



GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Reference: GAUT 002/21-22/E3132
Enquiries: Mokutu Nketu
Tel: +27 (0)11 240 3389
mokutu.nketu2@gauteng.gov.za

Dollis Hill Eiendomme (Pty) Ltd
P.O. Box 638
FAUNA PARK
0787

By Registered Mail

Email: pennells@ffgroup.co.za

Tel No: 082 653 7956

Dear Mr. Jacques Pennells,

ENVIRONMENTAL AUTHORISATION GRANTED: THE STORAGE FACILITY FOR THE STORAGE AND HANDLING OF DANGEROUS GOODS ON ERF 1597 CLAYVILLE EXTENSION 22, CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

With reference to the above application, please be advised that the Department has decided to grant an environmental authorisation and reasons for the decisions are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended, you must notify all registered interested and affected parties, in writing, within 14 days of the date of this EA, of the Department's decision in respect of your application as well as the provisions that are contained on the Appeal Regulations regarding the submission of appeals. A copy of this EA must also be appended to the letter of notification to the interested and affected parties.

Your attention is drawn to Chapter 2 of the National Appeals Regulations, 2014, which prescribes the appeal procedure to be followed. Should any person wish to lodge an appeal against this decision or any aspect of this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest on the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever, is applicable. The appeal(s) must be submitted in writing by any of the following means:

Postal Address:

The Appeals Administrator
Department of Agriculture and Rural Development
P.O. Box 8769
Johannesburg
2000

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Physical Address

The Appeals Administrator
Department of Agriculture and Rural Development
56 Eloff Street, Umnotho House, 23rd Floor
Johannesburg
2000

Fax No: 011 240 3158/2700

Email Address: appeals@gauteng.gov.za

Your appeal must be submitted in the prescribed appeal form obtainable from the appeal administrator, Ms. Tsholofelo Mere, at telephone number 011 240 3204 or email address tsholofelo.mere@gauteng.gov.za. The appeal form is also available from our website: www.gauteng.gov.za. Should you have any queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

Kindly take note that in terms of Section 43(7) of the National Environmental Management Act, 1998 (NEMA), as amended, the lodging of appeal suspends environmental authorisation as well as its associated Environmental Management Programme. This means that the activity authorised by this EA must not commence until such time that the appeal is finalised.

Kind regards,



MS. MATILDA GASELA
HEAD OF DEPARTMENT: AGRICULTURE AND RURAL DEVELOPMENT
DATE: 11 MAY 2022

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GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

ENVIRONMENTAL AUTHORISATION

Reference Number:	GAUT 002/21-22/E3132
Holder of Authorisation:	Dollis Hill Eiendomme (Pty) Ltd
Location of Activity / Activities:	Erf 1597 Clayville Extension 22, City of Ekurhuleni Metropolitan Municipality

Coordinates:	Latitude (S)	Longitude (E)
	25° 58' 23.1"	28° 13' 39.9"

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1. Decision

The Department is satisfied, on the basis of the information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

2. Activities Authorised

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

Dollis Hill Eiendomme (Pty) Ltd (hereafter referred to as the Applicant)

with the following contact details-

P.O. Box 638
Fauna Park
0787

Tel No.: 082 653 7956
Email: pennells@ffgroup.co.za

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to undertake the activities (hereafter referred to as "activity") listed in the table below:

Activity number and description	Proposed activity/development description
GN R. 327: Activity 14 The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.	The development and related operation of a storage facility for the storage and handling of dangerous goods. The storage will occur in containers with a combined capacity of 300 cubic metres (100 000 litre diesel, 100 000 litre petrol, 100 000 litre LP gas).

-for the proposed development of a storage facility with a combined capacity of 300 cubic metres (100 000 litres of diesel, 100 000 litres of petrol and 100 000 litres of LP Gas) for the storage and handling of dangerous goods on Erf 1597 Clayville Extension 22

Scope of Environmental Authorisation.

3. Specific Conditions

- 3.1 Environmental authorisation is granted for only the proposed alternative one (1) "The preferred proposal" for the development of a storage facility with a combined capacity of 300 cubic metres for the underground and aboveground storage and handling of dangerous goods on Erf 1597 Clayville Extension 22.
- 3.2 The Layout Plan with drawing name: Fuel Installation Layout, Proj. 22006, drawing number 100, dated February 2022 is hereby approved and must be adhered to.
- 3.3 The underground tankers must be properly lined, and leak detectors must be installed for ongoing monitoring.
- 3.4 The LP Gas tank must be monitored on a weekly basis for any possible leaks by the site manager/ applicant.

- 3.5 Odour monitoring systems must be in place (e.g., gas leak detectors) and they must always be in good working conditions.
- 3.6 In the event of a gas leak from the AST, the leak hole must be found and sealed immediately, and the relevant authority (including the City of Ekurhuleni Metropolitan Municipality) must be informed immediately.
- 3.7 Cost efficient pumps available on market with a reduced usage of electricity must be considered and used.
- 3.8 The emergency response plan attached with the EMPr must be clearly explained to contractors and all employees and in the case of an emergency, it must be implemented.
- 3.9 Care must be taken during the installation of the UST, pumps and fillers so as not to disturb the Sasol gas line.
- 3.10 No stockpiles of construction waste materials are to be left on site, on the adjacent properties or illegally dumped anywhere else after the construction phase.
- 3.11 Green building techniques must be applied as far as possible on the office building to make use of natural light and heat and thus reduce energy use and emissions to the atmosphere.
- 3.12 If any subsurface archaeological material, bones or fossils are discovered, construction must be stopped immediately, and a qualified archaeologist must be contacted to assess the finds and contact the Gauteng Provincial Heritage Resources Agency.

4. Commencement and completion of the activity/activities

- 4.1 The development of the storage facility for the storage and handling of dangerous goods including post development/construction rehabilitation must be concluded within a period of 10 years from the date of signature of this environmental authorisation. If the authorised activity has not been concluded within that period, the authorisation lapses.
- 4.2 Continuation of the authorised activities after the lapsing period of this EA and where such continuation will meet the threshold of any listed activity or activities, will constitute an offence.
- 4.3 Commencement with one listed activity authorised in terms of this environmental authorisation constitutes commencement with all other authorised activities.

5. Commencement of the operational activity

The construction and related operation of the proposed activity must commence within a period of 10 years from the date of signature of this environmental authorisation. If commencement of the proposed activity does not occur within the said period (10 years), the environmental authorisation lapses and a new application for authorisation must be made in order for the activity to be undertaken.

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6. Management of the activity or activities

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The Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation is also authorised in terms of this EA and must be implemented. In addition, the following is considered part of the subject EMPr:

- 6.1 No solid waste is to be disposed of at the property or adjacent property. Any solid waste generated must be handled, stored, transported, utilized or disposed of in such a manner that does not cause health hazards or secondary pollution.
- 6.2 Hazardous waste generated on site must be kept separate from domestic waste and must be stored in sealed and suitably marked containers for removal to a licensed hazardous waste landfill site or treatment facility.
- 6.3 The facility must ensure that the waste sent off site for further processing or reuse is sent to waste management facilities licensed to handle such waste.
- 6.4 A complaints register must be kept on site during the construction and operational phases as well as the details regarding the way the complaints are being addressed.

- 6.5 All mitigation and management measures identified in the Environmental Management Programme must be implemented to ensure that the environment is not adversely affected during the construction and operation of the storage facility.
- 6.6 The Applicant must submit recommendations to amend the EMPr where the findings of the environmental audit reports indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or the EMPr and where applicable, the closure plan.
- 6.7 The request to amend the EMPr must contain recommendations or mitigation to rectify the shortcomings identified in the environmental audit report.
- 6.8 The recommendation to amend the EMPr must be submitted to the Department for approval together with the environmental audit report in accordance with the regulations. Such updated EMPr must have been subjected to public participation process, which has been agreed to by the competent authority prior submission.
- 6.9 In assessing whether to grant approval of an amended EMPr because of an audit report, the competent authority may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr or closure plan sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.

7. Monitoring and Reporting

- 7.1 An independent Environmental Control Officer (ECO) must be appointed to oversee the development activities and guide compliance with the conditions of environmental authorisation and EMPr.
- 7.2 The ECO must submit a compliance/ environmental audit report at least once during preparation and construction phase of the development and one within 30 days after the completion of the development including associated post development rehabilitation and monitoring actions.
- 7.3 Once appointed, the name and contact details of the ECO must be submitted to the Department's Compliance Monitoring Section in the Department; documentation such as audit/monitoring/compliance reports and notifications, required to be submitted, must be submitted thereto.
- 7.4 The applicant and ECO must keep record of all activities on the site, problems identified, transgressions identified / noted, and a task schedule of the functions undertaken by the ECO.
- 7.5 The environmental audit report must be compiled in accordance with appendix 7 of the EIA Regulations, 2014 and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the EMPr.
- 7.6 Records relating to monitoring and auditing must be kept on the site and made available to any authorised person(s) acting on behalf of the relevant competent authority in respect of the development.

8. Notification of commencement of activity

- 8.1 A written notification of commencement of the activity, including site preparation, must be given to the Department 14 days prior to commencement of the activity on the site. The notice must include the date on which it is anticipated that the activity will commence as well as the EA reference number and be submitted to Director: Compliance Monitoring Ms Sasa Sekhatha, the official of the Department at the email address: Sasa.Sekhatha@gauteng.gov.za.

9. General Conditions

- 9.1 The conditions of this EA are binding on the applicant ("Holder of EA"), including any person acting on his or her behalf, including but not limited to an agent, sub-contractor, employee or person rendering a service to the applicant.
- 9.2 The activities authorised may only be carried out at the property or site indicated in this EA.

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- 9.3 Any changes to, or deviation from, the activity or activities' description set out in this EA must follow the appropriate amendment process described in the Environmental Impact Assessment Regulations, and be approved, in writing, by the Department before such changes or deviation are effected. In assessing whether to approve such changes, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the applicant to apply for further authorisations in terms of the Regulations.
- 9.4 Where any of the applicant's contact details changes, including the name of the applicant, the physical or postal address and/or telephonic details, the applicant must follow the relevant amendment process as prescribed in the Environmental Impact Assessment Regulations, by submitting an amendment application to the Department for consideration and decision making as soon as the new details become known to the applicant.
- 9.5 This EA does not negate the holder's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- 9.6 This EA and EMPr must be kept at the property or site where the activity or activities will be undertaken. The documents must be produced to any authorised official of the Department who requests to inspect them and must also be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property.
- 9.7 Non-compliance with a condition of this EA may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations.
- 9.8 If the Department has reason to believe that the EA was obtained through fraud, non-disclosure of material information or misrepresentation of a material fact, the Department may, in writing, suspend or partially suspend, with immediate effect, the EA and direct the holder of such EA forthwith, to cease any activities that have been commenced with or to refrain from commencing any activity, pending a decision to withdraw the EA.

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Date of the Environmental Authorisation:

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ANNEXURE 1: REASON FOR DECISION

1. Information considered in making the decision

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

- 1.1 The information contained in the Basic Assessment Report received by the Department on 14 April 2022 including:
 - 1.1.1 Comments and the responses provided by the Environmental Assessment Practitioner (EAP) during the public participation process;
 - 1.1.2 Geotechnical and dolomite study prepared by Geotechnical Consult Service dated October 2021.
- 1.2 The relevant information contained in the Departmental information base including the Geographical Information System (GIS), Gauteng Conservation Plan Version 3.3, the Gauteng Pollution Buffer Zone Guidelines, 2017 and the Gauteng Provincial Environmental Management Framework (GPEMF), 2015.
- 1.3 The South African National Standard (SANS) 1936: 2012
- 1.4 The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended).
- 1.5 Screening tool report prepared by Tekplan Environmental dated 04 November 2021.
- 1.6 The finding of the site inspection undertaken by Ms. Zesipho Makhosayafana and Emmanuel Chauke, the officials of the Department on 14 March 2022.

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- 2.1 The sensitive environmental features associated with the proposed site.
- 2.2 Compatibility of the activities with the surrounding land uses in the area.
- 2.3 Public participation process as undertaken in accordance with the minimum requirements of EIA Regulation 2014.
- 2.4 The comments received from Interested and Affected Parties as included in the Basic Assessment Report.
- 2.5 The specialist studies contained in the report.
- 2.6 The Gauteng Provincial Environmental Management Framework 2015

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3. Findings

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

- 3.1 The proposed site is underlain by a dolomite. However, the proposed site is developable with tolerable risk with respect to sinkhole formation and the underground tanks will be placed on a permissible land designated as D3, figure 12 of the geotechnical report.
- 3.2 The proposed site is located within an industrial and commercial area and is surrounded by industrial activities and petrol station. Therefore, the activity is compatible with the surrounding land uses.
- 3.3 The public participation process was undertaken in accordance with the requirements of the EIA Regulations, 2014 as it was advertised on the Daily Sun newspaper on 28 May 2021 and site notices were placed on various conspicuous places on site and written notices were sent to various stakeholders.

- 3.4 The objections were received from the interested and affected parties. However, the objections were addressed to the satisfaction of the Department.
- 3.5 The Geotechnical and dolomite specialist report attached supports the proposed development with recommendations.
- 3.6 According to GPEMF 2015, the proposed site falls within Environmental Management Zone 5 which is an industrial and large commercial focus zone and Environmental Management Zone 1 which is an urban development zone.

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

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