



GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Reference: Gaut 002/22-23/E3343
Enquiries: Khaka Khaka
Tel: +27 (0)11 240 3392
Khaka.Khaka@gauteng.gov.za

Johannesburg City Parks and Zoo
40 De Korte Street
Braamfontein
2724

Email: smaphumulo@jhbcityparks.com

Telephone/Cell Number: 011 712 6605

Dear Sakhile Maphumalo

ENVIRONMENTAL AUTHORISATION GRANTED FOR THE PROPOSED UPGRADES AT GOLDEN HARVEST PARK, CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY.

With reference to the above application, please be advised that the Department has decided to grant Environmental Authorisation (EA) 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, Rural Development and Environment
P.O. Box 8769
Johannesburg
2000

GDARD
Office of the HOD
176 JAN 2023
000006

Physical Address

The Appeals Administrator
Department of Agriculture, Rural Development and Environment
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, RURAL DEVELOPMENT AND ENVIRONMENT


DATE: 16 JANUARY 2023

GDARD
Office of the HOD
16 JAN 2023
000008



GAUTENG PROVINCE
 AGRICULTURE AND RURAL DEVELOPMENT
 REPUBLIC OF SOUTH AFRICA

ENVIRONMENTAL AUTHORISATION

Reference Number:	Gaut 002/22-23/E3343	
Holder of Authorisation:	Johannesburg City Parks and Zoo	
Location of Activity / Activities:	 Vehicle bridge upgrade (15 Golden Harvest A.H.), Pedestrian bridge upgrade (3 Sundowner Ext 18), Weir 1 (16 Hunter Hill A.H.), Weir 2 (17 Hunter Hill A.H.), Sewer line (3 Golden Harvest A.H.), (5 Golden Harvest A.H.), (7 Golden Harvest A.H.), (8 Golden Harvest A.H.), City of Johannesburg Metropolitan Municipality.	
Coordinates: Vehicle bridge	Latitude (S)	Longitude (E)
	26° 4'13.96"	27° 57'27.18"
21 Digit SG Number	T0IQ01410000001500000	
Coordinates: Pedestrian bridge	26° 4'1.67"	27°57'0.58"
21 Digit SG Number	T0IQ01740000001700000	
Coordinates: Weir 1	26° 4'26.51"	27°56'53.81"
21 Digit SG Number	T0IQ00500000000300000	

Coordinates: Weir 2	26° 4'26.51"	27°56'53.81"
21 Digit SG Number	T0IQ01740000001600000	
• Starting point of sewer line	26° 4'1.48"	27°57'7.07"
21 Digit SG Number	T0IQ01740000000300000	
• Turning point of the sewer line	26° 4'2.66"	27°57'9.12"
21 Digit SG Number	T0IQ01740000000500000	
• Middle point of the sewer line	26° 4'6.06"	27°57'7.71"
21 Digit SG Number	T0IQ01740000000700000	
• End point of the sewer line	26° 4'10.72"	27°57'10.03"
21 Digit SG Number	T0IQ01740000000800000	

GDARD
 Office of the Hon
 16 JAN 2023 000000

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 authorizes Johannesburg City Parks and Zoo (hereafter referred to as the Applicant) with the following contact details -

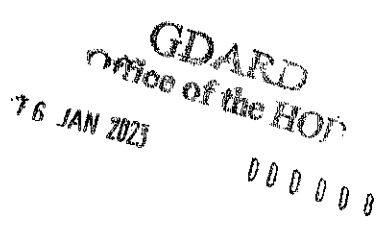
40 De Korte Street
 Braamfontein
 2724

Tel No: 011 712 6605
 Email: smaphumulo@jhbcityparks.com

GDARD
 Office of the HOI
 76 JAN 2023
 000000

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

Activity number and description	Proposed activity/development description
<p>Activity 19 of Listing Notice 1</p> <p>The infilling or depositing of any material of more than 10m³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m³ from a watercourse;</p>	<p>This activity is triggered by the upgrade of the vehicle bridge, the construction of the pedestrian bridge and the construction of the weirs.</p>
<p>Activity 14 of Listing Notice 3</p> <p>The development of-</p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area exceeds 10 square metres; or</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</p> <p>where such development occurs-</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p>	<p>The construction of the following infrastructure triggers this activity:</p> <ul style="list-style-type: none"> • Pedestrian bridge: 248 m² • Weir 1: 141 m² • Weir 2: 123 m² <p>within a Critical Biodiversity Area (CBA) or Ecological Support Area (ESA) according to the Gauteng Conservation Plan.</p> <p>Sections of the sewer line falls within the regulated 32m from a watercourse (delineated wetland).</p>

<p>Gauteng</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; x. Sites zoned for conservation use or public open space</p>	
<p>Activity 23 of Listing Notice 3</p> <p>The expansion of-</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</p> <p>where such development occurs-</p> <p>a. within a watercourse;</p> <p>c. if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>Gauteng:</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>x. Sites zoned for conservation use or public open space or equivalent zoning.</p>	<p>The upgrade of the vehicle bridge (36m²) will expand the current bridge by more than 10m². This activity is located within an Ecological Support Area (ESA) in terms of the Gauteng Conservation Plan.</p> <p style="text-align: right;">  </p>

-proposed upgrades at Golden Harvest Park which falls within the jurisdiction of the City of Johannesburg Metropolitan Municipality.

Scope of Environmental Authorisation.

3. Specific Conditions

- 3.1 Environmental Authorisation is granted for the proposed upgrade of a vehicle bridge, pedestrian bridge, construction of a sewer line and construction of two weirs (weir 1&2) at Golden Harvest Park, City of Johannesburg Metropolitan Municipality.
- 3.2 The construction area must be clearly demarcated before any construction activity takes place and signage must be displayed during the construction phase to inform the public about potential dangerous conditions on site.
- 3.3 The construction camp-site and/or storage area for construction material and machinery must be kept outside watercourse and its 32m buffer.
- 3.4 Cement mixing must be done on an impervious surface designated for such.
- 3.5 No development other than the authorised activities must take place within the watercourse and its 32m buffer measured from the edge of a watercourse/temporary wetland.
- 3.6 The clearance of vegetation must only be kept within the development footprint and trampling or soil disturbance on areas that are outside the development footprint must be kept to the minimum.

- 3.7 Obstruction of natural stream flow pattern must be avoided at all stage of the construction activities.
- 3.8 If any soil contamination occurs during the construction phases of the proposed activities, the contaminated soil must be removed to a suitable waste disposal facility and the site must be rehabilitated to the satisfaction of this Department. The opportunity for the on-site remediation and re-use of contaminated soil must be investigated prior to disposal.
- 3.9 All the recommendations made in the specialists' reports must be strictly adhered to throughout the construction and operation phase of the development.
- 3.10 All permits or licenses required for any of the proposed and associated activities must be obtained from the relevant authorities (e.g. Local Authority, DWS, etc.).
- 3.11 Dust suppression measures that include sprinkling of water must be implemented to reduce dust pollution to adjacent areas.
- 3.12 If any evidence of archaeological sites or remains, fossils or other categories of heritage resources are found during the proposed activities, the South African Heritage Resources Agency must be alerted immediately, and a professional archaeologist or paleontologist must be contacted as soon as possible to inspect the findings.
- 3.13 Rehabilitation of all affected areas must take place immediately after construction activities.

4. Commencement and completion of the activities

- 4.1 The development and/or construction of the authorised activities, 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 activities have 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 offense.
- 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 activities

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 for the activity to be undertaken.

GDARD
Office of the HOD

76 JAN 2023

000006

6. Management of the activity or activities

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 Induction of the contractors, subcontractors, agents and other people working on the site about the contents of the EMPr and its objectives.
- 6.2 Soil control measures during the installation phase to prevent soil erosion and the resulting wash down into any watercourse.
- 6.3 Management of all waste streams generated during construction and operational phase in accordance with the hierarchy of waste management principles.
- 6.4 All waste streams to be generated during construction and operational phase must be managed in accordance with the hierarchy of waste management principles and disposal at an authorised landfill or waste disposal site must be the last option. Proof of disposal of waste must be kept on site and made available to the Department upon request.
- 6.5 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.

- 6.6 The request to amend the EMPr must contain recommendations or mitigation to rectify the shortcomings identified in the environmental audit report.
- 6.7 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.
- 6.8 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 Environmental Control Officer (ECO) must be appointed to oversee the development activities and guide compliance with the conditions of environmental authorisation and EMPr. An ECO must submit compliance report at least once during preparation and construction phase of the development and one post development rehabilitation phase to mark completion of construction development.
- 7.2 An ECO must be appointed prior to any commencement of the authorised activity or activities.
- 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/ECO must keep record of all activities on the site, problems identified, transgressions identified or 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

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.

GDARD
Office of the HOD

78 JAN 2023

000000

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.
- 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.

Date of the Environmental Authorisation:

16 JANUARY 2023

GDARD
Office of the HON
16 JAN 2023 000000

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 application form received by the Department on 31 August 2022, Final Basic Assessment Report received by the Department on 09 November 2022, and additional information received by the Department on the 09 December 2022 including:
 - 1.1.1 Wetland Delineation and Assessment undertaken by WCS Scientific (Pty) Ltd (WCS)
 - 1.1.2 A Heritage Impact Assessment was undertaken by 1World Consultants (Pty) Ltd
 - 1.1.3 Screening report compiled by Alta van Dyk Environmental Consultants.
 - 1.1.4 Environmental Management Programme (EMPr) compiled by Alta van Dyk Environmental Consultants cc
- 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 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).
- 1.4 The findings of the site inspection undertaken by the Mr Siboniso Mpanzal of the Department on 08 December 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 Environmental attributes of the site.
- 2.2 Suitability of the proposed activities within the existing Environmental Management Zone.
- 2.3 Public participation process.

3. Findings

GDARD
Office of the HOD
76 JAN 2023

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

- 3.1 Site is an existing park operating park, there is a presence of various infrastructures on site, specifically several occupied residential dwellings and associated garden areas,
- 3.2 The site falls within Zone(s) 1 (Urban development zone) and 2 High Control Zone (Inside Urban Boundary) in terms of the GPEMF, 2015.
- 3.3 Public participation process was undertaken in accordance with chapter 6 of EIA Regulations, 2014 (as amended) requirements.

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**.