



## GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT  
REPUBLIC OF SOUTH AFRICA

Reference: GAUT 002/20-21/E0001  
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### Johannesburg City Parks and Zoo

P O Box 2824

Braamfontein

2017

Email: [vshabalala@jhbcityparks.com](mailto:vshabalala@jhbcityparks.com)

Telephone Number: 011 455 0200/0722279045

Dear Mr. Vusani Shabalala,

### **ENVIRONMENTAL AUTHORISATION GRANTED: FOR THE PROPOSED DEVELOPMENT OF A RECEPTION AND VISITOR'S CENTRE AND STAFF QUARTERS AT KLOOFENDAL NATURE RESERVE ON ERF 769 OF PORTION 530 OF THE FARM 197 IQ, CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY**

With reference to the above application, please be advised that the Department has decided to grant environmental authorisation. An 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 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, 23<sup>rd</sup> Floor  
**Johannesburg**  
2000

Fax No: 011 240 3158/2700

Email Address: [appeals@gauteng.gov.za](mailto: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](mailto:tsholofelo.mere@gauteng.gov.za). The appeal form is also available from our website: [www.gdard.gpg.gov.za](http://www.gdard.gpg.gov.za). Should you have any queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

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,

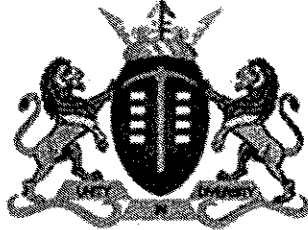


matilda

MS/MATILDA GASELA  
HEAD OF DEPARTMENT: AGRICULTURE AND RURAL DEVELOPMENT  
DATE:

14 DECEMBER 2020

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**GAUTENG PROVINCE**  
AGRICULTURE AND RURAL DEVELOPMENT  
REPUBLIC OF SOUTH AFRICA

**ENVIRONMENTAL AUTHORISATION**

<b>Reference Number:</b>	GAUT 002/LD/20-21/E0001
<b>Holder of Authorisation:</b>	Johannesburg City Parks and Zoo
<b>Location of Activity / Activities:</b>	Kloofendal Nature Reserve

<b>Coordinates:</b>	<b>Latitude (S)</b>	<b>Longitude (E)</b>
	26° 7' 51.09"	27° 52' 47.41"

<b>21 Digit SG Number</b>	T0IQ197000000005300000000
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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-

### Johannesburg City Parks and Zoo

with the following contact details-

P O Box 2824  
**Braamfontein**  
2017

Tel No.: 011 455 0200

E-mail: [yshabalala@jhbcityparks.com](mailto:yshabalala@jhbcityparks.com)

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

Activity number and description	Proposed activity/development description
<p>GN. R 324: Listing Notice 3 activity 12(c)ii and iii <i>"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:</i></p> <p>C. Gauteng:</p> <p>ii. <i>On site located within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans."</i></p> <p>iii. <i>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned Open Space, conservation or equivalent zoning</i></p>	<p><i>Clearance of an area of 300 square meters or more of indigenous vegetation on a site located within a Nature Reserve zoned Public Open Space.</i></p> <p style="text-align: right;"><b>GDARD</b> Office of the EIOD 14 DEC 2020 000014</p>

-proposed of a reception/visitor's centre . The site falls within the jurisdiction of City of Johannesburg Metropolitan Municipality.

## Scope of Environmental Authorisation.

### 3. Specific Conditions

- 3.1 The Environmental Authorisation is granted for the proposed development of a 2-storey reception / visitor's centre with the ground floor consisting of a reception area, lobby, water feature, outside seating, timber deck seating, bathrooms, cleaners store, 3 offices and a guard house. The Environmental Authorisation also approves the first floor to include a canteen, kitchen, viewing deck, outside and roof garden whereas the staff quarters will include four separate units with a bedsitter, kitchenette and bathroom
- 3.2 The preparation of building material (e.g. mixing of cement, concrete, sand etc.) must be done on a concrete impermeable surface to avoid seepage into the soil and eroding into the watercourse.
- 3.3 Sustainable energy measures that include solar geysers, solar power lighting and heating must be incorporated into the entire development to reduce the carbon footprint of the development.
- 3.4 Rainwater harvesting measures such as installation of water storage tanks must be considered. This water can then be used for irrigation of the landscaped areas. Note: this condition is in line with a water conservation drive as the country falls within a water scarce region.

### 4. Commencement and completion of the activity/activities

- 4.1 The development 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 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 offense.
- 4.3 Commencement with one listed activity authorised in terms of this environmental authorisation constitutes commencement with all other authorised activities.

### 5. 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:

- 5.1 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.
- 5.2 Should any heritage resources of any nature be uncovered during the construction, all activities must stop immediately and SAHRA and/ or professional Heritage Specialists be contacted immediately for investigations and remedial measures.
- 5.3 Post development rehabilitation must be undertaken using local indigenous species
- 5.4 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.
- 5.5 The request to amend the EMPr must contain recommendations or mitigation to rectify the shortcomings identified in the environmental audit report.
- 5.6 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.

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5.7 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.

## 6. Monitoring and Reporting

- 6.1 An Environmental Control Officer (ECO) must be seconded from the City of Johannesburg Metropolitan Municipality's Environmental Management unit to oversee the development activities and provide advice in terms of compliance with the conditions of this authorisation. The Environmental Control Officer (ECO) must submit compliance report at least once during preparation and construction phase of the activity
- 6.2 An ECO must be seconded prior to any commencement of the authorised activity or activities.
- 6.3 Once seconded, 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.
- 6.4 The 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.
- 6.5 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.
- 6.6 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.

## 7. Notification of commencement of activity

- 7.1 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 Sekhotha, the official of the Department at the email address: [Sasa.Sekhotha@gauteng.gov.za](mailto:Sasa.Sekhotha@gauteng.gov.za).

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## 8. General Conditions

- 8.1 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.
- 8.2 The activities authorised may only be carried out at the property or site indicated in this EA.
- 8.3 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 authorisation in terms of the Regulations.
- 8.4 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.
- 8.5 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.

- 8.6 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.
- 8.7 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.
- 8.8 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:

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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 30 October 2020 including:
- 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 finding of the site inspection undertaken by Khathu Nefale and Aluwani Nmutudi the officials of the Department on 13 November 2020.

### 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 need and desirability as well as the motivation in support of the proposed development.
- 2.2 The environmental attributes exhibited by the proposed site for development.
- 2.3 Public participation process complies with the requirements of the EIA Regulations, 2014.

### 3. Findings

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

- 3.1 The Kloofendal Nature Reserve exists together with its supporting infrastructure. The proposed development will be expanding on such and at a minimal coverage and footprint.
- 3.2 Notwithstanding that the Departmental C-Plan Version 3.3 depicts the site as within an Ecological Support Area (ESA), sufficient mitigation measures have been provided to ensure that impacts are minimal.
- 3.3 The public participation process complied with the requirements of the EIA Regulations, 2014. The Interested and Affected parties' (I&AP) consultation process included the placing of an advertisement in the newspaper and the placing of site notices. The public participation process was thus adequately conducted.

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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