

From:

To:00119002108

27/08/2012 17:36

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CLARK
Office of the HOD

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environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Tel (+ 27 12) 310 3911 - Fax (+ 2712) 322 2682

Ref: 14/12/16/3/7

Enquiries: Mr Reggy Nkosi

Tel: 012 310 3036 Fax 012 320 7539 Email: Rnkosi@environment.gov.za

Head of the Department
Gauteng Department of Agriculture and Rural Development
P. O. Box 8769
JOHANNESBURG
2000

Fax: (011) 355 1000

For attention: Mr Mafu Nkosi

DELEGATION OF AUTHORITY IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) TO CONSIDER APPLICATIONS ON THE PROPOSED INSTALLATION OF THE 19KM H39, 16.2 KM S4 AND DUPLICATION OF THE SHAMROCK ROAD - NORTHRIDGE G7 RAND WATER PIPELINE, WITHIN THE EKURHULENI METRO MUNICIPALITY, GAUTENG PROVINCE

I refer to your letter dated 08 June 2012, regarding the above-mentioned matter. According to this letter you have the capacity to consider the applications with the following ref numbers: Gaut 002/11-12/E0175, Gaut 002/11-12/E0242 and Gaut 002/11-12/E0244. Furthermore, you have stated that you have already assigned officers to these projects and that the review for these projects have already commenced.

By virtue of the power of section 24C of the National Environmental Management Act, 1998 (Act No. 107 of 1998 [NEMA] delegated to me by the Minister and Director-General in terms of section 42(1) (a) and 42(3) (a) of NEMA, it is herewith agreed that the above-mentioned application may be dealt with by the Gauteng Department of Agriculture and Rural Development

Yours sincerely

Mr Mark Gordon
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 11 July 2012



GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Diamond Corner Building, 68 Eloff & Market Street, Johannesburg
P O Box 8769, Johannesburg, 2000

Telephone: (011) 355-1900

Fax: (011) 355-1000

Website: <http://www.gdard.gpg.gov.za>

Enquiries: Tendani Rambuda

Telephone: (011) 355-1741

FAX COVER SHEET

Receiver's Details		Sender's Details	
To:	Leslie Hoy	From:	Thivhadini Netshiozwi
Company:	Randwater (Pty) Ltd	Section:	EPIA
Fax no.	(011) 900-2108	Floor:	17 th Floor Gleincain Building
Tel no.	(011) 724-9352	Tel:	(011) 355-1811
Date:	2012	Pages:	8 including cover page
SUBJECT:	AUTHORISATION GRANTED: PROPOSED CONSTRUCTION OF H39 WATER PIPELINE ON PORTION 100 OF THE FARM KLIPFONTEIN 12-IR AND PORTION 49 AND THE REMAINDER OF PORTION 7 OF THE FARM MOOIFONTEIN 14-IR (Gaut 002/11-12/E0242).		

Cc: Asande Projects Consulting & Engineering

Attn: Joshua Oluokun

Fax: (011) 312 3359

Ekurhuleni Metropolitan Municipality

Attn: Elisabeth van der Merwe

Fax: 086 612 8519

Compliance Monitoring

Attn: Cecilia Petlane

Fax: (011) 355 1850

Project Manager

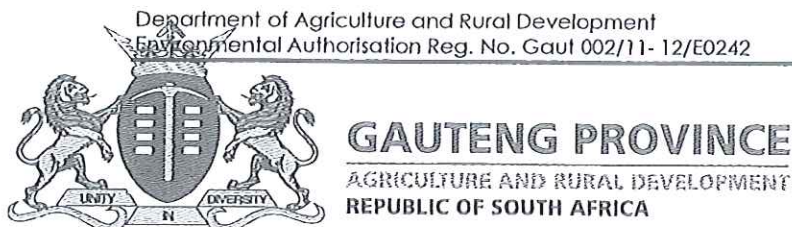
Attn: Thivhadini Netshiozwi

Fax: (086) 636 9838

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Office of the HOD

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Reference:	Gaut 002/11-12/E0242
Enquiries:	Tendani Rambuda
Telephone:	011-355-1741
Email:	Tendani.Rambuda@gauteng.gov.za

Randwater
P.O. Box 1127
Rand water Nursery
2000

Attn: Leslie Hoy
Fax no: (011) 900-2108

GDARD
Office of the HOD
12 -3-27 0000 27

PER FACSIMILE / REGISTERED MAIL

Dear Sir

RE: APPLICATION FOR ENVIRONMENTAL AUTHORISATION: PROPOSED CONSTRUCTION OF H39 WATER PIPELINE ON PORTION 100 OF THE FARM KLIPFONTEIN 12-IR AND PORTION 49 AND THE REMAINDER OF PORTION 7 OF THE FARM MOOIFONTEIN 14-IR

With reference to the above-mentioned application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation and reasons for the decision are attached herewith.

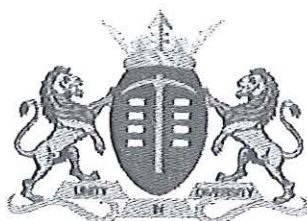
In terms of Regulation 10 (2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 calendar days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Your attention is drawn to Chapter 7 of the Regulations which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 calendar days of the date of this letter, by means of one of the following methods:

By facsimile: (011) 333 0620;
By post: P.O. Box 8769, Johannesburg 2000; or
By hand: 16th Floor, Diamond Corner Building, 68 Eloff Street, Johannesburg.

Yours faithfully

S.J. Sekgobela
Head: Agriculture and Rural Development
Date: 27/08/2012

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AGRICULTURE AND RURAL DEVELOPMENT
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Environmental Authorisation

Reference Number: 002/11-12/E0242

Holder of authorisation: Randwater

Location of activity: Portion 100 of the farm
Klipfontein 12-IR, Portion
49 and Remainder of
Portion 7 of the farm
Mooifontein 14-IR -
Tembisa, Midrand,
Kempston Park and
Centurion.

Department of Agriculture and Rural Development
Environmental Authorisation Reg. No. Gaul 002/11- 12/E0242

1. Decision

The Department is satisfied, on the basis of information available and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activity specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

2. Activities authorised

By virtue of the powers conferred by the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations, 2010, the Department hereby authorises-

Randwater

with the following contact details –

Leslie Hoy
P.O. Box 1127
Rand Water Nursery
2000

GDARD
Office of the HOD
12 Aug 2012 0000 27

Tel. (011) 724-9352

to undertake the construction of the 19 km H39 water pipeline from the Klipfontein reservoir to the Brakfontein reservoir with an internal diameter of 1700 mm on Portion 100 of the farm Klipfontein 12-IR and Portion 49 and the remainder of portion 7 of the farm Mooifontein 14-IR at Tembisa, Midrand, Kempton Park and Centurion (hereafter referred to as "the activities"). The site falls within the jurisdiction of Ekurhuleni Metropolitan Municipality.

The granting of this Environmental Authorisation is subject to the conditions set out below.

3. Conditions

3.1 Specific conditions

- b) Adequate measures to collect, remove and safely dispose of waste must be implemented during each stage of the proposed development, from site preparation to final construction and operation. Proper waste handling facilities must be provided for on the construction site and emptied at prescribed intervals.
- c) Sufficient ablution facilities must be provided for construction workers operating and using the site. Such facilities must be maintained and no chemical or wastewater must be allowed to contaminate the run-off on site. Sanitary arrangements must be to the satisfaction of the local authority.
- d) Appropriate dust suppression techniques must be implemented throughout the construction phase.
- e) A Water Use Licence must be obtained from Department of Water Affairs (DWA) before the commencement of the construction activities.
- f) The pipeline must be located within the Randwater's registered servitude. Where the pipeline does not run along the Randwater servitude, but to GAUTRANS servitude permission must be obtained before the commencement of the activities.
- g) Appropriate measures for the management of surface water runoff that will emanate as a result of the construction phase of the development must be implemented.

Department of Agriculture and Rural Development
Environmental Authorisation Reg. No. Gaut 002/11- 12/E0242

3.2 Management of the activity

- a. The Environmental Management Programme ("EMPr") submitted as part of the Basic Assessment Report received by the Department on 15 May 2012 is approved. All recommendations and mitigation measures included in the EMPr must be adhered to.
- b. Compliance with the approved EMPr above is considered an extension to the conditions of the authorisation. The contents of the EMPr and its objectives must be made known to all contractors, subcontractors, agents and other people working on the site.
- c. All recommendations outlined in the following Specialist reports must be adhered to:
 - Wetland Delineation dated February 2012 prepared by Sazi Environmental Consulting cc.
 - Fauna and Flora Assessment dated May 2012 prepared by Leconte Trading Consulting.

3.3 Monitoring and reporting

- a. Departmental official shall be given access to the property referred to above, for the purpose of ascertaining and/ or monitoring compliance with the conditions contained in this authorisation at all reasonable times.
- b. 14 days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activities will commence.

3.4 General conditions

- a. Conditions of this authorisation are binding on the holder of the authorisation, 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 holder of the authorisation.
- b. The activities which are authorised may only be carried out at the property or site indicated above.
- c. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, 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 holder of the authorisation to apply for further authorisation in terms of the Regulations.
- d. These activities must commence within a period of five (5) years from the date of issue. If commencement of the activities does not occur within that period, the authorisation lapses, a new application for environmental authorisation must be made in order for the activities to be undertaken.
- e. If the proponent anticipates that commencement of the activities would not occur within five (5) year period, he/she must apply and show good cause for an extension of the Environmental Authorisation six (6) months prior to its expiry date.
- f. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- g. A copy of this authorisation must be kept at the site where the activities will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- h. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- i. The holder of the authorisation must notify the Department, in writing and within twenty four (24) hours, if conditions under 3.1 to 3. 4 above can not be or is not adhered to. In all other cases, the holder of the authorisation must notify the Department, in writing, within 24 hours

Department of Agriculture and Rural Development
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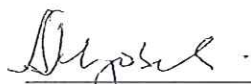
if all other conditions of this authorisation are not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.

- j. Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (as amended) and the regulations.

4. Appeal of authorisation

- a) The holder of the authorisation must notify all registered interested and affected party, in writing and within 12 days of receiving notice of the Department's decision to authorise the activities.
- b) The notification referred to above must –
- specify the date on which the authorisation was issued;
 - inform the registered interested and affected party of the appeal procedure provided for in Chapter 7 of the regulations; and
 - advise the registered interested and affected party that a copy of the authorisation and reasons for the decision will be furnished on request.

Date of environmental authorisation: 27/08/12



Ms. S.P. Sekgobela

Head: Agriculture and Rural Development

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Department of Agriculture and Rural Development
Environmental Authorisation Reg. No. Gaut 002/11- 12/E0242

Annexure 1: Reasons for Decision

1. Background

The applicant, Randwater applied for authorisation to carry on the following activities in terms of GNR. 544 of 18 June 2010-

Listed Activity 9: The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water

- (i) *With an internal diameter of 0.36 metres or more or*
- (ii) *With a peak throughput of 120 litres per second or more excluding where*
 - (a) *Such facilities or infrastructure are for bulk transportation of water, sewage or storm water or storm water drainage inside a road reserve or*
 - (b) *Where such construction will occur within urban areas but further than 32 metres from a water course, measured from the edge of the watercourse.*

Listed Activity 37: The expansion of facilities or infrastructure for the bulk transportation of water, (a) the facility or infrastructure is expanded by more than 1000 metres in length; or (b) where the throughput capacity of the facility or infrastructure will be increased 10% or more – excluding where such expansion: (i) relates to transportation of water, sewage or storm water within a road reserve; or (ii) where such expansion will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of the watercourse.

Listed Activity 39: The construction of (i) canals, (ii) channels (iv) bulk storm water outlet structures; where such construction occurs within a 32 metres of a water course, measured from the edge of the water course, excluding where such construction will occur behind the development setback line.

The applicant appointed Asande Projects Consulting & Engineering to undertake a basic assessment process

Public Participation Process, Basic Assessment Report compiled and submitted to the Department of Agriculture and Rural Development for review. No exemption was granted during the process.

2. Information considered in making the decision

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

- a) The information contained in the Basic Assessment Report received by the Department on 15 May 2012 compiled by Asande Projects Consulting & Engineering.
- b) The comments received from registered interested and affected parties as included in the Basic Assessment Report.
- c) Relevant information contained in the Departmental information base including the Biodiversity Conservation Plan 3.
- d) The Ekurhuleni Metropolitan Municipality Environmental Management Framework (EMM EMF, 2008).
- e) 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).
- f) The findings of the site inspection undertaken by Netshiozwi Thivhadini on 13 June 2012.

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Department of Agriculture and Rural Development
Environmental Authorisation Reg. No. Gaut 002/11- 12/E0242

3. 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.

- a) The Public Participation Process was carried out according to the requirements of the Environmental Impact Assessment Regulations, 2010 and no objections were received from registered interested and affected parties.
- b) The proposed activities are in line with the Ekurhuleni Metropolitan Municipality Environmental Management Framework (2008) which identifies the site as Randwater servitude next to the road servitude.
- c) Supply of water to the surrounding township establishments.

4. Findings

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

- a) If properly managed, the activities will not have severe impacts on the environment.
- b) The proposed pipeline will be in the best interest of the surrounding communities as their water supply will be enhanced and thus providing basic service delivery to the community as required by section 27 of the Constitution of the Republic of South Africa, 1996.
- c) The proposed pipeline will run along Randwater servitude and road servitude, therefore will have minimal impacts on the receiving environment.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the proposed activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels. The authorisation is accordingly granted.

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Office of the HOD

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