuation of activity/activities that commenced, undertaken and/or conducted unlawfully. The MEC or delegated authority may therefore decide to either:
    - i. refuse an authorisation and direct the activity to cease and for the environment to be rehabilitated;
    - ii. issue an authorisation with conditions; or
    - iii. issue a directive requesting further information.
  - f. The decision will depend on the merits of the application itself.
20. Please note that the Department:
- a) Reserves the right to withdraw or amend this Directive based on new or revised information received;
  - b) Reserves the right to take any further action against you regarding the illegal activities commenced with on site; and
  - c) Places on record that it exonerates itself from any liability that is related to any unforeseen activities or incidents that may occur as a result of the illegal development or activities.



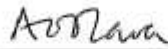
## OFFENCES AND PENALTIES

21. Commencement of a listed activity without an Environmental Authorisation is an offence in terms of section 49A (1)(a) read with section 24F of NEMA.
22. Upon conviction for such an offence, a person is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and such imprisonment, in addition to any other penalty or award that may be imposed or made in terms of the National Environmental Management Act.
23. Failure to comply with this Directive is an offence in terms of section 49A (1)(g) of NEMA. A person convicted of this offence is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine or imprisonment.
24. The information requested above must be submitted by hand and addressed to:

Gauteng Department of Agriculture and Rural Development  
Attention: Ms Maryjane Ramahlodi  
S24G Unit Manager: Enforcement  
20<sup>th</sup> Floor Umnotho House  
56 Eloff Street, Marshalltown,  
Johannesburg  
2000

25. The Department is available to provide guidance in relation to this process. Please do not hesitate to contact the official mentioned for enquiries should you have any questions in respect of the content of this directive.

Signed on this 21<sup>st</sup> day of February.....2020 at Johannesburg.....



**MS ABIMBOLA OLOWA**  
**GRADE 1 ENVIRONMENTAL MANAGEMENT INSPECTOR**  
**CHIEF DIRECTOR: COMPLIANCE AND ENFORCEMENT**

cc: PENSU Environmental (Pty) Ltd

Attn: **Natalie Pullen**  
Email: [natalie@pensu.co.za](mailto:natalie@pensu.co.za)

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**ACKNOWLEDGEMENT OF RECEIPT:**

Received by Mr/Ms \_\_\_\_\_

On behalf of the company \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_ 2020, at \_\_\_\_\_

Signature: \_\_\_\_\_

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## ANNEXURE A

### GAUTENG DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

#### STANDARD ADVERTISING REQUIREMENTS FOR UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE NEMA ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS 2019

This Department requires the proponent applying for rectification to place an advertisement in a local or regional newspaper for one day. The wording for such an advertisement follows although alterations to format to improve readability are acceptable. The advertisement must allow thirty (30) days for interested and affected parties to comment and to submit objections in this regard. A copy of this advert and a summary of comments and issues raised, as well as the proponent's response thereto, must be submitted to the Gauteng Department of Agriculture and Rural Development, for the attention of the Section 24G Deputy Director: GDARD, as soon as the thirty days are over.

A site notice, A2 (594 x 420 mm) or larger in size with the same conditions must also be erected. This notice must be displayed prominently on the site and must be protected from the weather such that the notice is clearly visible for the entire public participation period. Positioning of the notice must be in accordance with the relevant Local Authority's by-laws.

Please note that in order to ensure and promote transparency:

- a. The newspaper advertisement must NOT be placed on a Public or School Holiday.
- b. The thirty days excludes school holidays but include normal weekends.
- c. The activity applied for must be written in line with the activity as listed in terms of Regulations 983/984/985 of NEMA of the the Environmental impact Assessment Regulations, .e.g.:
  - a. The activity listed in terms of Listing Notice 1 of 2014 as amended

**Activity 19:** The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from-

(i) a watercourse;

(ii) the seashore; or

(iii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater

- b. The Department will not consider proof of advertisements submitted before the 30-day period has lapsed.
- c. The Department would not consider a Public Participation Process that does not conform to the requirements as indicated in this advertising guideline.

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## A. EXAMPLE OF A NEWSPAPER ADVERTISEMENT

### NOTICE OF APPLICATION FOR CONSEQUENCES OF UNLAWFUL COMMENCEMENT OF LISTED ACTIVITY/IES

#### **UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS AND IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO. 107 OF 1998, AS AMENDED)**

Notice is given, in terms of Section 24(G) read with section 24(F) of the National Environmental Management Act 107 of 1998 (as amended) that the Gauteng Department of Agriculture and Rural Development:

- a. is considering an application for authorisation by *(Name of company)* in terms of Sections 24(G) and 24(F) of the National Environmental Management Act 107 of 198 (as amended);
- b. for the unlawful commencement of activities listed under Government Notice R545 of 2010 as corresponds with Government R984 of 2014 (as amended) for:
  - Name of project (include province's reference number, i.e. 'S24G/...')*
  - Project description (as listed in terms of the EIA Regulations)*
  - Location*
  - Date of placement of notice*
  - Date of commencement of the listed activity.*

Queries regarding this matter must be referred to:

- (Name of company)*
- (Name of contact person)*
- (Telephone number, Fax number and postal details)*

The draft Environmental Impact Report and other information is available for comments at the following place: **[insert address where the draft EIR will be available]** and [time]. Parties wishing to formally comment on the draft EIR are requested to register and forward their comments (*with reasons*) to *[Name of Company]* as indicated above no later than thirty days after the publication of this site notice. Comments must be copied to:

The Head of Department: Department of Agriculture and Rural Development  
Attention: Ms. Maryjane Ramahlodi: Section 24G Unit Manager: GDARD  
P.O. Box 8769, Johannesburg, 2000  
Tel: (011) 240 3020;  
E-mail: [Maryjane.ramahlodi@gauteng.gov.za](mailto:Maryjane.ramahlodi@gauteng.gov.za),  
[Omolayo.llemobade@gauteng.gov.za](mailto:Omolayo.llemobade@gauteng.gov.za)  
[Phindy.malaza@gauteng.gov.za](mailto:Phindy.malaza@gauteng.gov.za)

no later than thirty days after the publication of this advertisement (date of advertisement).

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## B. EXAMPLE OF A SITE NOTICE:

### NOTICE OF APPLICATION FOR CONSEQUENCES OF UNLAWFUL COMMENCEMENT OF LISTED ACTIVITY/IES

#### UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO. 107 OF 1998, AS AMENDED)

Notice is given, in terms of Section 24(G) read with sections 24(F) of the National Environmental Management Amendment Act (as amended) that the Gauteng Department of Agriculture and Rural Development:

- a. is considering an application for rectification by *(Name of company)* in terms of Sections 24(G) and 24(F) of the National Environmental Management Act 107 of 198 (as amended);
- b. for the unlawful commencement of activities listed in terms of the Environmental Impact Assessment Regulations under the sub-regulations of Government Notice R983 and R985 of 04 December 2014 promulgated in terms of sections 24 and 44 of the NEMA, as amended: for
  - Name of project (include province's reference number, i.e. 'S24G/...')*
  - Project description (as listed in terms of the EIA Regulations)*
  - Location*
  - Date of placement of notice*
  - Date of commencement of the listed activity).*

Queries regarding this matter must be referred to:

- Contact name*
- Company*
- Telephone Number*
- Postal Details*

The draft Environmental Impact Report and other information is available for comments at the following place: **[insert address where the draft EIR will be available]** and [time]. Parties wishing to formally comment on the draft EIR are requested to register and forward their comments (*with reasons*) to *[Name of Company]* as indicated above no later than thirty days after the publication of this site notice. Comments must be copied to:

The Head of Department: Department of Agriculture and Rural Development  
Attention: Ms. Maryjane Ramahlodi: Section 24G Unit Manager; GDARD  
P.O. Box 8769, Johannesburg, 2000  
Tel: (011) 240 3020;  
E-mail: [maryjane.ramahlodi@gauteng.gov.za](mailto:maryjane.ramahlodi@gauteng.gov.za),  
[Omolayo.llemobade@gauteng.gov.za](mailto:Omolayo.llemobade@gauteng.gov.za)  
[Phindy.Malaza@gauteng.gov.za](mailto:Phindy.Malaza@gauteng.gov.za)

no later than thirty days after the publication of this advertisement (date of advertisement).

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Appendix B: Site plan(s)

Appendix B1: Approved Site Plan

Appendix B2: Approved Sections of the New Entertainment Area

Appendix B3: Approved Elevations of the New Entertainment Area

Appendix B4: Approved Entertainment Area First Floor





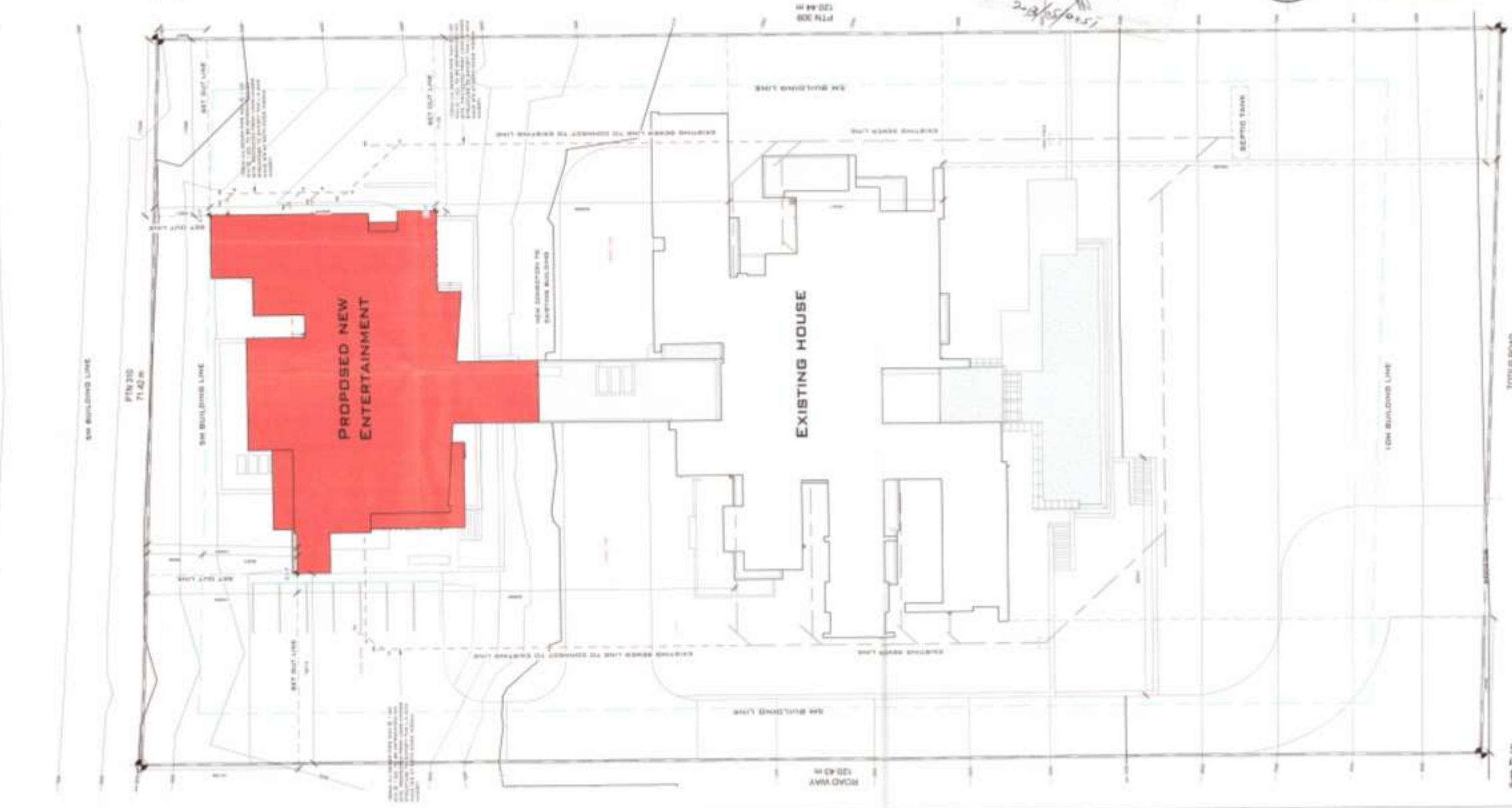
EXISTING AREA	
NAME	AREA
BASINMENT	160 M <sup>2</sup>
BASINMENT	160 M <sup>2</sup>
GROUND FLOOR	
DARANG	160 M <sup>2</sup>
GROUND FLOOR	504 M <sup>2</sup>
COVERED PATIO	353 M <sup>2</sup>
STAFF QUARTERS	71 M <sup>2</sup>
ENTERTAINMENT AREA	371 M <sup>2</sup>
	1899 M <sup>2</sup>
FIRST FLOOR	
FIRST FLOOR	553 M <sup>2</sup>
BALCONY	32 M <sup>2</sup>
BALCONY	16 M <sup>2</sup>
BALCONY	8 M <sup>2</sup>
BALCONY	11 M <sup>2</sup>
BALCONY	7 M <sup>2</sup>
BALCONY	6 M <sup>2</sup>
T/O PARAPET WALL	623 M <sup>2</sup>
ROOF TERRACE	32 M <sup>2</sup>
ROOF TERRACE	32 M <sup>2</sup>
	2184 M <sup>2</sup>

NEW AREA ENTERTAINMENT	
NAME	AREA
ENTERTAINMENT O/T	
COVERED EXCHANGE	32 M <sup>2</sup>
INDOOR POOL AREA	139 M <sup>2</sup>
ENTERTAINMENT GROUND FLOOR	218 M <sup>2</sup>
STAFF ROOMS	79 M <sup>2</sup>
STAFF COVERED PATIO	15 M <sup>2</sup>
COVERED PATIO INDOOR POOL	47 M <sup>2</sup>
	533 M <sup>2</sup>
STAFF LEVEL	
ENTERTAINMENT F/O	253 M <sup>2</sup>
BALCONY	37 M <sup>2</sup>
	290 M <sup>2</sup>
T/O PARAPET WALL	32 M <sup>2</sup>
ROOF TERRACE	32 M <sup>2</sup>
	325 M <sup>2</sup>

SCHEDULE OF RIGHTS			
EXT. PORTION		PORTION 308 TOTUS AVENUE	
STAND AREA		8,578.23M <sup>2</sup>	RESIDENTIAL 3
USE ZONE			3 STOREYS
HEIGHT			
ALLOWABLE FAR	0.4	3430.91M <sup>2</sup>	
ALLOWABLE COVERAGE	0.2%	4299.12M <sup>2</sup>	
ACTUAL FAR	0.36	3116M <sup>2</sup>	
ACTUAL COVERAGE	0.1%	1899M <sup>2</sup>	

Proposed entertainment area, comprising of: 2 bedrooms, studio, gymnasium, 20 seats room, covered pool, 2 garages. Complete staff car area. IS acceptable in view of 2015/13

NOTES:  
 1. THE OWNER OF THIS PROJECT ASSURES THE ACCURACY OF THE INFORMATION CONTAINED HEREIN AND ACCEPTS THE RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.  
 2. THE OWNER OF THIS PROJECT ASSURES THE ACCURACY OF THE INFORMATION CONTAINED HEREIN AND ACCEPTS THE RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.  
 3. THE OWNER OF THIS PROJECT ASSURES THE ACCURACY OF THE INFORMATION CONTAINED HEREIN AND ACCEPTS THE RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS.



HOUSE RADIHANA	
NO.	DATE

P.B. Morillo  
 P. No. 201570450  
 ADRIANO MORILLO  
 PR. ARCH : 6817

**INFORMATION**

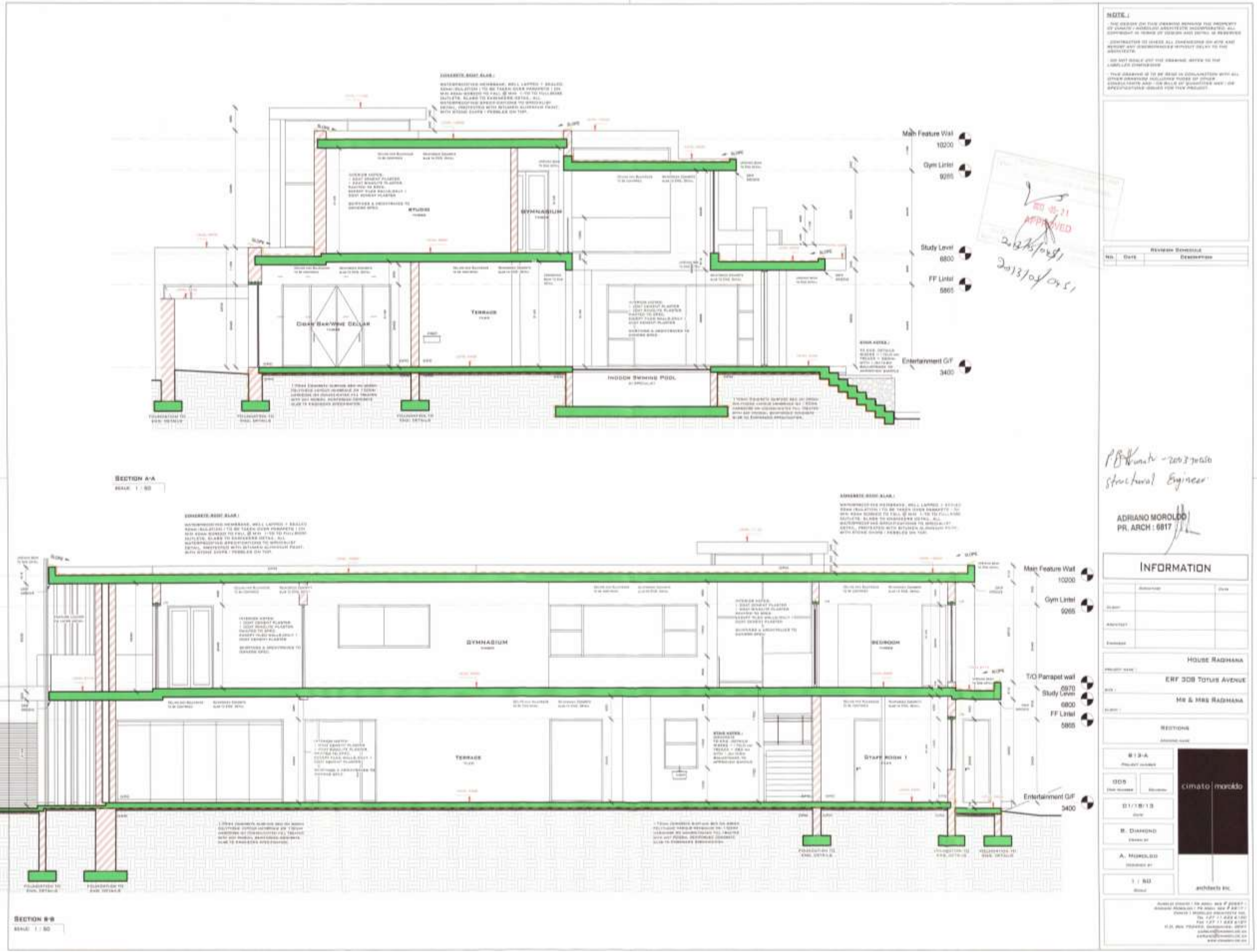
Project Name: HOUSE RADIHANA  
 Address: 308 TOTUS AVENUE  
 Client: Mr & Mrs RADIHANA

Site Plan  
 Scale: 1:1000

Architect: Cimato Morillo  
 Architect No: 6817

152 Appendix B1: Approved Site Plan





**NOTE:**  
THE DESIGNER HAS CONDUCTED VISUAL CHECKS OF THE PROPOSED DEVELOPMENT TO ENSURE VISUAL INTEGRATION WITH THE SURROUNDING ENVIRONMENT AND TO MINIMIZE VISUAL IMPACT.  
CONTRACTOR TO CHECK ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT.  
DO NOT SCALE UP OR DOWN FROM THIS DRAWING.  
THIS DRAWING IS TO BE USED IN CONSULTATION WITH ALL OTHER PROFESSIONAL CONSULTANTS INVOLVED IN THE PROJECT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

*2013/04/25/1*

*2013/04/25/1*

*APPROVED*

REVISIONS	
No.	Description

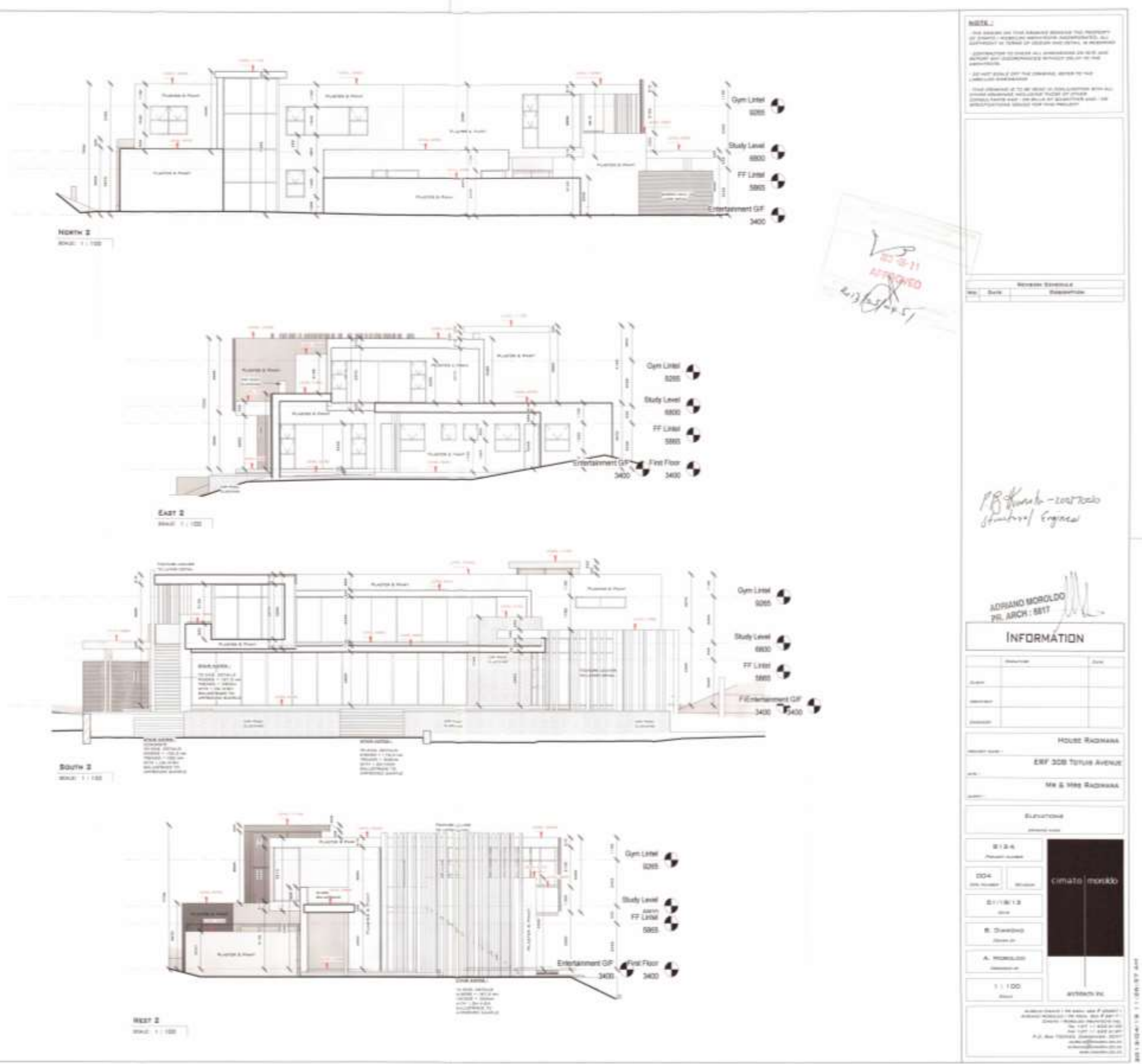
*P. B. W. - 2013/04/25/1*  
Structural Engineer

**ADRIANO MOROLDO**  
PR. ARCH. 0817

INFORMATION	
Project Name	HOUSE RADHANA
Address	ERF 308 TOTUS AVENUE
Client	MR & MRS RADHANA
Location	
Scale	1:50
Project Number	B13-A
Design Stage	005
Design Date	01/08/13
Designer	B. DIAMOND
Checked by	A. MOROLDO
Scale	1:50
Sheet	
Architect	ARCHITECTS INC.
Architect's Contact	
Architect's Address	
Architect's Phone	
Architect's Email	
Architect's Website	

15.3 Appendix B2: Approved Sections of the New Entertainment Area

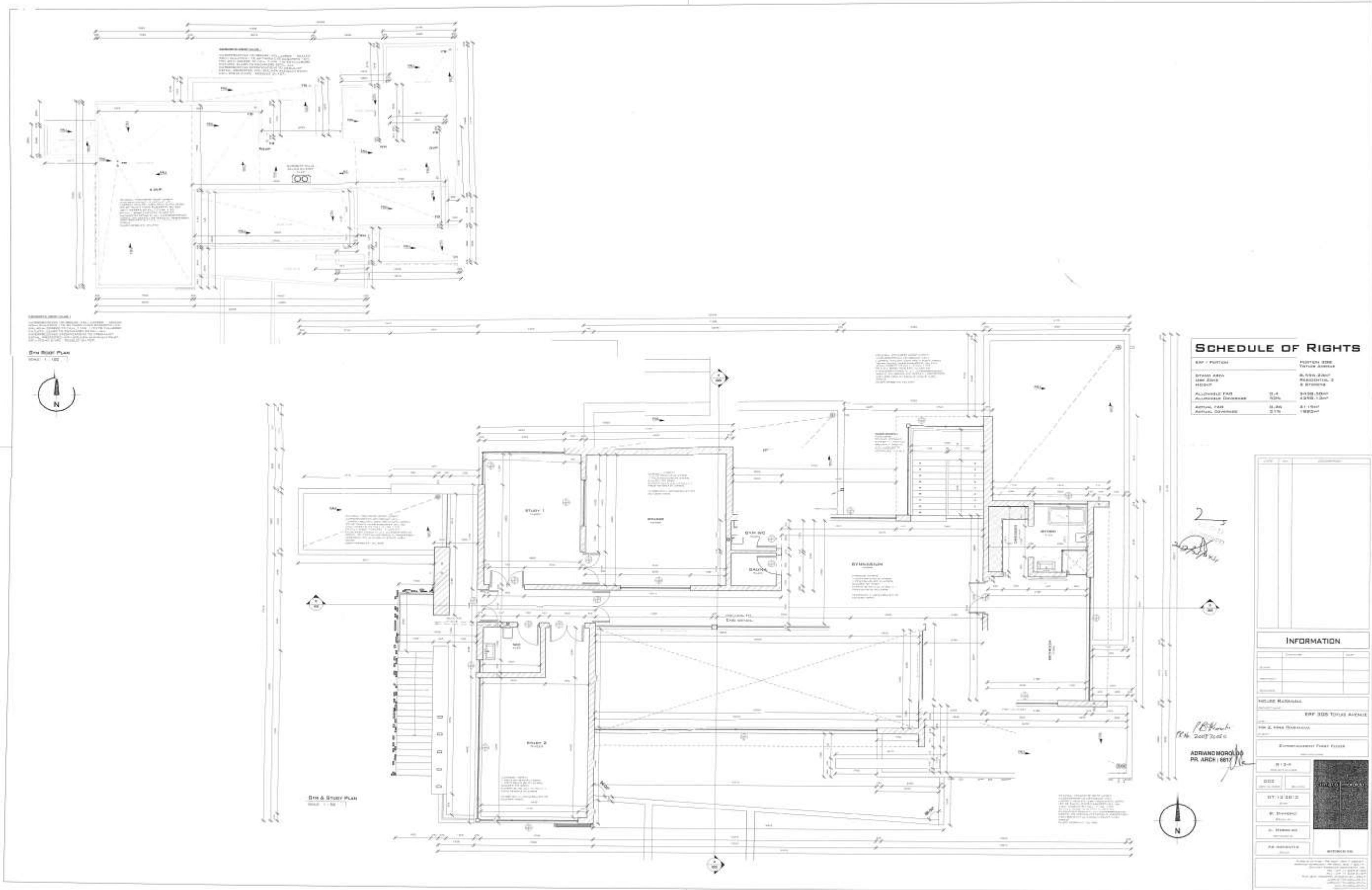




15.4 Appendix B3: Approved Elevations of the New Entertainment Area







155 Appendix B4: Approved Entertainment Area First Floor



## Appendix C: Photographs

Appendix C1: Current photographs of the site

Appendix C2: Google Earth Timeline (2007 – 2019)



15.6 Appendix C1: Current photographs of the site



Photo 1: North east looking towards the entertainment area.



Photo 2: East looking towards the main entrance.



Photo 3: South east looking over the swimming pool.



Photo 4: South looking towards the main house.



Photo 5: South west looking towards the main house.



Photo 6: West looking towards the ridge and neighbouring vacant plot.





Photo 7: North west looking towards the neighbouring vacant plot.



Photo 8: North looking over the play area towards the entertainment area.



Photo 9: Rose garden below the swimming pool deck.



Photo 10: Looking south west towards the main house.



Photo 11: Protea caffra planted at the main entrance that has not survived.



Photo 12: Protea caffra planted at the main entrance that has not survived.





Photo 13: The entertainment area in the north west corner of the property.



Photo 14: Looking towards the main house from the entrance of the property.



Photo 14: The south western corner of the property with the garage to the right.



Photo 15: The south eastern corner of the property.



Photo 16: The securely guarded entrance to the site.



Photo 17: The neighbouring property, Portion 90, remains undeveloped with the indigenous vegetation intact.



Photo 18: The neighbouring property, Portion 90, remains undeveloped with the indigenous vegetation intact.



Photo 19: The neighbouring property, Portion 90, remains undeveloped with the indigenous vegetation intact.



Photo 20: Looking south east, standing 1.2km away north-northeast of the site, on the corner of Ann and Handicap Roads.



Photo 21: Looking south-southeast, standing 1.2km away north-northeast of the site, on the corner of Ann and Handicap Roads. The property is circled in yellow.



Photo 22: Looking south east down Hendrick Road, standing 1.2km away north-northeast of the site, on the corner of Ann and Handicap Roads.





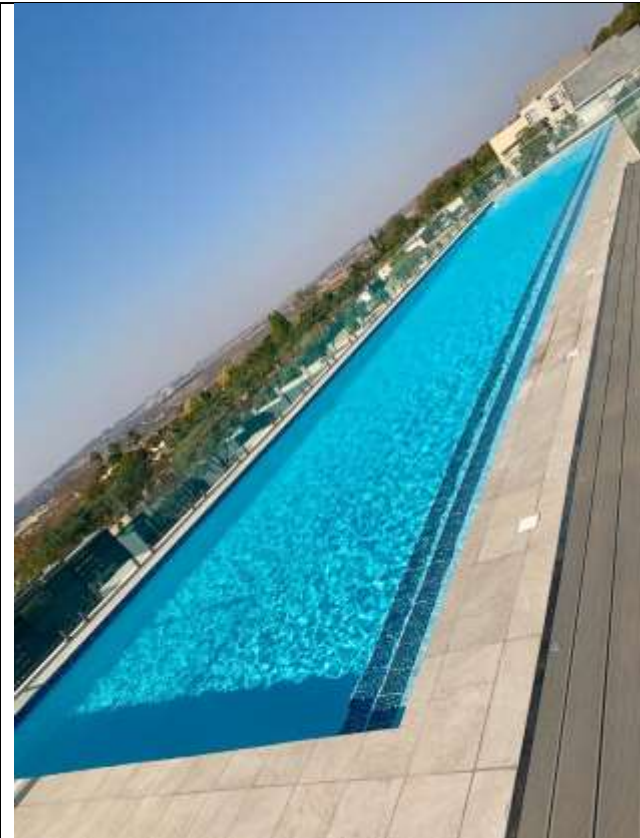


Photo 23: Outdoor pool: 24,9m x 5,1m x 1,7m



Photo 24: Water feature: 12,3m x 3,4m x 0,5m



Photo 25: Juccuzi/ Spa: 4,5m x 4,4m x 0,9m



Photo 26: Fish pond: 5,0m x 2,3m x 1,0m





### 15.7 Appendix C2: Google Earth Timeline (2007 – 2019)



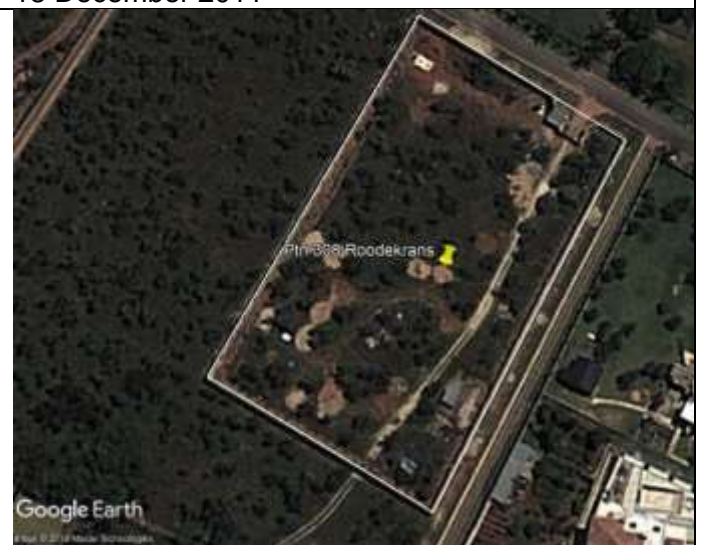
18 September 2007



18 December 2011



6 June 2012



09 December 2012



14 July 2013



29 October 2013





24 January 2014



27 August 2014



18 March 2015



05 June 2015



11 July 2015



04 August 2015







22 August 2015



09 September 2015



20 May 2016



29 July 2016



09 May 2017



12 August 2017







16 February 2018



22 April 2018



27 May 2018



07 May 2019



## Appendix D: Public Participation

Appendix D1: Updated written notification

Appendix D2: Proof of site notice

Appendix D3: Proof of newspaper advertisement

Appendix D4: Communications to and from interested and affected parties

Appendix D5: Copy of the register of I&APs



## 15.8 Appendix D1: Updated written notification



15 Roodezand Place | Faerie Glen | 0043  
C: +27 (0) 82 558 9079  
E: [natalie@pensu.co.za](mailto:natalie@pensu.co.za)  
W: [www.pensu.co.za](http://www.pensu.co.za)

To whom it may concern,

### **NOTICE OF APPLICATION FOR CONSEQUENCES OF UNLAWFUL COMMENCEMENT OF LISTED ACTIVITY**

#### **UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS AND IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO 107 OF 1998, AS AMENDED)**

Notice is given, in terms of Section 24(G) read with Section 24(F) of the National Environmental Management Act 107 of 1998 (as amended) that the Gauteng Department of Agriculture and Rural Development:

- a. is considering an application for authorisation by The RPR Family Trust (S24G.03.19-20.0466) in terms of Sections 24(G) and 24(F) of the National Environmental Management Act 107 of 198 (as amended);
- b. for the unlawful commencement of activity 12 listed under Government Notice R546 of 2010 as corresponds with Government R985 of 2014 (as amended):
  - The unlawful clearance of indigenous vegetation within a Critical Biodiversity Area for the purpose of developing a residential house at 430 Totius Road, on Portion 308 of the Farm Roodekrans 183-IQ, Roodepoort, City of Johannesburg.
  - The property on a ridge has been cleared of indigenous vegetation and excavated for the purposes of constructing a residential house. The clearance of the area has resulted in more than 300m<sup>2</sup> of indigenous vegetation being permanently eradicated.
  - This activity took place between December 2012 and July 2013.

A Heritage Assessment is also required in terms of Section 38 (1)(c) of the National Heritage Resources Act, No. 25 of 1999 (NHRA) for a development that exceeds 5000 m<sup>2</sup> in extent.

Queries regarding this matter must be referred to:

- PENSU Environmental (Pty) Ltd
- Natalie Pullen
- Tel: 082 558 9079, E-mail: [natalie@pensu.co.za](mailto:natalie@pensu.co.za)
- 15 Roodezand Place, Faerie Glen, 0043.

The draft Environmental Impact Report and other information is available for comments at: [www.pensu.co.za](http://www.pensu.co.za).

Parties wishing to formally comment on the draft EIR are requested to register and forward their comments (with reasons) to PENSU Environmental as indicated above no later than thirty days after the date of this notification. I&APs should reference: S24G.03.19-20.0466 in all correspondence. Comments must be copied to:

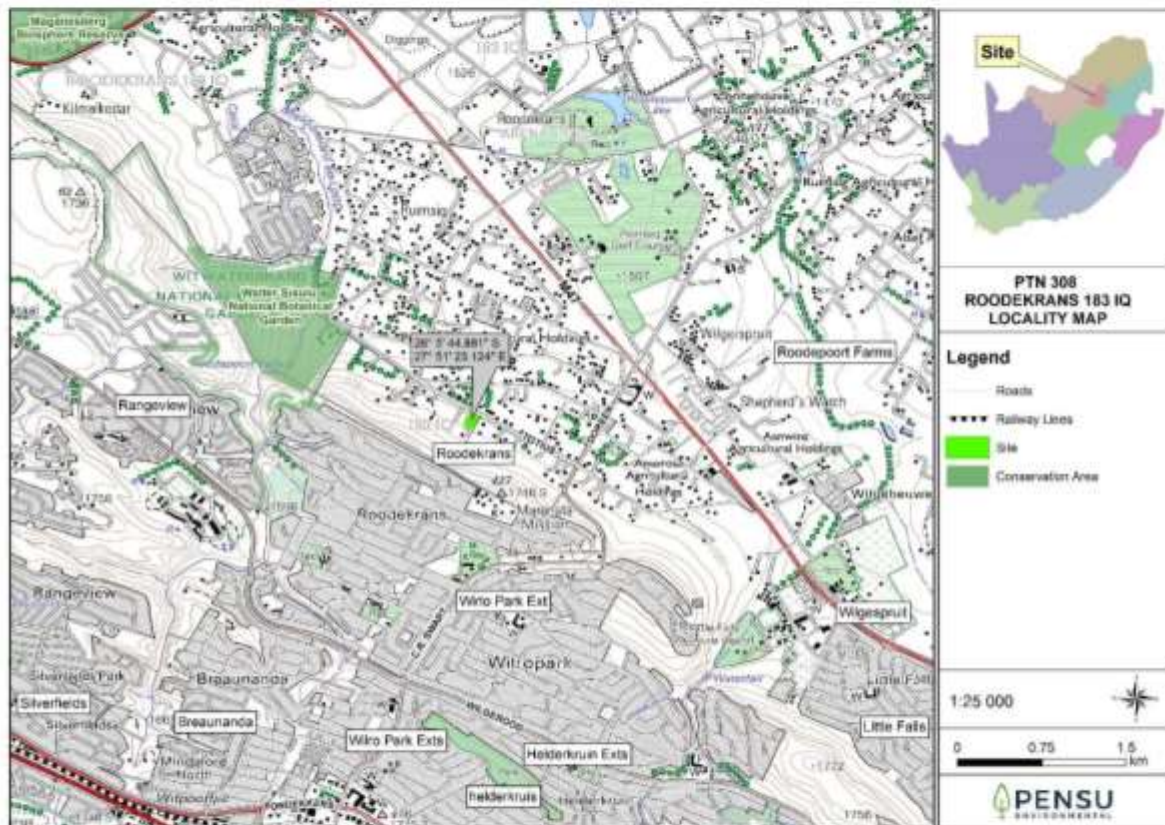
- The Head of Department: Department of Agriculture and Rural Development





- Attention: Ms Maryjane Ramahlodi: Section 24G Unit Manager: GDARD
- P.O. Box 8769, Johannesburg, 2000
- Tel: (011) 240 3020
- Email: [maryjane.ramahlodi@gauteng.gov.za](mailto:maryjane.ramahlodi@gauteng.gov.za) | [Omolayo.ilemobade@gauteng.gov.za](mailto:Omolayo.ilemobade@gauteng.gov.za) | [Phindy.malaza@gauteng.gov.za](mailto:Phindy.malaza@gauteng.gov.za)

This opportunity to participate, also covers the Heritage Public Participation Process (H-PPP) in line with the Prescripts of the NHRA, No. 25 of 1999 and provides an opportunity for the responsible heritage authority to provide a comment on the environmental authorisation and give inputs on the heritage related mitigation measures and conditions to be provided in the environmental authorisation as per Section 38(4) and 38(8) of the NHRA, No. 25 of 1999.



**Figure 1: Locality of Study Area**

Kind regards,

Kind regards

Natalie Pullen

Registered EAP (No. 2018/132)

11 June 2020



15.9 Appendix D2: Proof of site notice



Photo 1: Wording of Site Notice



Photo 2: Site Notice attached to entrance gate





## 15.10 Appendix D3: Proof of newspaper advertisement

The following wording was used for the newspaper advertisement placed in the Roodepoort Northsider on 18 June 2020:

**NOTICE OF APPLICATION FOR CONSEQUENCES OF UNLAWFUL COMMENCEMENT OF LISTED ACTIVITY**

**UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS AND IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO 107 OF 1998, AS AMENDED)**

Notice is given, in terms of Section 24(G) read with Section 24(F) of the National Environmental Management Act 107 of 1998 (as amended) that the Gauteng Department of Agriculture and Rural Development:

- a. is considering an application for authorisation by The RPR Family Trust (S24G.03.19-20.0466) in terms of Sections 24(G) and 24(F) of the National Environmental Management Act 107 of 198 (as amended);
- b. for the unlawful commencement of activity 12 listed under Government Notice R546 of 2010 as corresponds with Government R985 of 2014 (as amended):
  - The unlawful clearance of indigenous vegetation within a Critical Biodiversity Area for the purpose of developing a residential house at 430 Totius Road, on Portion 308 of the Farm Roodekrans 183-IQ, Roodepoort, City of Johannesburg.
  - The property on a ridge has been cleared of indigenous vegetation and excavated for the purposes of constructing a residential house. The clearance of the area has resulted in more than 300m<sup>2</sup> of indigenous vegetation being permanently eradicated.
  - This activity took place between December 2012 and July 2013.

A Heritage Assessment is also required in terms of Section 38 (1 (c)) of the National Heritage Resources Act ("NHRA"), No. 25 of 1999 for a development that exceeds 5000 m<sup>2</sup> in extent.

Queries regarding this matter must be referred to:

- PENSU Environmental (Pty) Ltd
- Natalie Pullen
- Tel: 082 558 9079, E-mail: [natalie@pensu.co.za](mailto:natalie@pensu.co.za)
- 15 Roodezand Place, Faerie Glen, 0043.

The draft Environmental Impact Report and other information is available for comments at the following place: [www.pensu.co.za](http://www.pensu.co.za).

Parties wishing to formally comment on the draft EIR are requested to register and forward their comments (with reasons) to PENSU Environmental as indicated above no later than thirty days after the publication of this advertisement. I&APs should reference: S24G.03.19-20.0466 in all correspondence. Comments must be copied to:

- The Head of Department: Department of Agriculture and Rural Development
- Attention: Ms Maryjane Ramahlodi: Section 24G Unit Manager: GDARD
- P.O. Box 8769, Johannesburg, 2000
- Tel: (011) 240 3020
- Email: [maryjane.ramahlodi@gauteng.gov.za](mailto:maryjane.ramahlodi@gauteng.gov.za) | [Omolayo.ilemobade@gauteng.gov.za](mailto:Omolayo.ilemobade@gauteng.gov.za) | [Phindy.malaza@gauteng.gov.za](mailto:Phindy.malaza@gauteng.gov.za)

This opportunity to participate, also covers the Heritage Public Participation Process (H-PPP) in line with the Prescripts of the NHRA, No. 25 of 1999 and provides an opportunity for the responsible heritage authority to provide a comment on the environmental authorisation and give inputs on the heritage related mitigation measures and conditions to be provided in the environmental authorisation as per Section 38(4) and 38(8) of the NHRA, No. 25 of 1999.





## Natalie Pullen

---

**From:** MASINDI, TSHILIDZI (GDARD) <TSHILIDZI.MASINDI@gauteng.gov.za>  
**Sent:** Thursday, 11 June 2020 11:24  
**To:** Natalie Pullen  
**Cc:** Ragimana@hotmail.com; MALAZA, PHINDY (GDARD)  
**Subject:** Re: S24G.03.19-20.0466\_Timeframes for submission of Report\_RPR Family Trust

Good Morning Natalie,

As per our telephonic conversation regarding the newspaper advertisement please note that looking on the nature and location of project, section 8.6.2.4. of the directive can read as follows: An updated advertisement must be placed in at least ? one local newspaper (refer to the attached advertising guideline). Proof of the publication of the notice, placement of the notice on site and notifications must be submitted.

Regards

Ms Tshilidzi Masindi  
Environmental Management Inspector (EMI)  
Compliance and Enforcement: S24G  
Gauteng Department of Agriculture & Rural Development  
56 eloff Street, Umnotho House, Johannesburg, 2000  
Tel: 066 251 5109 tel: 011 240 2750 E-mail:  
tshilidzi.masindi@gauteng.gov.za<mailto:tshilidzi.masindi@gauteng.gov.za>  
Website: <http://www.gdard.gpg.gov.za><<http://www.gdard.gpg.gov.za>>>?



# COVID-19

PATIENTS WITH COVID-19 HAVE EXPERIENCED MILD TO SEVERE RESPIRATORY ILLNESS

If you have been in a country affected by COVID-19 or in close contact with someone with confirmed COVID-19 in the past 2 weeks, and develop symptoms, call your doctor.  
\* These symptoms may appear 2-14 days after exposure.



Call the COVID-19 Helpline: 0800 024 509

Send it on Whatsapp to COVID-19

Gauteng Provincial Government

Hotline: 08500 11000 | w

### Disclaimer:

The Gauteng Provincial Government does not take responsibility for Gauteng Provincial Government users' personal views. Gauteng Provincial Government services available online at [www.gauteng.gov.za](http://www.gauteng.gov.za) - The information contained in this communication from [tshilidzi.masindi@gauteng.gov.za](mailto:tshilidzi.masindi@gauteng.gov.za) sent at 2020-06-11 11:32:11 is confidential and may be legally privileged. It is intended solely for use by natalie@pensu.co.za and others authorized to receive it. If you are not natalie@pensu.co.za you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful.



## 15.11 Appendix D4: Communications to and from interested and affected parties



### 15.12 Appendix D5: Copy of the register of I&APs

First Name	Surname	Organization	Sector
Ana Paula	Aguiar	Roodekrans 183-IQ 148/183-IQ	Neighbour
Andrew	Hankey	Walter Sisulu Botanical Gardens	Statutory body
Belinda	Cooper	Chairperson: Proteadal Conservation Association	Environment Interest Group
Gerald	Draper	The Black Eagle Project Roodekrans	Environment Interest Group
Grace	Palmer	Ward Administrator: Ward 83	Local Government
Ilone	Collins	Roodekrans 183-IQ RE/91/183-IQ	Neighbour
Johan	Haasbroek	Poortview A.H. 74	Neighbour
Karen	Carstens	Botanical Society of South Africa	Environment Interest Group
Leah	Knott	Councillor: Ward 97	Local Government
Linda	Kuhn	City of Joburg: Impact Management and Compliance Monitoring	Local Government
Maphuti	Moabelo	City of Joburg: Impact Management and Compliance Monitoring	Local Government
Mark	Naidoo	Private	Community
Mitchell Stanley	Moore	Roodekrans 183-IQ 250/183-IQ	Neighbour
Nicole	Botma	City of Joburg: Impact Management and Compliance Monitoring	Local Government
Nomzamo	Gumede	PHRA-G	Provincial Government
Phatutshedzo Gwydion	Makwarela Beynon	Roodekrans 183-IQ 147/183-IQ	Neighbour
Phillip	Mkhombo	Joburg City Parks & Zoo	Local Government
Phindy	Malaza	GDARD	Provincial Government
Renothie	Moodley-Dannhauser	Roodekrans 183-IQ 150/183-IQ	Neighbour
Sibusiso Aubrey	Mazibuko	Roodekrans 183-IQ 310/183-IQ	Neighbour
Tersia	Talbott	Roodekrans 183-IQ 90/183-IQ	Neighbour
Thato Danny	Mjona	DWS	National Government
Vongani	Mhinga	DWS	National Government
Waldo	Botha	Roodekrans 183-IQ 311/183-IQ	Neighbour
Yvette	van der Merwe	Roodekrans 183-IQ 149/183-IQ	Neighbour
		Roodekrans 183-IQ 251/183-IQ	Neighbour
		Poortview A.H. 75	Neighbour
		Roodekrans 183-IQ 312/183-IQ	Neighbour
		Black Eagle Project	Environment Interest Group



<b>First Name</b>	<b>Surname</b>	<b>Organization</b>	<b>Sector</b>
		Wild Orchids Southern Africa(WOSA)	Environment Interest Group
		South African National Biodiversity Institute	Statutory body
		Centre for Environmental Rights	Environment Interest Group
		WESSA	Environment Interest Group
		Environmental Wildlife Trust	Environment Interest Group



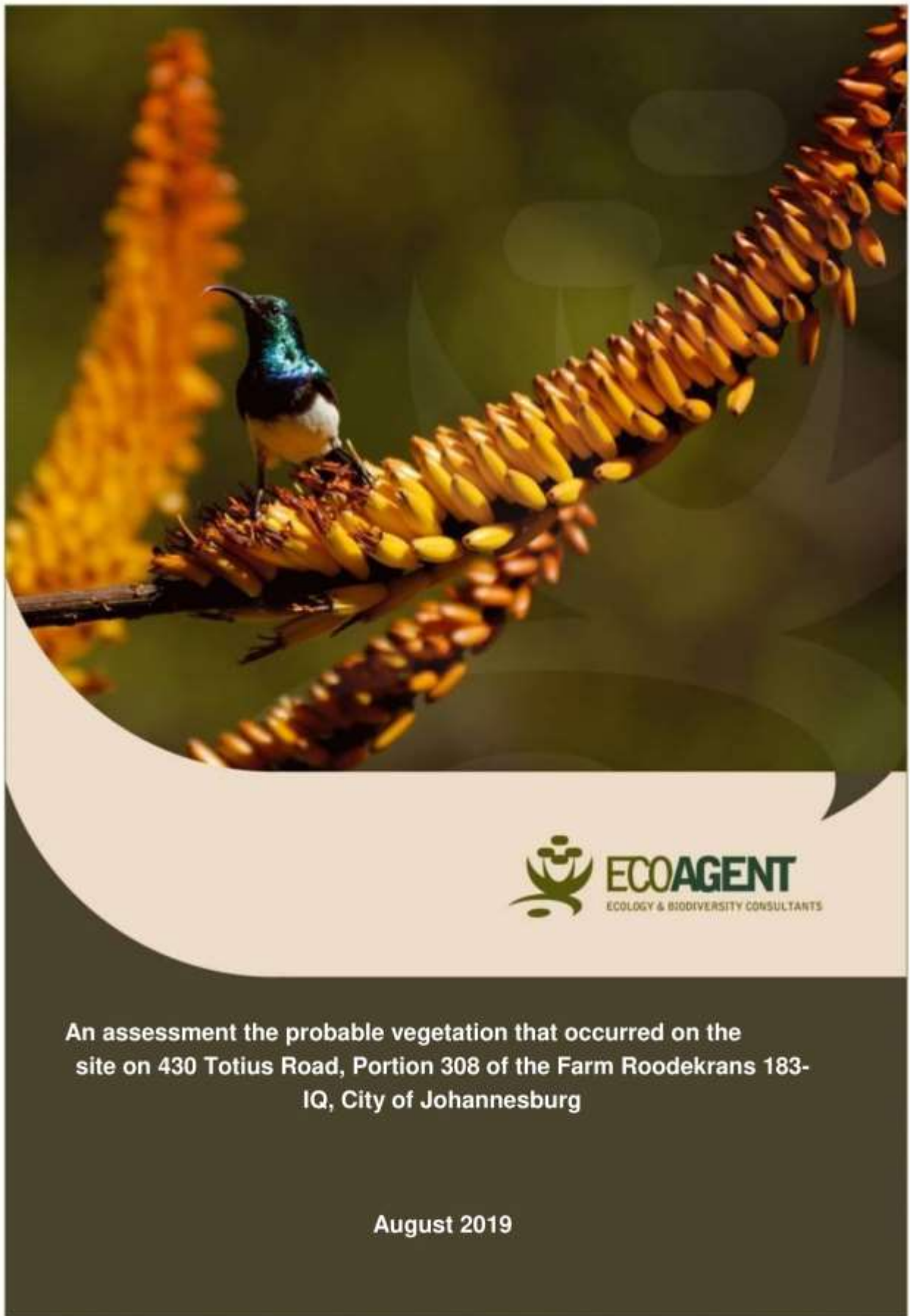
Appendix E: Specialist Studies

Appendix E1: Fauna and Flora Study

Appendix E2: Heritage Impact Assessment Exemption Letter







**An assessment of the probable vegetation that occurred on the  
site on 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, City of  
Johannesburg**

by  
**G.J. Bredenkamp** D.Sc. Pr.Sci.Nat.

Commissioned by

**PENSU Environmental Consulting**

**EcoAgent CC**  
PO Box 25533  
Monument Park  
0181  
Tel 012 4602525  
Cell 082 5767046

August 2019



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Remuneration for services provided by us is not subjected to or based on approval of the proposed project by the relevant authorities responsible for authorising this proposed project.



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## DECLARATION OF INDEPENDENCE

I, George Johannes Bredekamp (SACNASP # 400086/83)  
declare that I:

- hold higher degrees in the biological sciences, which allowed registration by S.A. Council for National Scientific Professions (SACNASP) as Professional Ecologist that sanction me to function independently as specialist scientific consultants;
- declare that as per prerequisites of the Natural Scientific Professions Act No. 27 of 2003 this project was my own work from inception and reflects exclusively my observations and unbiased scientific interpretations, and executed to the best of my ability;
- abide by the Code of Ethics of the SACNASP;
- am committed to biodiversity conservation but concomitantly recognize the need for economic development. Whereas I appreciate opportunities to learn through constructive criticism and debate, I reserve the right to form and hold my own opinion within the constraints of my training, experience and results and therefore will not submit willingly to the interests of other parties or change my statements to appease or unduly benefit them;
- am subcontracted as specialist consultant for the project "An assessment the probable vegetation that occurred on the site on 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, City of Johannesburg" as described in this report;
- have no financial interest in the proposed development other than remuneration for the work performed;
- do not have, and will not have in the future any vested or conflicting interests in the proposed development;
- undertake to disclose to the consultant and its client(s) as well as to the competent authority any material information that may have the potential to influence any decisions by the competent authority, as required in terms of the Environmental Impact Assessment Regulations 2006;
- reserve the right to only transfer my intellectual property contained in this report to the client(s), (party or company that commissioned the work) on full payment of the contract fee. Upon transfer of the intellectual property, we recognise that written consent from the client will be required for any of us to release of any part of this report to third parties.
- In addition, remuneration for services provided by me is not subjected to or based on approval of the proposed project by the relevant authorities responsible for authorising this proposed project.



G.J. Bredekamp





**DISCLAIMER:**

Even though every care is taken to ensure the accuracy of this report, environmental assessment studies are limited in scope, time and budget. Discussions and proposed mitigations are to some extent made on reasonable and informed assumptions built on *bone fide* information sources, as well as deductive reasoning. Deriving a 100% factual report based on field collecting and observations can only be done over several years and seasons to account for fluctuating environmental conditions and migrations. Since environmental impact studies deal with dynamic natural systems additional information may come to light at a later stage. I can thus not accept responsibility for conclusions and mitigation measures made in good faith based on own databases or on the information provided at the time of the directive. Although the author exercised due care and diligence in rendering services and preparing documents, I accept no liability, and the client, by receiving this document, indemnifies the authors against all actions, claims, demands, losses, liabilities, costs, damages and expenses arising from or in connection with services rendered, directly or indirectly by the author and by the use of this document. This report should therefore be viewed and acted upon with these limitations in mind.





## ABSTRACT

Prior to development the site of 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, City of Johannesburg was covered by natural Gold Reef Mountain Bushveld, particularly by the Critically Endangered Roodepoort Reef Mountain Bushveld. The vegetation *Protea caffra* woodland. The site is on the foot slope of the ridge. Due to differences in topography, slope, rockiness and soil depth this type of vegetation is rich in indigenous plant species and fauna. During a vegetation survey on the adjacent stand, still covered by natural vegetation, a rich plant species composition was recorded, though the survey did not confirm presence of the several plant and fauna species of conservation concern, that may occur in this vegetation type. The survey was however limited by season (August 2019) and large part of the vegetation had been burned shortly before the date of the survey.

Most of the general area surrounding the site has already been developed. Therefore, the vegetation (of the adjacent site, but also on Portion 308) was fairly isolated, resulting in a lower conservation value. Nevertheless, the sensitivity analysis indicated that the vegetation still has a Medium-High ecological sensitivity. This implies that conservation of at least a part of the natural vegetation on Portion 308 could have contributed to conserving a Critically Endangered ecosystem.



## 1. BACKGROUND INFORMATION

The following background information was provided by PENSU Environmental Consulting:

### **Section 24 G Rectification Application for the Unauthorised Activity on Portion 308 of the Farm Roodekrans 183-IQ, City of Johannesburg.**

**Background.** The applicant commenced with a listed activity without the necessary environmental authorisation and is now applying for *ex post facto* approval.

**Date:** This activity took place between December 2012 and July 2013.

**Location:** The physical address is 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, City of Johannesburg (Figure 1).

#### **Applicable legislative provision contravened:**

The contravened legislation is Listing Notice 3, Activity 12 (c)(ii) of GN R 985 of 8 December 2014 (as amended) of the EIA Regulations (2014), of the NEMA (1998): The clearance of an area of 300m<sup>2</sup> or more of indigenous vegetation within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans.

#### **Activity commenced without the required authorisation:**

The property on a ridge has been cleared of indigenous vegetation and excavated for the purposes of constructing a residential house. The clearance of the area has resulted in more than 300m<sup>2</sup> of indigenous vegetation being permanently eradicated.

It is noted that the neighbouring stand (Figure 2) is still covered with the natural vegetation of the area, namely *Protea caffra*-dominated, temperate mountain bushveld (Figures 3 & 4). It is also noted that stands to the north, east and south of the site have all been developed (Figure 4).



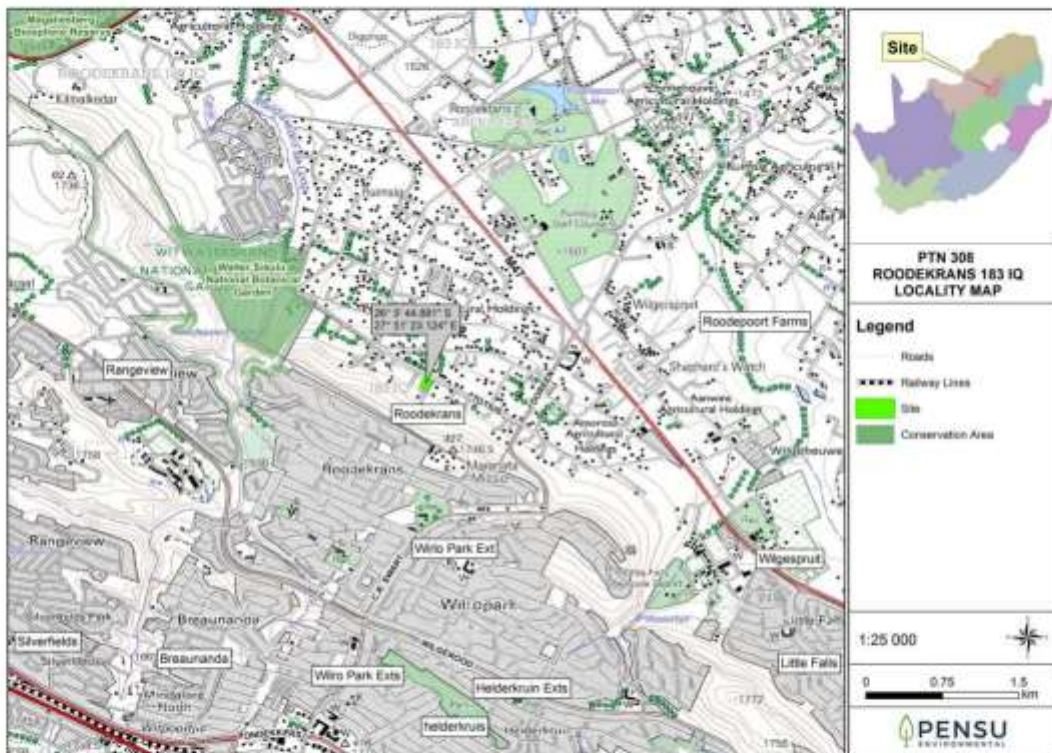


Figure 1. The locality of the site in relation to roads and surrounding developments.



Figure 2: The site as seen on Google Earth, indicating the surrounding development and the ridge.







Figure 3: The developed site and the neighbouring stand to the west, covered with natural *Protea caffra*-dominated veld.



Figure 4: The developed stand with the adjacent stands.



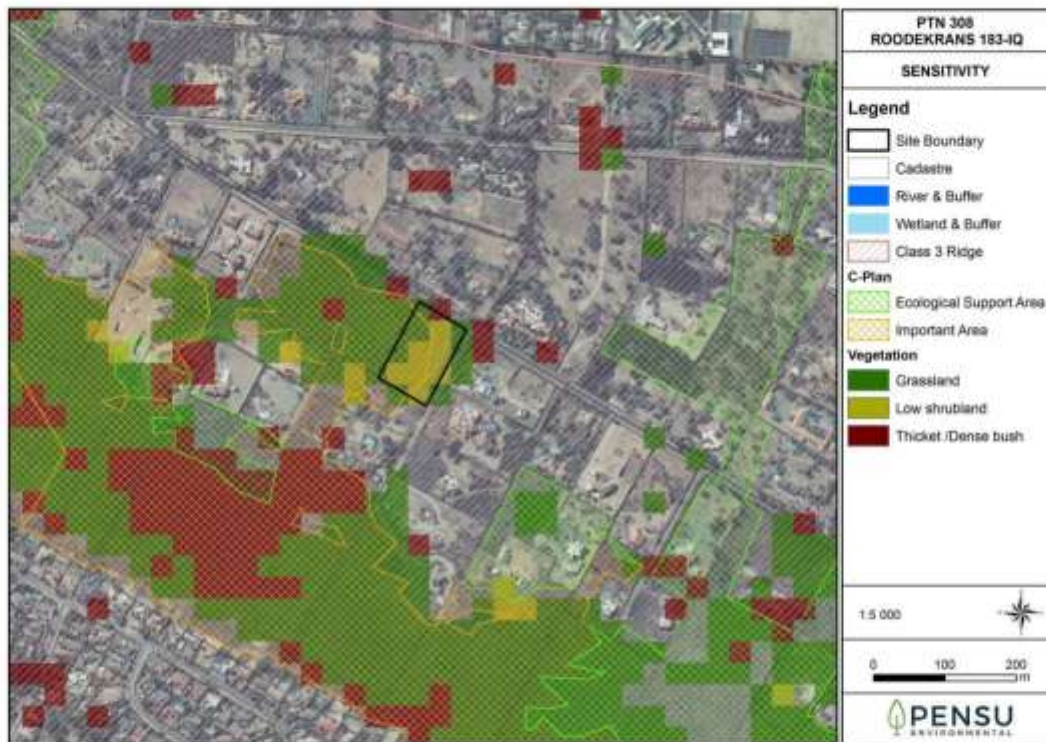


Figure 5: Sensitivity of the site area

The site falls partly within a Class 3 Ridge, and within an "Important Area" according to C-Plan (Figure 5).

The assignment is interpreted as follows: Compile a study to indicate the probable vegetation that occurred on the site prior to the development. The adjacent stand to the west of the site is still covered by similar natural *Protea caffra* veld, which represent the same plant community that occurred on the site prior to the development. Interpret the ecological sensitivity, threatened status and conservation of the vegetation type in which the site is located, in terms of current knowledge, legislation and regulations.

In order to compile this, the following had to be done:

**1.1. Initial preparations:**

- Obtain all relevant maps and information on the natural environment of the concerned area.

**1.2. Vegetation and habitat survey:**

- Examine the diversity and structure of the plant species (trees, shrubs, grasses and herbaceous species) present for the plant community on the adjacent stand.
- Identify potential red data plant species and protected plants species of this plant community.





### 1.3. Plant community delimitation and description

- Determine the sensitivity and conservation value of the site on basis habitat, biodiversity and presence of rare or protected plant species.

This report includes a site visit by the EcoAgent team on 10 August 2019 to assess the vegetation and flora, and an interpretation of its sensitivity and conservation value.

## 2. RATIONALE AND SCOPE

It is widely recognised that to conserve natural resources it is of the utmost importance to maintain ecological processes and life support systems for plants, animals and humans. To ensure that sustainable development takes place, it is therefore important that possible impacts on the environment are considered before relevant authorities approve any development. This led to legislation protecting the natural environment. In 1992, the Convention of Biological Diversity, a landmark convention, was signed by more than 90 % of all members of the United Nations. In South Africa, the Environmental Conservation Act (Act 73 of 1989), the National Environmental Management Act, 1998 (NEMA) (Act 107 of 1998) and the National Environmental Management Biodiversity Act, 2004 (Act 10 Of 2004) ensure the protection of ecological processes, natural systems and natural beauty, as well as the preservation of biotic diversity within the natural environment. They also ensure the protection of the environment against disturbance, deterioration, defacement or destruction as a result of man-made structures, installations, processes, products or activities. In support of these Acts, a list and description of Threatened Ecosystems was published (Government Gazette 1002, 2011), as part of the National Environmental Management Biodiversity Act, 2004 (Act 10 of 2004). A list of Threatened or Protected Species (TOPS) regulations is also available (NEMBA Notice 388 of 2013). International and national Red Data lists have also been produced for various plant and animal taxa.

All components of the ecosystems (physical environment, vegetation, animals) at a site are interrelated and interdependent. A holistic approach is therefore imperative to include effectively the development, utilisation and, where necessary, conservation of the given natural resources into an integrated development plan, which will address all the needs of the modern human population (Bredenkamp & Brown 2001).

### Definitions and Legal Framework

Authoritative legislation that lists impacts and activities on biodiversity and wetlands and riparian areas that requires authorisation includes (Armstrong, 2009):

- National Environmental Management Act, 1998 (Act No. 107 of 1998);
- National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004).
- The older Environment Conservation Act, 1989 (Act 73 of 1989);
- Conservation of Agriculture Resources Act, 1983 (Act 43 of 1983);
- National Water Act, 1998 (Act 36 of 1998);
- National Forests Act, 1998 (Act 84 of 1998);
- National Environmental Management: Protected Areas Act 2003 (Act 57 Of 2003) (as Amendment Act 31 of 2004 and Amendment Act 15 of 2009)



- Government Notice Regulation 1182 and 1183 of 5 September 1997, as amended (ECA);
- Government Notice Regulation 385, 386 and 387 of 21 April 2006 (NEMA);
- Government Notice Regulation 392, 393, 394 and 396 of 4 May 2007 (NEMA);
- Government Notice Regulation 398 of 24 March 2004 (NEMA); and
- Government Notice Regulation 544, 545 and 546 of 18 June 2010 (NEMA)
- Government Notice Regulation 982, 983, 984 and 985 of 4 December 2014 (NEMA).
- Government Notice 1002 of 9 December 2011

### 3. METHODS: VEGETATION AND FLORA

#### 3.1. Initial preparations:

For background information, the relevant maps, aerial photographs and other information on the natural environment of the concerned area were obtained.

#### 3.2. Site visit: vegetation and flora

The field survey took place on 10 August 2019. The natural vegetation of the vacant stand adjacent and west to the site, was investigated. A description of the dominant and characteristic species found was made. This description was based on total floristic composition, following established vegetation survey techniques (Mueller-Dombois & Ellenberg 1974; Westhoff & Van der Maarel 1978). Data recorded resulted in a list of the plant species present, including trees, shrubs, grasses and forbs. A species list was therefore derived for the site. These vegetation survey methods have been used as the basis of a national vegetation survey of South Africa (Mucina *et al.* 2000) and are considered to be an efficient method of describing vegetation and capturing species information. Additional notes were made of any other features that might have an ecological influence. The guidelines of the GDARD hills and ridges policy were applied.

The identified systems are not only described in terms of their plant species composition, but also evaluated in terms of the potential habitat for Red Data plant species.

Threatened ecosystems are identified using Mucina & Rutherford (2006) and Government Notice (2011).

Critically Endangered, Endangered, Vulnerable and Protected Species (NEMBA species, TOPS species) are evaluated against the list published in Department of Environmental Affairs and Tourism Notice No. 2007 (National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004)).

Protected trees are identified in accordance with the list of nationally protected trees published in Government Notice No. 29062 3 (2006) (National Forests Act, 1998 (Act No. 84 Of 1998), as Amended (Department of Water Affairs Notice No 897, 2006).





Lists of Red Data plant species for the area were obtained from the SANBI databases, with updated threatened status, for the Gold Reef Mountain Bushveld. These lists were then evaluated in terms of habitat available on the site.

### 3.3 Ecological Sensitivity

It has been clearly demonstrated that vegetation not only forms the basis of the trophic pyramid in an ecosystem, but also plays a crucial role in providing the physical habitat within which organisms complete their life cycles (Kent & Coker 1992). Therefore, the vegetation of an area will largely determine the ecological sensitivity thereof.

The vegetation sensitivity assessment aims to identify whether the vegetation within the study area is of conservation concern and thus sensitive to development:

In order to determine the sensitivity of the vegetation (ecosystem) on the site, weighting scores are calculated per plant community. The following six criteria are used and each allocated a value of 0-3.

- Conservation status of a regional vegetation unit;
- Listed ecosystem (e.g. wetlands, hills and ridges etc);
- Legislative protection (e.g. threatened ecosystems, SANBI & DEAT 2009, Government Notice 1002, 2011);
- Plant species of conservation concern (e.g. red listed, nationally or provincially protected plant species, habitat or potential habitat to plants species of conservation concern, protected plants or protected trees);
- Situated within ecologically functionally important features (e.g. wetlands or riparian areas; important habitat for rare fauna species);
- Conservation importance (e.g. untransformed and un-fragmented natural vegetation, high plant species richness, important habitat for rare fauna species).

Sensitivity is calculated as the sum the values of the criteria. The vegetation with the lowest score represents the vegetation that has the least / limited sensitivity). A maximum score of 18 can be obtained, a score of 15-18 indicated high sensitivity. The sensitivity scores are as follows (Table 4.1):

#### Sensitivity weighting scores for vegetation.

<b>Scoring</b>	15-18	12-14	9-11	6-8	0-5
<b>Sensitivity</b>	High	Medium-High	Medium	Medium-Low	Low

Development on vegetation that has High sensitivity will normally not be supported, except that specific circumstances may still lead to support of the proposed development.

Portions of vegetation with Medium-High or Medium sensitivity should be conserved.

Development may be supported on vegetation considered to have Medium-Low or Low sensitivity.



### 3.4 Limitations

The survey was done on 10 August 2019 – this date falls within the dormant period when many herbaceous species cannot be found or identified (May – October) and when vegetation surveys in Gauteng is not recommended (GDARD 2014a). The vegetation on the site was burned shortly before the site visit, with limited unburned vegetation remaining on the site.

## 4. RESULTS

### 4.1 Vegetation type

The vegetation type found on the adjacent site represents typical **Gold Reef Mountain Bushveld** (SVcb9, Mucina & Rutherford 2009). This is representative of the vegetation that was present on 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, City of Johannesburg, before the development commenced. This is the typical vegetation that is restricted to the rocky ridges of the Magaliesberg; the east-west stretching ridges of the Witwatersrand from Krugersdorp in the west to the eastern parts of Johannesburg, and also to the ridges at Suikerbosrand. Due to the great variation in topography, rockiness and soil depth, many micro-habitats occur, causing great variation in plant species composition and presence of different plant communities. This richness in plant species and plant communities offers habitat for a variety of fauna and consequently resulting in high flora and fauna (biodiversity) richness, therefore leading to high conservation value.

Of particular interest is that seven different parts of the Gold Reef Mountain Bushveld have been recognized and identified as **Threatened Ecosystems**, implying great conservation need in this vegetation type that is restricted to hills and ridges in Gauteng and North-West Province. The site 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, is located in one of these threatened ecosystems, namely the **Roodepoort Reef Mountain Bushveld**, listed as **Critically Endangered** in the *National Environmental Management: Biodiversity Act (Act 10 of 2004) – National list of Ecosystems that are threatened and in need of Protection (Government Gazette 1002, 2011)*. The GDARD **hills and ridges policy** (GDARD 2001 updated) assists in conserving this Critically Endangered ecosystem.

The following description of **Roodepoort Reef Mountain Bushveld** is provided in Government Gazette 1002, 2011:

Reference number - GP 8 Listed under Criterion F

Biome - Grassland and Savanna

Province - Gauteng Municipalities City of Johannesburg MM, Mogale City LM and Cradle of Humankind World Heritage Site

Ecosystem delineated by the Roodepoort and Krugersdorp ridge system and associated koppies.

Geographical location - West Rand of Gauteng including Roodepoort and Randfontein (2627BB and 2627BA respectively).

Original area of ecosystem - 14 000 ha Remaining natural area of ecosystem (%) 71%

Proportion of ecosystem protected - 12% of original area





Known number of species of special concern - 20 threatened or endemic plants and animal species including those listed below

Key biodiversity features - Red or Orange Listed plants for example *Melolobium subspicatum*, *Aloe peglerae* and *Delosperma leendertziae*;

Red or Orange Listed mammals for example Geoffry's Horseshoe Bat, Temminck's Hairy Bat and Schreiber's Long-fingered Bat;

Red or Orange Listed birds for example Half-collared Kingfisher;

Red or Orange Listed or priority invertebrates for example Marsh Sylph, Roodepoort Copper Butterfly, Stobbia's Fruit Chafer, Gunning's Rock Scorpion and Golden Starburst Baboon Spider;

Other information - Approximately 12% of the ecosystem is protected within the Krugersdorp Nature Reserve, Walter Sisulu Botanical Gardens and Ruimsig Entomological Reserve.

#### 4.2 Vegetation of the specific adjacent site

The vegetation is dominated by a dense stand of the small tree *Protea caffra* (Figure 6). This is the typical of the ridge foot slopes in the area. Small young (seedling) individuals (30 cm tall) indicate a healthy reproducing population. Other tree and shrub species present are *Ozoroa paniculosa*, *Cryptolepis oblongifolia* and *Gymnosporia buxifolia*, *Parinari capensis*, *Diospyros lycioides*, *Searsia pyroides*, *Asparagus* sp.

Grass species noted include *Trachypogon spicatus*, *Loudetion simplex*, *Schizachyrium sanguineum*, *Urelytrum agropyroides*, *Heteropogon amplexans*, *Themeda triandra*, *Eragrostis* sp, *Melinis repens*, *Melinis nerviglume*, *Elionurus muticus*, *Hyparrhenia hirta*, *Tristachya leucothrix*, *Eragrostis racemosa*, *Heteropogon contortus*, *Microchloa caffra* and *Panicum natalense*.

Forb species noted (difficult to identify due to winter season and recent burn): *Hilliardiella oligocephala*, *Pentanisia angustifolia*, *Helichrysum nudifolium*, *Helichrysum rugulosum*, *Senecio venosus*, *Hypoxis rigidula*, *Pellaea calomelanos*, *Acalypha angustata*, *Gnidia capitata*, *Dicoma anomala*.

#### 4.3. Plants of Conservation Concern

Plants of conservation concern are those plants that are important for South Africa's conservation decision making processes and include all plants that are Threatened, Extinct in the wild, Data deficient, Near-threatened, Critically rare, Rare and Declining. These plants are nationally protected by the National Environmental Management: Biodiversity Act (Raimondo *et al*, 2009).

Threatened species are those that are facing high risk of extinction, indicated by the categories Critically Endangered (CE), Endangered (EN) and Vulnerable (VU). Species of Conservation Concern include the Threatened Species, but additionally have the categories Near Threatened (NT), Data Deficient (DD), (DDT = lack of taxonomic data), Critically Rare (CR), Rare (R) and Declining (D). This is in accordance with the new Red List for South African Plants (Raimondo *et al*. 2009).



None of the red data listed plant species for the Gold Reef Mountain Bushveld were observed on the site occur on the site.

#### **4.4. Provincially Protected Plants**

No provincially protected plant species were observed on the site.

#### **4.5. Nationally Protected Plants**

The National Forest Act, 1998 (Act No. 84 of 1998) enforces the protection of a number of indigenous trees. The removal, thinning or relocation of protected trees will require a permit from the Department of Agriculture, Forestry and Fisheries (DAFF) (Notice of the List of Protected Tree Species under the National Forests Act, 1998, Notice 835, Government Gazette, 23 September 2010).

No nationally protected trees or TOPS /NEMBA plant species occur on the site.

#### **4.6. Critical Biodiversity Areas**

Figure 1.5 indicates that part of the site is "Important Area".

#### **4.7. Alien Invasive Plant Species**

A few individuals of the Category 1 Invader *Lantana camara* were noted on the site. Some weedy species occur on the pavement along the road.

#### **4.8. Vegetation Importance and Sensitivity**

In order to determine the sensitivity of the vegetation (ecosystem) on the site, weighting scores are calculated per plant community. The following six criteria are used and each allocated a value of 0-3.

- Conservation status of a regional vegetation unit;
- Listed ecosystem (e.g. wetlands, hills and ridges etc)
- Legislative protection (e.g. threatened ecosystems, SANBI & DEAT 2009; NEMBA Government Notice 1002, 2011)
- Plant species of conservation concern (e.g. red listed, nationally or provincially protected plant species, habitat or potential habitat to plants species of conservation concern, protected plants or protected trees);
- Situated within ecologically functionally important features (e.g. wetlands or riparian areas; important habitat for rare fauna species)
- Conservation importance (e.g. untransformed and un-fragmented natural vegetation, high plant species richness, important habitat for rare fauna species).

Sensitivity is calculated as the sum the values of the criteria. The vegetation with the lowest score represents the vegetation that has the least / limited sensitivity). A maximum score of 18 can be obtained, a score of 15-18 indicated high sensitivity. The sensitivity scores are as follows (Table 6.7):



**Sensitivity weighting scores for plant communities.**

<b>Scoring</b>	15-18	12-14	9-11	6-8	0-5
<b>Sensitivity</b>	High	Medium-High	Medium	Medium-Low	Low

Development on vegetation that has High sensitivity will normally not be supported, except that specific circumstances may still lead to support of the proposed development.

Portions of vegetation with Medium-High or Medium sensitivity should be conserved.

Development may be supported on vegetation considered to have Medium-Low or Low sensitivity. The result of the sensitivity analysis is given in Table 6.8.

**Table: Scoring ecological sensitivity for plant communities that occurs within the study area.**

Vegetation	Conservation Status of regional Vegetation unit	Listed Ecosystem	Legislated Protection	Species of conservation concern	Ecological Function	Conservation Importance	Total Score out of max of 18
1. <i>Protea caffra</i> woodland	3	3	3	1	2	1	13 Medium-High

On the site only the tree *Protea caffra* is considered to be of conservation concern – therefore only a value of 1 is given.

Due to the isolated nature of the stand the ecological function is awarded a value of only 2.

Due to the isolated nature of the stand the conservation importance is awarded a value of only 1.

The result of the sensitivity assessment indicates that the site has Medium-High ecological sensitivity.





## 5. CONCLUSION

Prior to development the site of 430 Totius Road, Portion 308 of the Farm Roodekrans 183-IQ, City of Johannesburg was covered by natural Gold Reef Mountain Bushveld, particularly by the Critically Endangered Roodepoort Reef Mountain Bushveld. The vegetation *Protea caffra* woodland. The site is on the foot slope of the ridge. Due to differences in topography, slope, rockiness and soil depth this type of vegetation is rich in indigenous plant species and fauna. During a vegetation survey on the adjacent stand, still covered by natural vegetation, a rich plant species composition was recorded, though the survey did not confirm presence of the several plant and fauna species of conservation concern, that may occur in this vegetation type. The survey was however limited by season (August 2019) and large part of the vegetation had been burned shortly before the date of the survey.

Most of the general area surrounding the site has already been developed. Therefore, the vegetation (of the adjacent site, but also on Portion 308) was fairly isolated, resulting in a lower conservation value. Nevertheless, the sensitivity analysis indicated that the vegetation still has a Medium-High ecological sensitivity. This implies that conservation of at least a part of the natural vegetation on Portion 308 could have contributed to conserving a Critically Endangered ecosystem.





## 6. LITERATURE CONSULTED

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## DETAILS OF SPECIALIST CONSULTANT

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1963 Matriculation Certificate, Kemptonpark High School

1967 B.Sc. University of Pretoria, Botany and Zoology as majors,

1968 B.Sc. Hons. (cum laude) University of Pretoria, Botany.

1969 T.H.E.D. (cum laude) Pretoria Teachers Training College.

1975 M.Sc. University of Pretoria, Plant Ecology .

1982 D.Sc. (Ph.D.) University of Pretoria, Plant Ecology.

**Theses:** (M.Sc. and D.Sc.) on plant community ecology and wildlife management in nature reserves in South African grassland and savanna.

#### Professional titles:

- MSAIE&ES South African Institute of Ecologists and Environmental Scientists
  - 1989-1990 Council member
- MGSSA Grassland Society of Southern Africa
  - 1986 Elected as Sub-editor for the Journal
  - 1986-1989 Serve on the Editorial Board of the Journal
  - 1990 Organising Committee: International Conference: Meeting Rangeland challenges in Southern Africa
  - 1993 Elected as professional member
- Pr.Sci.Nat. South African Council for Natural Scientific Professions **Reg No 400086/83**
  - 1993-1997 **Chairman** of the Professional Advisory Committee: Botanical Sciences
  - 1993-1997: **Council** Member





- 1992-1994: Publicity Committee
- 1994-1997: Professional Registration Committee

#### **Professional career:**

- Teacher in Biology 1970-1973 in Transvaal Schools
- Lecturer and senior lecturer in Botany 1974-1983 at University of the North
- Associate professor in Plant Ecology 1984-1988 at Potchefstroom University for CHE
- Professor in Plant Ecology 1988-2008 at University of Pretoria.
- Founder and owner of the Professional Ecological Consultancy firms Ecotrust Environmental Services CC and Eco-Agent CC, 1988-present.

#### **Academic career:**

- Students:
  - Completed post graduate students: M.Sc. 53; Ph.D. 14.
  - Presently enrolled post-graduate students: M.Sc. 4; Ph.D. 1.
- Author of:
  - 175 scientific papers in refereed journals
  - >150 papers at national and international congresses
  - >300 scientific (unpublished) reports on environment and natural resources
  - 17 popular scientific papers.
  - 39 contributions in books
- Editorial Committee of
  - South African Journal of Botany,
  - Journal Grassland Society of Southern Africa,
  - Bulletin of the South African Institute of Ecologists.
  - Journal of Applied Vegetation Science. (Sweden)
  - Phytocoenologia (Germany)
- FRD evaluation category: C1 (=leader in South Africa in the field of Vegetation Science/Plant Ecology)

#### **Membership:**

- International Association of Vegetation Science.
- International Society for Ecology (Intecol)
- Association for the Taxonomic study of the Flora of Tropical Africa (AETFAT).
- South African Association of Botanists (SAAB)
  - 1988-1993 Elected to the **Council** of SAAB.
  - 1989-1990 Elected as **Chairman** of the Northern Transvaal Branch
  - 1990 Elected to the Executive Council as **Vice-President**
  - 1990- Sub-editor Editorial Board of the Journal
  - 1991-1992 Elected as **President** (2-year period)
  - 1993 **Vice-President** and Outgoing President
- Wildlife Management Society of Southern Africa
- Suid-Afrikaanse Akademie vir Wetenskap en Kuns





(=South African Academy for Science and Art).

- Wildlife Society of Southern Africa
  - 1975 - 1988: Member
  - 1975 - 1983: Committee member, Pietersburg Centre
  - 1981 - 1982: **Chairman**, Pietersburg Centre
- Dendrological Society of Southern Africa
  - 1984 - present: Member
  - 1984 - 1988: Committee member, Western Transvaal Branch
  - 1986 - 1988: **Chairman**, Western Transvaal Branch
  - 1987 - 1989: Member, Central Committee (National level)
  - 1990 - 2000: Examination Committee
- Succulent Society of South Africa
  - 1987 - present: Member
- Botanical Society of South Africa
  - 2000 – present: Member
  - 2001- 2008: Chairman, Pretoria Branch
  - 2009-present Committee member Pretoria Branch
  - 2002 – present: Chairman, Northern Region Conservation Committee
  - 2002- 2007: Member of Council

#### **Special committees:**

- Member or past member of 10 special committees re ecology, botany, rangeland science in South Africa.
- Member of the International Code for Syntaxonomical Nomenclature 1993-1996.

#### **Merit awards and research grants:**

- |              |   |
|--------------|---|
| 1968         | Post graduate merit bursary, CSIR, Pretoria.  |
| 1977-1979    | Research Grant, Committee re Research Development, Dept. of Co-operation and Development, Pretoria.       |
| 1984-1989    | Research Grant, Foundation for Research Development, CSIR, Pretoria.                                      |
| 1986-1987    | Research Grant, Dept. of Agriculture and Water Supply, Potchefstroom.                                     |
| 1990-1997    | Research Grant, Dept. of Environmental Affairs & Tourism, Pretoria.                                       |
| 1991-present | Research Grant, National Research Foundation, Pretoria.<br>Research Grant, Water Research Commission.     |
| 1999-2003    | Research Grant, Water Research Commission.  |
| 2006         | South African Association of Botanists Silver Medal for outstanding contributions to South African Botany |

#### **Abroad:**

- |      |  |
|------|--|
| 1986 | Travel Grant, Potchefstroom University for Christian Higher Education, Potchefstroom<br>Visits to Israel, Italy, Germany, United Kingdom, Portugal.                |
| 1987 | Travel Grant, Potchefstroom University for Christian Higher Education, Potchefstroom.<br>Visits to Germany, Switzerland, Austria, The Netherlands, United Kingdom. |
| 1990 | Travel Grant, FRD.<br>Visit to Japan, Taiwan, Hong-Kong.   |



- 1991 Travel Grant, FRD.  
Visits to Italy, Germany, Switzerland, Austria, France, The Netherlands, United Kingdom.
- 1993 Travel Grant, University of Pretoria.  
Visits to the USA, Costa Rica, Czech Republic, Austria.
- 1994 Travel Grant FRD.  
Visits to Switzerland, The Netherlands, Germany, Czech Republic.
- 1995 Travel Grant FRD, University of Pretoria  
Visits to the USA  
Travel Grant, University of Pretoria  
Visit to the UK.  
Travel Grant University of Pretoria, Visit Czech Republic, Bulgaria  
Travel Grant, University of Pretoria, Visit Czech Republic, Italy, Sweden  
Travel Grant, University of Pretoria, Visit Hungary, Spain, USA  
Travel Grant, University of Pretoria, Visit Poland, Italy, Greece.  
Travel Grant, NRF, Visit Brazil
- 2006 German Grant Invited lecture in Rinteln, Germany

**Consultant**

Founder and owner of Ecotrust Environmental Services CC and Eco-Agent CC  
 Since 1988 >300 reports as consultant on environmental matters, including:  
 Game Farm and Nature Reserve planning,  
 Environmental Impact Assessments,  
 Environmental Management Programme Reports,  
 Vegetation Surveys,  
 Wildlife Management,  
 Veld Condition and Grazing Capacity Assessments,  
 Red data analysis (plants and animals).



## 15.14 Appendix E2: Heritage Impact Assessment Exemption Letter



15 Roodezand Place | Faerie Glen | 0043  
C: +27 (0) 82 558 9079  
C: +27 (0) 82 551 0479  
E: [natalie@pensu.co.za](mailto:natalie@pensu.co.za)  
W: [www.pensu.co.za](http://www.pensu.co.za)

Statutory Bodies: Provincial Heritage Resources Authority: PHRA-G  
Gauteng Department of Sports, Arts, Culture and Recreation  
35 Rissik Street, Surry House  
Johannesburg  
011 – 355 2545 | 072 932 0866

BY COURIER

Attention: Tebogo Molokomme | Nomzamo Gumede

**SUBMISSION OF LETTER FOR HERITAGE IMPACT ASSESSMENT EXEMPTION REQUEST:  
CONDONEMENT OF CLEARING MORE THAN 5000M<sup>2</sup> FOR THE BUILDING OF A RESIDENTIAL  
HOME ON PORTION 308 OF THE FARM ROODEKRANS 183 IQ, CITY OF JOHANNESBURG**

A Section 24G rectification application, in terms of the National Environmental Management Act (1998, as amended), will be submitted on behalf of Mr. Rotondwa Praise Ragimana for the unauthorised activity on Portion 308 of the Farm Roodekrans 183 IQ. The property, situated on a Class 3 ridge, has been cleared of indigenous vegetation and excavated for the purposes of constructing a residential house. The clearance of the area has resulted in more than 300m<sup>2</sup> of indigenous vegetation being permanently eradicated.

We would like to lodge an application *ex post facto* with PHRA-G in terms of Section 38 of the National Heritage Resources Act 25 of 1999.

Please receive the letter for HIA exemption as compiled by Prof Anton C van Vollenhoven, Director of Archaetnos Culture and Cultural Resource Consultants.

Should you have any queries please do not hesitate to contact me.

Kind regards,

A handwritten signature in blue ink that reads "Natalie Pullen".

Kind regards

Natalie Pullen

Environmental Assessment Practitioner

30 July 2019







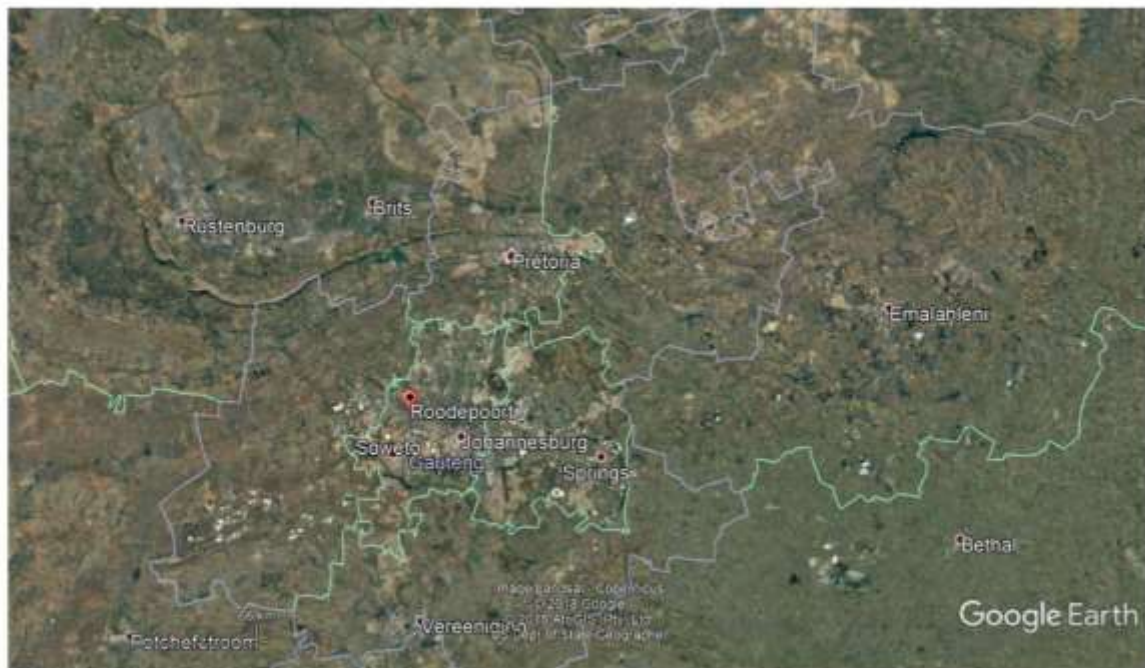
29 July 2019

To whom it may concern

**LETTER FOR HIA EXEMPTION REQUEST: CONDONEMENT OF BUILDING OF A MAIN HOUSE AND ENTERTAINMENT AREA ON PORTION 308 OF THR FARM ROODEKRANS 183 IQ, ROODEPOORT, CITY OF JOHANNESBURG**

The above-mentioned project refers. The site, which is approximately 8500m<sup>2</sup>, was cleared of indigenous vegetation between 9 December 2012 and 14 July 2013. The buildings and associated infrastructure amounts to approximately 1800m<sup>2</sup>. There are two main structures in the development, being the main house and the entertainment area.

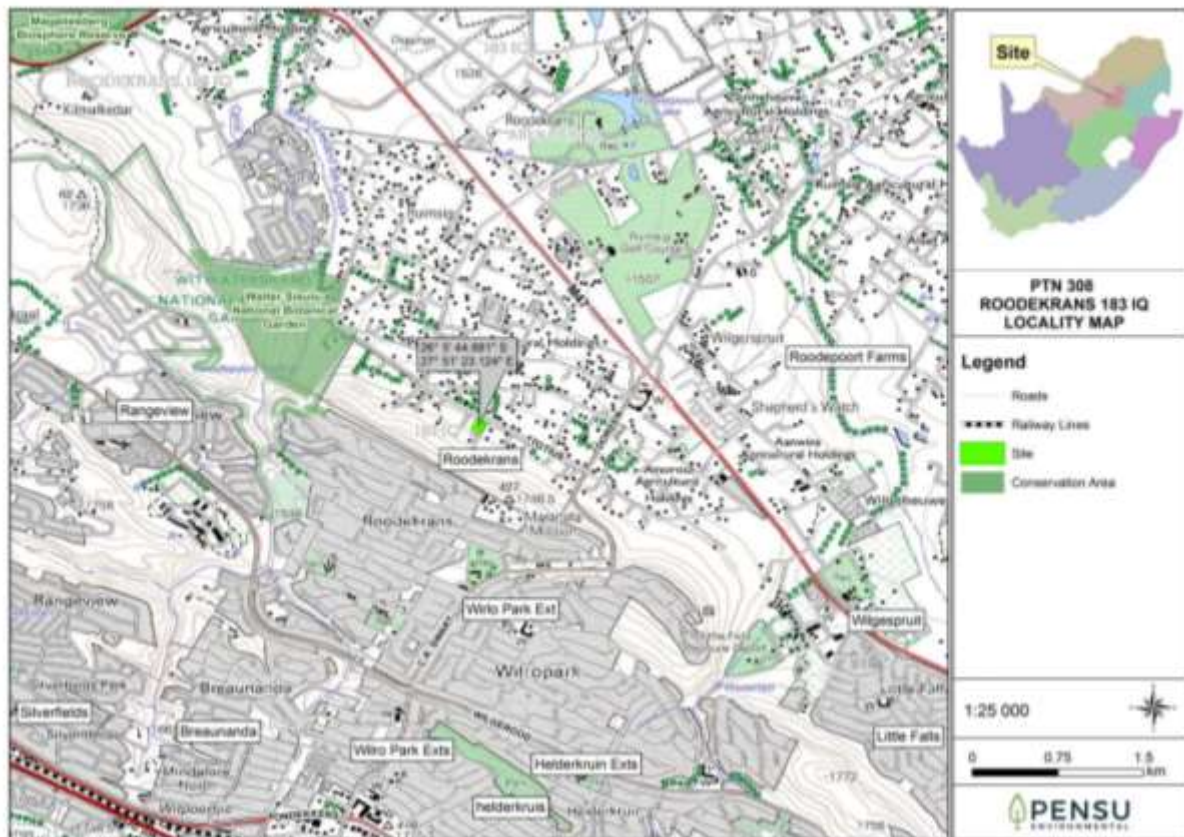
Roodepoort lies on the western side of Johannesburg. This is in the Gauteng Province. The farm Roodekranz is included in Roodepoort (Figure 1-2).



**Figure 1: Locality of Roodepoort in the Gauteng Province.**







**Figure 2: Location of the site within Roodepoort.**

The main house has a basement; ground floor (garage, ground floor, covered patio, staff quarters, entertainment area); and first floor (first floor with balconies). The entertainment area has a ground floor (covered entrance, indoor pool area, entertainment ground floor, staff rooms, staff covered patio, covered patio indoor pool); and first floor (entertainment and balcony).

An HIA must be done under the following circumstances:

- a. The construction of a linear development (road, wall, power line, canal etc.) exceeding 300m in length
- b. The construction of a bridge or similar structure exceeding 50m in length
- c. Any development or other activity that will change the character of a site and exceed 5 000m<sup>2</sup> or involve three or more existing erven or subdivisions thereof
- d. Re-zoning of a site exceeding 10 000 m<sup>2</sup>
- e. Any other category provided for in the regulations of SAHRA or a provincial heritage authority

It is my opinion that the project may be exempted from doing a Heritage Impact Assessment (HIA). The following is applicable:



- Firstly, it is a condonement, forming part of environmental condonement, for which such a heritage approval is needed.
- The site, as a result is entirely developed consisting of the buildings, infrastructure and landscaped gardens (Figure 3-8).
- Any possible heritage features that may have existed would have been removed during the clearing of the site done in 2012 and 2013.



**Figure 3: Detailed view of the site during construction.**





**Figure 4: Google Earth view of the site indicating it being entirely developed and landscaped.**



**Figure 5: View of planted lawn and the main house on the property.**





**Figure 6: Another view of the site.**



**Figure 7: General view of the site.**







**Figure 8: View of the entrance to the site.**

Due to the mentioned factors, the chances therefore of finding any heritage related features are indeed extremely slim, if any. This letter serves as an exemption request to the relevant heritage authority.

The developer should however note that due to the nature of archaeological material, such sites, objects or features, as well as graves and burials may be uncovered during construction activities on site. In such a case work should cease immediately and an archaeologist should be contacted as a matter of urgency to assess such occurrences.

**Recommendation:**

**That the development be exempted from doing an HIA.**

I trust that you will find this in order.

Yours faithfully

A handwritten signature in black ink on a light-colored background.

Prof AC van Vollenhoven: Director

Appendix F: Permit(s) /Authorisations/ license(s) from any other organ of state including service letters from the municipality

Appendix F1: Correspondence with PHRA-G

Appendix F2: Applicability of Specific Environmental Management Acts to this activity

Appendix F3: Certificate of Occupancy

Appendix F4: Municipal Account

Appendix F5: Borehole Certificate





**PROVINCIAL HERITAGE RESOURCES AUTHORITY - GAUTENG**

PRIVATE BAG X33, JOHANNESBURG, 2000  
35 RISSIK STREET, SURREY HOUSE  
JOHANNESBURG, 2000  
TEL: 011 355 2609

Our Ref : H72/19  
Enquiries : Tebogo Molokomme  
Date : 30 August 2019

**PENSU Environmental**

Tel: 082 558 9079

E-mail: [natalie@pensu.co.za](mailto:natalie@pensu.co.za)

Dear Applicant

**Letter for Heritage Impact Assessment Exemption Request: Condonement of Clearing more than 5000m<sup>2</sup> for the Building of a Residential Home on Portion 308 of the Farm Roodekrans 183 IQ, City of Johannesburg**

1. The above-mentioned application was discussed by the PHRA-G Heritage Impact Assessment (HIA) Committee on Friday, 30 August 2019.
2. After reviewing your report, the following recommendations were made:
  - a) It was noted that development has already taken place and the request is for condonement.
  - b) A detailed report about the site and heritage resources that were on site, should be submitted.
  - c) In summary, submit a detailed Heritage Impact Assessment (HIA) report, that should amongst other things:
    - clearly identify and map the heritage resources on the earmarked property/area
    - give the historical background of the area
    - show how the proposed work might have an impact on heritage resources
    - outline recommendation and mitigation measures
    - give a report on the public participation process followed during the assessment phase
3. The requested information will assist the Committee in making an informed decision.

Kind Regards,

  
Tebogo Molokomme

For the Heritage Impact Assessment (HIA) Committee  
**Provincial Heritage Resources Authority – Gauteng (PHRA-G)**



The Chairperson  
Heritage Impact Assessment Adjudication Committee  
Provincial Heritage Resources Authority of Gauteng (PHRA-G)  
Gauteng Department of Sports, Arts, Culture and Recreation  
35 Rissik Street, Surry House  
Johannesburg  
011 – 355 2545 | 072 932 0866

Attention: Tebogo Molokomme | Nomzamo Gumede

**REF H72/19: REQUEST FOR RECONSIDERATION OF PHRA-G RESPONSE TO LETTER FOR SUBMITTED HERITAGE IMPACT ASSESSMENT (HIA) EXEMPTION FOR THE CONDONEMENT OF CLEARING MORE THAN 5000M<sup>2</sup> FOR THE CONSTRUCTION OF A RESIDENTIAL HOME ON PORTION 308 OF THE FARM ROODEKRANS 183 IQ, CITY OF JOHANNESBURG**

The following correspondence bears reference:

1. The letter submitted by PENSU Environmental, dated 30 July 2019, regarding the exemption letter for the Heritage Impact Assessment (HIA) compiled by Prof Anton C van Vollenhoven, Director of Archaeo Culture and Cultural Resource Consultants, for the clearing of more than 5000m<sup>2</sup> for the construction of a residential home on Portion 308 of the Farm Roodekrans 183 IQ refers.
2. PHRA-G's response to the above-mentioned application, as discussed by the PHRA-G HIA Adjudication Committee on 30 August 2019 has reference.

It is noted that the PHRA-G HIA Committee has requested a detailed report about the site and heritage resources that were on site, to assist in making an informed decision. The report should amongst other things:

- Clearly identify and map the heritage resources on the earmarked property/ area;
- Give the historical background of the area;
- Show how the proposed work might have an impact on heritage resources;
- Outline recommendation and mitigation measures; and
- Give a report on the public participation process followed during the assessment phase.

The site, which is approximately 8500m<sup>2</sup>, was cleared of indigenous vegetation between 9 December 2012 and 14 July 2013. The site, as a result, is entirely developed consisting of buildings, infrastructure and landscaped gardens. Any possible heritage features that may have existed would have been removed during the clearing of the site done in 2012 and 2013. It is therefore not possible to identify



and map heritage resources on the property. The chances of finding any heritage related features are indeed extremely slim, if any. Mitigation measures will not be helpful as the development is already complete and no additional development is anticipated.

No surface deposits or skeletal remains were unearthed during excavation during construction. Historical images of the site do not indicate any structures historical or modern on the said site.

It is not clear how any further detailed heritage studies will provide additional information that will change the status of any heritage resources.

The public participation that is to be followed for the environmental process will provide opportunity for Interested and Affected Parties (I&AP's) to comment on heritage matters regarding the property. The advertisement for the environmental process will incorporate the requirements of the heritage assessment (including advertisement in the newspaper). The said advertisement and any heritage related comments received will be submitted to PHRA-G for review.

It is therefore requested that PHRA-G reconsider their request for a detailed report and exempt this development from doing an HIA.

Kind regards,



Kind regards

Natalie Pullen

Registered Environmental Assessment Practitioner (2018/132)

07 April 2020



## 15.16 Appendix F2: Applicability of Specific Environmental Management Acts to this activity



15 Roodezand Place | Faerie Glen | 0043  
 C: +27 (0) 82 558 9079  
 E: natalie@pensu.co.za  
 W: [www.pensu.co.za](http://www.pensu.co.za)

Gauteng Department of Agriculture and Rural Development  
 Section 24G Office: 20<sup>th</sup> Floor  
 Umnotho House  
 56 Eloff St, Johannesburg, 2000  
 011 240 3020/ 2500

Attention: Ms Tshildzi Masindi | Ms. Phindy Malaza

### **S24G/03/19-20/0466 SPECIFIC ENVIRONMENTAL MANAGEMENT ACTS APPLICATION TO THE UNAUTHORISED ACTIVITY ON PORTION 308 OF THE FARM ROODEKRANS 183-IQ, ROODEPOORT, CITY OF JOHANNESBURG**

Section 8.6.3.7 of the Directive issued to Mr. Rotondwa Praise Ragimana by GDARD on 21 February 2020, has reference. This section states: *"Please be advised that if any section of the Specific Environmental Management Acts is applicable to your activity; you are requested to furnish this Department with a written comment from the relevant authority. In the event that this is not the case, the EAP managing the project must inform this Department accordingly, in writing."*

<b>Specific Environmental Management Act</b>	<b>Applicability to the activity</b>
National Environmental Management: Biodiversity Act (10 of 2004)(NEM:BA)	The focus of the NEM:BA is on the preservation of species and ecosystems irrespective of whether or not they are situated in protected areas. The only plant on the site considered to be of conservation concern is the <i>Protea caffra</i> . However, in terms of NEM:BA, it is not a nationally protected tree. <i>Protea caffra</i> is protected under the old Transvaal Nature Conservation Ordinance No 12 of 1983, which is due to be repealed but hasn't been yet and is technically still valid. GDARD does not require permits for <i>Protea caffra</i> . Only plants on the Gauteng Red and Orange lists require a permit.
National Environmental Management: Protected Areas Act (57 of 2003) (NEM:PAA)	The NEM:PAA is intended to create a "national system of protected areas in South Africa as part of a strategy to manage and conserve its biodiversity". These protected areas can fall on state owned land, privately owned land and communally owned land. This Act is not applicable to this activity.
National Environmental Management: Air Quality Act (39 of 2004) (NEM:AQA)	The NEM:AQA's focus is on the protection and enhancement of the quality of air in the Republic; the prevention of air pollution and ecological degradation; and securing ecologically sustainable development while promoting



Specific Environmental Management Act	Applicability to the activity
	justifiable economic and social development". This Act is not applicable to this activity as there are no emissions associated with the residential development.
National Environmental Management: Integrated Coastal Management Act (24 of 2008) (NEM:ICM)	The NEM:ICM applies to the coastal zone of South Africa and is therefore not applicable to this activity that is based in Gauteng.
National Environmental Management: Waste Act (59 of 2008) (NEM:WA)	The NEM:WA deals with waste management and in particular the activities around collection, transportation, storage, re-use, recycling and recovery, treatment and disposal. This Act is not applicable to this residential home.

In conclusion, none of the SEMAs are applicable to this activity. Should you have any queries please do not hesitate to contact me.

Kind regards,



Kind regards

Natalie Pullen

Registered EAP (No. 2018/132)

05 June 2020



# 15.17 Appendix F3: Certificate of Occupancy Municipal Account



a world class African city

2018/09/28

The Owner

Dear Sir / Madam

CITY OF JOHANNESBURG  
DEVELOPMENT PLANNING AND URBAN MANAGEMENT  
BUILDING CONTROL

## CERTIFICATE OF OCCUPANCY

Township: ROODEKRANS Stand No: 308  
Plan Type: New Building

The building(s) on the abovementioned Stand(s) has/have been inspected and in the opinion of this Department has/have been erected in accordance with the building plan(s) approved on: 2013/04/12.

Date of Approval : 2013/04/12  
BAS Reference No : 2013/03/0340  
Building Area - New : 2152 m<sup>2</sup>  
Existing Area : m<sup>2</sup>

In compliance with the provisions of the National Building Regulations and Building Standards Act, 103 of 1977, as amended.

RECOMMENDED BY:

CHIEF BUILDING INSPECTOR  
(For Building Control Officer)

BUILDING INSPECTOR

2018/09/28

DATE

2018/09/28

DATE

Enquiries: Billy Posthumus  
Tel No: 761-0313  
Fax No: 472-2544

Development Planning and Urban Management  
Office of the Executive Director, Development Planning and Urban Management  
PO Box 30733, Braamfontein, 2017





15.18 Appendix F4: Municipal Account



a world class African city

Tel : (011) 375 5555  
Fax : (011) 358 3408/9

PO Box 5000  
Johannesburg 2000

E-mail :  
JoburgConnect@joburg.org.za

**COPY TAX INVOICE**

VAT NO. : CITY OF JOHANNESBURG - 4760117194      VAT NO. : PIKITUP - 4790191292  
VAT NO. : JOHANNESBURG WATER - 4270191077      VAT NO. : CITY POWER - 4710191182

R P R FAMILY TRUST  
430 TOTIUS ROAD  
ROODEKRANS 183-IQ  
1724

Date	2019/07/10
Statement for	July 2019
Physical Address	430 TOTIUS ROAD
Stand No./Portion	00000183 - 00308 - 00
Township	ROODEKRANS 183-IQ

Stand Size	Number of Dwellings	Valuation Date	Portion	Municipal Valuation	Region
8596 m2		2018/07/01	C1	Market Value R 1,621,000.00	Region C WARD 97

Invoice Number : 166003521588	Group :	Next Reading Date :
Client VAT Number : 999		Deposit Paid : R 2,360.44

Account Number 553216629	(PIN Code:293564)
--------------------------	-------------------

Previous Account Balance		228,641.15
Less: Incoming Payment (Last Payment Made 2019/07/03)		- 44,000.00
Sub Total		184,641.15
Current Charges (Excl. VAT)		10,406.34
VAT @ 15%		932.89
Installment Plan Request	184,930.42	-184,930.42
Installment Deposit	- 0.01	0.01
Installment Due	- 7,705.44	7,705.44
Installment Outstanding	177,224.97	

<b>Total Due</b>	<b>18,755.41</b>
<b>Due Date</b>	<b>2019/07/31</b>

90 Days+	60 Days	30 Days	Current	Instalment Plan	Total Outstanding
0.00	0.00	-289.26	19,044.67	177,224.97	195,980.38

Dear customer, the annual tariff increase for municipal services came into effect on 1 July 2019. For more info, please visit [www.joburg.org.za](http://www.joburg.org.za)  
We notice that payment on your account was not received in full last month. If you have since paid we thank you and request that you ignore this message. If you had not yet paid please do so urgently

Remittance Advice :  
This stub must accompany payment,  
please do not detach if paying at the post office

Date : 2019/07/10 R P R FAMILY TRUST  
Acc. No. : 553216629 - 430 TOTIUS ROAD, , ROODEKRANS 183-IQ

EasyPay	>>>> 91115 5532166294
SAPO	0146 553216629

**Standard Bank City of Johannesburg Banking Details:**  
Internet banking - Select preloaded Company details "City of Johannesburg".  
Deposits at SBSA branches - CIN no AA45 to be used in place of bank acc.no.  
Client Account No/Deposit Reference 553216629

>>>> 516008800111159 55321662903



Account Number 553216629			
Johannesburg Water		Amount	Sub Total
Water & Sanitation	VAT No. 4270191077		
(Reading period = 2019/05/19 to 2019/06/26 = 39 days) Meter readings and consumption: Meter no 90089060 start reading 4,567.000 and end reading 4,725.000 = 158.000 KL - Actual Reading Daily average consumption 4,051 KL Charges for 158.000 KL are based on a sliding scale for a 39 day period Step 1 7.688 KL @ R 8.2800 ( Billing Period 2019/07 ) Step 2 5.125 KL @ R 8.7900 Step 3 6.407 KL @ R 15.000 Step 4 6.406 KL @ R 21.830 Step 5 12.813 KL @ R 29.980 Step 6 12.814 KL @ R 33.220 Step 7 12.813 KL @ R 42.420 Step 8 93.934 KL @ R 45.190 Extended Social Package Grant Demand Management Levy VAT: 15.00% ( Total Amount: 5,967.76 )		63.66 45.05 96.11 139.84 384.13 425.68 543.53 4,244.88 0.00 24.88 895.16	<b>6,862.92</b>
City of Johannesburg			
Property Rates	VAT No. 4760117194		
Category of Property: Property Rates Vacant The property rates are based on the market values of the property and are calculated as follows: R 1,621,000.00 X R 0.0309960 / 12 ( Billing Period 2019/07 ) VAT: 0 %		4,187.04 0.00	<b>4,187.04</b>
City of Johannesburg			
Sundry Charges	VAT No. 4760117194		
Pretermination Notices VAT: 15.00% ( Total Amount: 251.54 )		251.54 37.73	<b>289.27</b>
<b>Current Charges (Incl. VAT)</b>			<b>11,339.23</b>

**Where can payments be made ?**

Any CoJ Cash Office; any Easy Pay site; any bank (branch, ATM or internet site).

**YOUR ACCOUNT NUMBER IS YOUR REFERENCE NUMBER**

**How can payments be made ?**

By debit order, cash, debit or credit card.

**KEEP ALL RECEIPTS FOR FUTURE REFERENCE**

**When can payments be made ?**

Payments must reach CoJ on or before the due date.

**Change of Address**

This must be done timeously, in writing and submitted to any CoJ Municipal Regional Office.

**Terminating Electricity and Water.**

This must be done in writing, 7 working days before the date you want your services terminated and submitted to any CoJ Municipal Regional Office.



# WATER BOREHOLE CERTIFICATE

## WATERBOORGATSERTIFIKAAT

Test No/ Toets Nr 290618/111/BN Test Date/ Toetsdatum 29 June 2018

Borehole Location/ Boorgatligging 308 Totius Road Parkview

Lat: ..... Lon: ..... Datum: .....

Casing Diameter/ Voering Deursnit 165 mm Steel/ PVC/ No casing/ Staat/ PVC/ Geen voering Steel Depth/ Diepte 70 Meter

Static Water Level/ Statiese Watervlak 5 m from above/ van bo af

Water level during test/ Watervlak tydens toets 68 m Pump depth during test/ Pompdiepte tydens toets 68 m

During continuous test of/ Gedurende aaneenlopende toets van 8 hours/ uur

Maximum Test Pump Capacity/ Maksimum Toetspomp Kapasiteit 5 m<sup>3</sup> per hour/ per uur

Maximum constant yield/ Maksimum konstante lewering 700 Liters per hour/ per uur

Seven Hundred Liters per Hour.

Remarks/ Opmerkings



Testing Official/ Toetsbeampte  
SIBUSISO MALINGA

INDALO WATER & ENERGY SOLUTIONS  
[www.indalosolutions.co.za](http://www.indalosolutions.co.za)  
074 636 5210  
Corner of Katherine Street & Centex Close  
Sandton



## Appendix G: Financial Considerations





## 15.20 Appendix G: Financial Considerations



## Appendix H: Operational Environmental Management Programme



## 15.21 Appendix H: Operational Environmental Management Programme



Appendix I: EAP Curriculum Vitae





**CURRICULUM VITAE – NATALIE PULLEN**

---

**Name:** NATALIE PULLEN  
**Profession:** Environmental Assessment Practitioner  
**Date of Birth:** 21 April 1976  
**Nationality:** South African  
**Language Proficiency:** English (home language)  
Afrikaans  
Zulu and Xhosa (limited degree)  
**Contact number:** 082 558 9079  
**Email address:** natalie@pensu.co.za  
**Highest Qualification:** MSc (Environmental Biotechnology) - Rhodes University, Grahamstown (April 2002)  
**Professional Registration** Registered Environmental Assessment Practitioner (Number 2018/132)  
**Membership in Professional Societies:**

- South Africa affiliate of the International Association of Impact Assessment (IAIAsa) (membership no 5170). Vice-chair of Gauteng Branch Committee (2017 – present)
- Institute of Waste Management South Africa (membership no 10117002)

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**SUMMARY:**

---

Natalie Pullen holds an MSc degree in Environmental Biotechnology through Rhodes University. Natalie has sixteen years of experience in Integrated Environmental Management, Water Resource Management and Integrated Waste Management. This experience has been diverse and varied, including aspects of both water quality management and water utilisation, at the strategic-national level and the implementation on a regional level of the then-Department of Water Affairs & Forestry. Further to this, Natalie has experience as a consultant in undertaking project-based environmental and waste studies such as Basic Assessments, Environmental Impact Assessments, Environmental Management Plans and programmes and Integrated Waste Management Plans. Natalie is registered with EAPASA as an Environmental Assessment Practitioner (number 2018/132). She is a professional member of the South African affiliate of the International Association of Impact Assessors (membership no 5170) as well as a professional member of the Institute of Waste Management (membership no 10117002).

---

**EDUCATION:**

---

B.A. – Rhodes University, Grahamstown (April 1997)  
B.A (Hons). – Rhodes University, Grahamstown (April 1998)  
MSc (Environmental Biotechnology) – Rhodes University, Grahamstown (April 2002)



### ADDITIONAL COURSES:

---

- Environmental Law Short Course: EnviroQuest, PE Technikon, 2000.
  - Applied Course in Aquatic Ecotoxicology: Centre for Aquatic Toxicology, IWR, Rhodes University, 2001.
  - Environmental Conflict Management: presented by Prof Rob Midgely from the Law Department, Rhodes University, 2001
  - Environmental Management Systems and ISO 140001 presented by Dr Malcome Logie Biotechnology and Environmental Specialist Consultancy, 2001.
  - Safety, Health and Environmental Management Systems and ISO 18001 presented by Dr Malcome Logie, Biotechnology and Environmental Specialist Consultancy, 2001.
  - Integrated Environmental Management and Environmental Impact Assessment presented by Dr Ted Avis from the Botany Department and Director of Coastal and Environmental Services, 2001.
  - Water Quality Management Orientation Course: presented by Department of Water Affairs & Forestry, Pretoria, 2001, with distinction.
  - TUKS 1B Advanced Water Quality Management Course: presented by University of Pretoria, 2001, with distinction.
  - Green Building Council of South Africa, Accredited Professional New Buildings Course, 2017.
  - EDGE Expert Course, 2017.
  - 2017 Amendments to the Environmental Impact Assessment Regulations Workshop: presented by IMBEWU Sustainability Legal Specialists (Pty) Ltd, 2017.
  - ECO Workshop: The Roles and Responsibilities of Environmental Control Officers and Site Environmental Staff – hosted by IAIAAs Gauteng Branch, 2017.
- 

### EXPERIENCE RECORD:

---

#### **PENSU Environmental (Pty) Ltd (January 2016 – present)**

Undertaking of various environmental studies such as environmental assessments, EMPs, waste management licencing, monitoring and reporting as well as environmental audits.

- **Phase 1 of Water Use Licence Application for BMW SA Plant Rosslyn** – EAP (PENSU Environmental, 2020).
- **Rehabilitation Plan for BMW SA Plant Rosslyn** – Project Manager (PENSU Environmental, 2020).
- **Updating the Operational Environmental Management Programme for BMW SA Plant Rosslyn** – EAP (PENSU Environmental, 2020).
- **Water Conservation and Demand Management Plan for 2 Seam Colliery Vlaklaagte** – EAP (MDT Environmental, 2020).
- **Basic Assessment for upgrading of Visitors Centre and Staff Accommodation for Kloofendal Nature Reserve** – EAP (IKAMVA Consulting, 2020)
- **Updating of Mandini Wealth Tyre Pyrolysis Environmental Management Plan** – EAP (Life4All Environmental Consultancy, 2020)
- **External Compliance Audit of the Norms and Standards for Storage and Baling for Remade Rustenburg Branch, Pretoria West Branch, Germiston Branch, Newtown Branch** – Waste Licence Auditor (Life4All Environmental Consultancy, 2020)





## CURRICULUM VITAE – NATALIE PULLEN

---

- **Biodiversity Assessment for BMW SA Midrand Campus** – Project Manager (PENSU Environmental, 2020)
- **Biodiversity Assessment for BMW SA Plant Rosslyn** – Project Manager (PENSU Environmental, 2019)
- **External Compliance Audit of the Waste Management Licence for BMW SA Plant Rosslyn** – Waste Licence Auditor (PENSU Environmental, 2019)
- **Environmental Management Plan for Dr Nkosazana Dlamini Zuma Local Municipality** – Project Manager and EAP (IKAMVA Consulting, 2019)
- **Siyabonville Township Establishment** – Project Manager and EAP (PENSU Environmental, 2019)
- **Section 24G Rectification Application for the unauthorised clearing of 300m<sup>2</sup> a residential home** – Project leader, EAP (PENSU Environmental, 2019)
- **Decommissioning of Tyre Pyrolysis Plant, Klerksoord** – EAP (Life4All Environmental Consultancy, 2019)
- **Decommissioning of Health Care Risk Waste Incinerator in Bloemfontein** – EAP (Life4All Environmental Consultancy, 2019)
- **Water Use Licence for a River Crossing of a Sewer Pipe Upgrade for Ferndale Residential Development** – (PENSU Environmental, 2019)
- **Environmental Screening and Basic Assessment for the proposed Mgxabakazi mixed use development for the Ka-Siphiwo Family** – EAP (PENSU Environmental, 2018)
- **Basic Assessment for the proposed sow piggery for Lwando Piggery** – Project leader, EAP (PENSU Environmental, 2018)
- **City of Ekurhuleni Waste Impact Report for Weltevreden Landfill Site and Plastic City Informal Settlement** – Reviewer and contributor of the WIR (NGT Holdings, 2018)
- **Basic Assessment for the proposed Witkoppies residential township establishment** – EAP (Life4All Environmental Consultancy, 2018)
- **Rehabilitation Plan for the illegal construction of a boundary wall through a wetland for Hope Restoration Ministries** – Project leader, co-ordinating specialist studies (PENSU Environmental, 2018)
- **Inxuba Yethemba Local Municipality's Integrated Waste Management Plan** – Reviewer of the IWMP (IKAMVA Consulting, 2018)
- **Basic Assessment for the proposed establishment of a place of worship for Hope Restoration Ministries** – EAP (PENSU Environmental, 2018)
- **Rehabilitation of the illegally constructed boardwalk in Klipsriviersberg Nature Reserve** – Project EAP responsible for overseeing the implementation of the rehabilitation plan (IKAMVA Consulting, 2018)
- **Basic Assessment for the proposed aquaculture and aquaponics facility for Nterra Solutions** – EAP (PENSU Environmental, 2018)
- **Preparation of Environmental Training Material for Mandini Wealth Tyre Pyrolysis Plant** – (Life4All Environmental Consultancy, 2018)
- **Basic Assessment for proposed residential township establishment in Naauwpoort, Emalaheni** – EAP (Life4All Environmental Consultancy, 2018)
- **Chris Hani District Municipality's Integrated Environmental Management Plan** – Project leader responsible for preparing the IEMP (IKAMVA Consulting, 2018).
- **External Compliance Audit of the Waste Management Licence for Alex Plastics** – Waste Licence Auditor (Life4All Environmental Consultancy, 2017)
- **Dr Kenneth Kaunda District Municipality's Integrated Waste Management Plan** – Reviewer and contributor of the IWMP (IKAMVA Consulting, 2017)
- **S24G Application for Klipsriviersberg Nature Reserve** – Project EAP responsible for compiling the rehabilitation plan (IKAMVA Consulting, 2017)
- **Dawid Kruiper District Municipality's Integrated Waste Management Plan** – Reviewer of the IWMP (IKAMVA Consulting, 2017)



- **Waste Management Licence for Enviro-Plastic Resin** – EAP responsible for undertaking the BAR for the WML (Life4All Environmental Consultancy, 2017)
- **Internal Compliance Audit of Mandini Wealth's Environmental Authorisation** – Waste Licence Auditor (Life4All Environmental Consultancy, 2017-2020)
- **External Compliance Audit of the Waste Management Licence for Remade Rustenburg** – Waste Licence Auditor (Life4All Environmental Consultancy, 2017)
- **External Compliance Audit of the Waste Management Licence for Remade Randburg** – Waste Licence Auditor (Life4All Environmental Consultancy, 2017)
- **External Compliance Audit of the Waste Management Licence for Remade Randfontein** – Waste Licence Auditor (Life4All Environmental Consultancy, 2017)
- **Eskom's Northern KwaZulu-Natal Strengthening Project** – EAP as part of team undertaking EIA for Substation, two 400kV powerlines and a BAR for 132kV Distributions Lines. (MDT Environmental, 2017)
- **Ekurhuleni Metropolitan Municipality's Fare Policy** – Project Administration Support. (MDT Environmental, 2017)
- **Ngwathe Local Municipality's Integrated Environmental Management Plan** – Project Leader responsible for preparing the IEMP. (MDT Environmental (previously ILISO Consulting Environmental Management), 2016-2017)
- **Limpopo Pipelines Project** – BAR for Borrow Areas associated with the Limpopo Pipelines Project. (ILISO Consulting Environmental Management, 2016 – 2017)
- **Qunu City Environmental Screening** – EAP responsible for determining what environmental authorisations will be required for the proposed development of the Qunu City to commemorate Mr Nelson Mandela. (ILISO Consulting Environmental Management, 2016)
- **Bhisho Office Precinct** – Water Use Licence Application. (ILISO Consulting Environmental Management, 2016)
- **Eskom Thuso Substation Close-out Audit** – EAP responsible for undertaking the Close-out audit as part of the project's Environmental Authorisation. (ILISO Consulting Environmental Management, 2016)
- **City of Tshwane BRT System** – Project Administration Support. (ILISO Consulting Environmental Management, 2016)

### Home Educator

(January 2010 – December 2015)

### Employer: Self-employed

(August 2004 – July 2010)

#### Sub-consultancy work for the following Environmental Companies:

- Life4All Environmental Consultancy
- Strategic Environmental Focus
- ILISO Consulting
- ARCUS GIBB
- Preparation of Scoping Reports and other environmental reports, in accordance with published guidelines.
- Facilitation and co-ordination of public participation processes as integral parts of environmental studies.
- Water Quality Management Plans
- Projects include:
  - Environmental Impact Assessment Report for the Proposed 1 Military Hospital Pilot Hydroclave (Life4All Environmental Consultancy).
  - Environmental Impact Assessment Report for the Proposed Sandton Medi-Clinic Pilot Hydroclave (Life4All Environmental Consultancy).





## CURRICULUM VITAE – NATALIE PULLEN

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- Property Hunt Norton Park Environmental Scoping (ARCUS GIBB)
- Property Hunt Dersley Environmental Scoping (ARCUS GIBB)
- Property Hunt Brentwood Environmental Scoping (ARCUS GIBB)
- Wietpro Housing Dersley Environmental Scoping (ARCUS GIBB)
- Wietpro Housing Newmarket Environmental Scoping (ARCUS GIBB)
- Review of the Environmental Impact Assessment for the Proposed Establishment of a GLB- Landfill Site on the Farm Zesfontein 27 IR (Strategic Environmental Focus)
- Majuba-Umfoloji Transmission power line EIA (ILISO Consulting)
- Trade Routes Shopping Centre Loop and Access Road Scoping Report (Strategic Environmental Focus)
- Trade Routes Shopping Centre Filling Station Scoping Report (Strategic Environmental Focus)
- Ambrose Park Environmental Assessment: National Ports Authority (ARCUS GIBB)
- Midway Drags: Visual Impact Assessment Report (Life4All Environmental Consultancy)
- Braamhoek Mining Application (ARCUS GIBB)
- Selebi-Phikwe Water Supply Master Plan (ILISO Consulting)
- Waterval Water Quality Management Plan (ILISO Consulting)

### **Employer: ARCUS GIBB (May 2002 – July 2004)**

#### **Environmental/ Waste Division, East London.**

##### **Senior Environmental Scientist**

- Project management and co-ordination of various projects. Project experience includes environmental components of waste disposal facilities, waste transfer stations, cemetery investigations, water supply development schemes, and small-scale developments
- Fulfilling permitting requirements of waste facilities, including consultation with regulatory authorities.
- Preparation of Scoping Reports and other environmental reports, in accordance with published guidelines.
- Facilitation and co-ordination of public participation processes as integral parts of environmental studies.
- Assisting with business development through sourcing and preparing proposals for environmental work and networking with potential clients.
- Projects include:
  - East London Regional Waste Disposal Site: Hazardous Waste Permit Upgrade: Buffalo City Municipality: Waste Management Services
  - Co-ordination of Environmental Monitoring for East London Regional Waste Disposal Site (including Monitoring Committee): Buffalo City Municipality: Waste Management Services
  - Cambridge Transfer Station: Site Selection & Permitting: Buffalo City Municipality: Waste Management Services
  - West Bank Transfer Station: Site Selection & Permitting: Buffalo City Municipality: Waste Management Services
  - Ducats Waste Disposal Site: Closure & Rehabilitation: Buffalo City Municipality: Waste Management Services
  - Bidhli Farm Rehabilitation where soils had been contaminated by heavy metals from King Tanning: Kolosus Automotive Leathers
  - Regional Cemetery Investigation: Site Selection: Buffalo City Municipality: Cemeteries Branch
  - Mzamomhle Cemetery Investigation: Site Selection: Buffalo City Municipality: Cemeteries Branch
  - Upper Corana Water Supply Scheme Scoping Study: OR Tambo District Municipality



## CURRICULUM VITAE – NATALIE PULLEN

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- Upper Mhlahlane Water Supply Scheme Scoping Study: KSD Municipality
- OR Tambo Waste Management & Capacity Building: OR Tambo District Municipality.
- Waste Management Vendor Risk Assessment: Johnson & Johnson

### **Employer: Department of Water Affairs & Forestry (January 1998 – April 2002)**

#### **Water Quality Management, Eastern Cape Region, East London: October 01 – April 2002.**

- Assessing permit applications for Waste Disposal Sites and compiling submission for approval by Head Office
- Issuing General Authorisations and Water Use Licenses
- Inspection and monitoring of Sewage Treatment Works and Waste Disposal Sites
- Ensuring Integrated Waste Management
- Environmental sampling and monitoring
- Extensive interaction with local authorities
- Implementing the Environmental Evaluation System – evaluating environmental impacts of water-related projects in co-operation with the Department of Economics Affairs, Environment and Tourism.

#### **Strategic Support, Eastern Cape Region, King William's Town: October 00 – September 01.**

- Assisted in the project management of the EU-funded project for developing an Environmental Evaluation System for DWAF-funded projects in the Eastern Cape Region
- Assisted in the development of a roll-out plan for the implementation of the National Water Act
- Assisted in the development of a Restructuring Plan for the Eastern Cape Region

#### **Water Use Management, Eastern Cape Region, King William's Town: May 00 – September 00.**

- Established the WARMS administrative office in King William's Town for Water use licensing & registration
- Assisted with the transformation of Irrigation Boards into Water User Associations

#### **Stream Flow Reduction Allocations, Water Utilisation, Pretoria: January 98 – April 00.**

- Co-ordination of the National Strategic Environmental Assessment for Water Use
- Drafting Policy and Strategy documents for Stream Flow Reduction Activities



## EAPASA

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3 Bauhinia Street  
Highveld Techno Park  
Centurion  
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## Environmental Assessment Practitioners Association of South Africa

*Advancing environmental assessment practice in South Africa*



Email: [registrar@eapasa.org](mailto:registrar@eapasa.org) / Website: [www.eapasa.org](http://www.eapasa.org)

Ms Natalie Pullen  
15 Roodezand Place  
Faerie Glen  
0043

Sent by email to: [natalie@pensu.co.za](mailto:natalie@pensu.co.za)

Dear Ms Pullen

**Registered Environmental Assessment Practitioner: Number 2018/132  
Natalie Pullen : South African ID 7604210021087**

The Environmental Assessment Practitioners Association of South Africa (EAPASA) herewith certifies that Natalie Pullen is a Registered Environmental Assessment Practitioner (EAP) in accordance with the prescribed criteria of Regulation 15.(1) of the Section 24H Registration Authority Regulations (Regulation No. 849, Gazette No. 40154 of 22 July 2016, of the National Environmental Management Act (NEMA), Act No. 107 of 1998, as amended).

Your registration is duly authorised by EAPASA as the single Registration Authority for EAPs in South Africa (appointed as per Regulation No. 104, Gazette No. 41434 of 8 February 2018, in terms of section 24H(3)(a) of the NEMA). Your status as a Registered EAP is displayed in the 'EAP Register' - please find your name and contact email address at

<https://registration.eapasa.org/registered-practitioners>

Your registration is effective for a period of five years from 30 November 2019, and expires on 30 November 2024. The renewal of your registration in 2024 will be contingent on you having met the requirements of EAPASA's Continuing Professional Development (CPD) policy during each year of registration.

As a Registered EAP you are required to uphold the EAPASA Code of Ethical Conduct and Practice in your professional endeavours, towards the goal of quality assurance in environmental assessment practice.

Please accept my congratulations on your registration.

Best regards

Dr Richard Hill  
Registrar  
Date: 30 November 2019

Board Members: Ms Snowy Makhudu (Chairperson), Mr Khangwele Desmond Masetsho (Vice-Chairperson),  
Mr Ntshako Baloyi, Mr Zama Dlamini, Mr Siyabonga Gqalangle, Ms Jacqui Hax, Ms Sibusiso Hela,  
Mr Malcolm Moses, Mr Phumudzo Nethwodzi, Mr Danni Neumani, Ms Keshri Rughobeei.  
Registrar: Dr Richard Hill  
NPO Reg. No. 122-986



Appendix J: Sworn affidavit by the EAP





15.23 Appendix J: Sworn affidavit by the EAP

SECTION H: DECLARATIONS

1. DECLARATIONS OF THE EAP

1. The Independent Environmental Assessment Practitioner

I, Natalie Pullen declare under oath that I –

- a. act as the independent environmental assessment practitioner in this application;
- b. do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the S24G of the National Environmental Management Act, read together with the relevant Environmental Impact Assessment Regulations;
- c. do not have and will not have a vested interest in the proposed activity proceeding;
- d. have no, and will not engage in, conflicting interests in the undertaking of the activity;
- e. undertake to disclose, to the competent authority, any material information that has or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the S24G of the National Environmental Management Act, read together with the Environmental Impact Assessment Regulations, 2014, as amended;
- f. will ensure that all documents will contain all relevant facts in respect of the application & that all documentation is distributed or made available to interested and affected parties. I will ensure that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced for the rectification application.
- g. will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- h. will keep a register of all interested and affected parties that participated in a public participation process; and
- i. will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.

*Natalie Pullen*

Signature of the Environmental Assessment Practitioner:

PENSU Environmental

Name of company:

29/07/2019

Date:

*[Signature]*

Signature of the Commissioner of Oaths:

29/07/19

Date:

COMMISSIONER OF OATHS

Designation:

Official stamp:

**Njabulo Humphrey Mqwambi**  
**Commissioner of Oaths (rsa)**  
Director: MQW Investments (Pty) Ltd t/a  
3@1 Cradlestone  
Shop L51A, Cradlestone Mall  
Cnr Hendrik Potgieter & Furrow Road  
Muldersdrift, Krugersdorp, 1739  
Ref. 09/12/2013

