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Offices in: Eastern Cape Gauteng Limpopo Namibia North West KwaZulu-Natal Western Cape Zimbabwe

Construction of the Annlin Reservoir, For Attention: Interested and Affected Parties

Wonderboom, Gaunteng

AGES Reference: Annlin Reservoir S24G

GDARD Reference: S24G/03/12-13/0242

Dear Sir / Madam

Date: 10 April 2013

RE: NOTICE OF APPLICATION FOR RECTIFICATION: UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2010 IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT NO.107 OF 2008), AND INVITATION TO PARTICIPATE IN THE PUBLIC CONSULTATION PROCESS.

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

- a) An application for rectification by the City of Tshwane Metropolitan Municipality in terms of Sections 24(G) and 24(F) of the NEMA; and
- b) Granting an environmental authorisation to the City of Tshwane Metropolitan Municipality in terms of Section 24G of NEMA for the unlawful commencement of activities listed in terms of the Environmental Impact Assessment Regulations under the sub-regulations of Government Notice R546 of 18 June 2010, promulgated in terms of sections 24 and 44 of the NEMA, as amended, for the construction of the Annlin Reservoir (S24G/03/12-13/0242).

The activity involves the upgrade of the existing Wonderboom Break Pressure Tank to a 20 000 cubic meter reservoir at Portion R165 of the Farm Wonderboom 708 under the City of Tshwane Metropolitan Municipality. Please refer to the attached map for the precise location of the activity.

Construction at the site commenced in January 2012 and is expected to be completed by June 2013.

The City of Tshwane Metropolitan Municipality (CoT) is the project proponent in this matter. In 2008, VIP Consulting engineers enquired on behalf of the CoT whether the proposed construction requires environmental authorization from the GDARD. AGES, the Environmental Consultants received written confirmation from the GDARD that the proposed activity was not a listed activity (under the 2006 regulations applicable at the time). In 2010, new EIA Regulations were promulgated, under whoch the project does require environmental authorization. The Project Proponent, acting under the impression that the exemption confirmed by the GDARD in 2008 was still valid, commenced with construction of the reservoir in 2012, without having obtained environmental authorization under the 2010 EIA Regulations.

In terms of Sections 24 and 24(D) of the NEMA, as read with Government Notice R546, the following activity is applicable to the proposed project and requires an environmental authorisation:

GNR 546: item 2

"The construction of reservoirs for bulk water supply with a capacity of more than 250 cubic meters, (b) in Gauteng: (v) sites identified as irreplaceable or important sites in the Gauteng Conservation Plan.



Parties wishing to participate in or comment on this process or the associated activities are requested to forward their comments in writing to AGES by no later than **10 May 2013** at the following contact details:

AGES (Pty) Ltd, Telephone: (012) 751 2160

Postnet 74, Fax: 086 607 2406

Private Bag X07, <u>Attention:</u> Lelani Stolp

Arcadia, <u>Reference:</u> Annlin Reservoir S24G

0007. <u>Email: lstolp@ages-group.com</u>

Sincerely,

Michael Grobler

Environmental Assessment Practitioner (EAP)

Director (AGES)

(B.Sc Hons: Cons. Ecol; Pr.Sci.Nat)



