

Section 24G Application Form for the consequences of unlawful commencement or continuation of a listed activity/ies in terms of the:

1. **National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.**
2. **The National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)**

Kindly note that:

1. This application must be submitted where a person has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1) of NEMA (i.e. where the person commenced with an activity listed or specified in terms of section 24(2) (a) or (b) of NEMA - the activities contained in the EIA Listing Notices) or has commenced, undertaken or conducted a waste management activity without a waste management license in terms of section 20 (b) of the NEM:WA.
2. This **Application Form** must be completed for all section 24G applications, by an independent Environmental Assessment Practitioner ("EAP").
3. This Application Form is current as of March 2022. It is the responsibility of the Applicant/EAP to ascertain whether subsequent versions of the Application Form have been published or produced by the competent authority. Note that this Application Form replaces all the previous versions. This updated Application Form must be used for all new applications submitted from March 2022.
4. **The contents of this Application Form includes the following:**
 - Section A: Application Information
 - Section B: Activity Information
 - Section C: Description of Receiving Environment
 - Section D: Preliminary Impact Assessment
 - Section E: Alternatives
 - Section F: Public Participation
 - Section G: Appendices
 - Section H: Declarations
 - Annexure A:
 - Section A: Directive
 - Section B: Deferral
 - Section C: Quantum of S24G Fine
 - Section D: Preliminary Advertisement
 - Section E : Gauteng Pollution Buffer Zones Guidelines
 - Annexure B: Example of Preliminary Newspaper Advertisement

5. An independent EAP must be appointed to complete the required sections (in terms of NEMA and its Regulations) of the Application Form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with this Application Form. If a specialist report is required, the specialist will also be required to complete the declaration of independence.
6. Two hard copies (including the original) and one electronic copy (CD/DVD/Flash drive) of this application form must be submitted.
7. The use of “not applicable” in the Application Form must be done with circumspection.
- 8. No faxed or e-mailed application forms will be accepted.**
9. Unless protected by law, all information contained in and attached to this application will become public information on receipt by the competent authority. Please note that, unless exemption has been granted in terms of the National Exemption Regulations published under GN R994 in GG 38303 of 8 December 2014, any Interested and Affected Party should be provided with the information contained in and attached to this Application Form as well as any subsequent information submitted.

PROCESS TO BE FOLLOWED:

- a) **Prior to submission of an Application Form**, the applicant is required to undertake a pre-application public participation process in terms of Regulation 8 of the Regulations relating to the procedure to be followed and criteria to be considered when determining an appropriate fine in terms of section 24G published in the Government Gazette on 20 July 2017, Gazette No 40994, No. R. 698 (“Section 24G Fine Regulations”).
- b) Together with the submission of a section 24G Application Form, the form **must include Proof of compliance of with Regulation 8** of the Section 24G Fine Regulations, including, but not limited to, proof of the pre-application advertisement in a local newspaper and register of I&APs.
- c) The Department will acknowledge receipt of the application and provide the Applicant / EAP with the relevant application reference number to be used in all future correspondence and the application public participation processes.
- d) Upon receipt of the application, the MEC/Competent Authority may direct the applicant in terms of section 24G(1)(i-viii) of the NEMA.
- e) In terms of the provisions of section 24G of NEMA, the applicant must pay an administrative fine up to a maximum of R5 million before the MEC/Competent Authority decides on the application.
- f) The applicant **must within 14 days** of receipt of the determination of the quantum of the fine, ensure that all registered interested and affected parties are notified of the determination of the quantum of the fine, including the reasons and provided with access to the determination.
- g) The administrative fine **must be paid within the time period stipulated** in the administrative Fine Letter. Failure to pay the fine within the specified period, will result in the lapse of the application and any partial amounts paid in will not be refunded.
- h) **Proof of payment of the fine must be submitted to the Department.** Upon payment of the administrative fine, the MEC/Competent Authority may-
 - refuse to issue an environmental authorisation; or

- issue an environmental authorisation to such person to continue, conduct or undertake the activity subject to such conditions as may be deemed necessary, which environmental authorisation shall only take effect from the date on which it has been issued; or
- direct the applicant to provide further information or take further steps prior to making a decision provided for above.
- together with the above decision the MEC/Competent Authority may direct a person to rehabilitate the environment within such time and subject to such conditions as may deem necessary or take any other steps necessary under the circumstances.

PLEASE NOTE THE FOLLOWING:

1. Failure to comply with a directive may result in the institution of appropriate legal action as is deemed necessary and as provided for in the legislation.
2. The submission of an application or the granting of an environmental authorisation shall in no way derogate from—
 - (a) the environmental management inspector's or the South African Police Services' authority to investigate any transgression in terms of NEMA or any specific environmental management Act;
 - (b) the National Prosecuting Authority's legal authority to institute any criminal prosecution.
3. If, at any stage after the submission of an application it comes to the attention of the Minister, Minister for mineral resources or MEC that the applicant is under criminal investigation for the contravention of or failure to comply with section 24F(1) or section 20(b) of the *National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)*, the Minister, Minister for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time that the investigation is concluded and—
 - (a) the National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure.
 - (b) the applicant concerned is acquitted or found not guilty after prosecution in respect of such contravention or failure has been instituted; or
 - (c) the applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.
4. A person is guilty of an offence if that person:
 - Prior to submission of a section 24G application:
 - fails, in terms of Regulation 8(1), to place a preliminary advertisement in a local newspaper in circulation in the area in which the activity was, or activities were, commenced and on the applicant's website, if any or
 - fails, in terms of Regulation 8(2), to comply with the advertisement requirements set out in Annexure A, section D or
 - fails, in terms of Regulation 8(3), to open and maintain a register of interested and affected parties); or
 - fails, in terms of Regulation 8(4), to attach to the application form the register of interested and affected parties, which must be included in the report, or form part of the information submitted in terms of section 24G(1) of NEMA.
 - Provides incorrect, false or misleading information in any form, including in any document submitted to a competent authority in terms of the Section 24G Fine Regulations or omits

information that may have an influence on the outcome of a recommendation of the fine committee or determination of the competent authority.

5. A person convicted of an offence in terms of these Regulations is liable to a fine not exceeding R5 million or to imprisonment for a period not exceeding 5 years, and in the case of a second or subsequent conviction to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, and in both instances to both such fine and such imprisonment.
6. Activities which result in detrimental impacts to the environment are considered in a serious light by the Department and accordingly Applicants must understand that by lodging an application for the continuation of activities that commenced/ was undertaken unlawfully does not necessarily imply that the activity will be authorised. In terms of the NEMA, the MEC may either refuse to issue an EA, conditionally authorise the activity or direct you, the Applicant, to provide further information or take further steps prior to making a decision.
7. The environmental data collected as part of the assessment process (spatial, species, etc.) must be given to the department in electronic format. Spatial data should be in the format of zipped shapefiles in WGS 84 projection and an accompanying explanatory document or metadata. Species and other environmental data should be spreadsheet format clearly linked to the relevant spatial data (i.e. wetland species list linked to wetlands delineation). Data can be zipped and emailed to Mathabo Phoka at mathabo.phoka@gauteng.gov.za.

DEPARTMENTAL DETAILS

Applications may be submitted:

By post to Gauteng Agriculture and Rural Development, P. O. Box 8769, Johannesburg, 2000

OR

By hand at the Section 24G office: 20th Floor, Umnotho House, 56 Eloff Street, Johannesburg

Queries must be directed to:

Director Enforcement: Ms. Maryjane Ramahlodi
Gauteng Department of Agriculture and Rural Development
Tel: (011) 240 2500 (Switchboard) or Direct Lines: 011 240 3020
E-mail: Maryjane.Ramahlodi@gauteng.gov.za

S24G Unit Manager: Ms. Omolayo Ilemobade
Gauteng Department of Agriculture and Rural Development
Tel: (011) 240 2500 (Switchboard) or Direct Lines: 011 240 3022
E-mail: omolayo.ilemobade@gauteng.gov.za

S24G Unit Manager: Ms. Phindy Malaza
Gauteng Department of Agriculture and Rural Development
Tel: (011) 240 2500 (Switchboard) or Direct Lines: 011 240 3021
E-mail: phindy.malaza@gauteng.gov.za

S24G Unit Manager: Mr. Salani Shitlhangu
Gauteng Department of Agriculture and Rural Development
Tel: (011) 240 2500 (Switchboard) or Direct Lines: 011 240 2551
E-mail: salani.shitlhangu@gauteng.gov.za

File reference number:
Date Received by Section 24G:

SECTION A: APPLICATION INFORMATION

1. APPLICANT PROFILE INDEX

Mark the correct answer with an 'X'

1.1	The applicant is an individual	YES	NO
1.2	The applicant is a company	YES X	NO
1.3	The applicant is a state-owned enterprise or municipality	YES	NO
1.4	Other (specify)	YES	NO
1.5	There is more than one individual/company responsible for the unlawful commencement of listed activities	YES	NO

Name of Project applicant:	Omeida Trading 406 CC												
RSA Identity number:													
Contact person:	Pretty Shandukani												
Position in company	Director												
Registered Name of Company/ Closed Corporation	Omeida Trading 406 CC												
Trading name (if any):	Omeida Trading 406 CC												
Registration number	2007 / 225500 / 23												
Postal address:	PO Box 357, Celtis Ridge												
							Postal code:	0130					
Telephone:	012 656 0236						Cell:	072 574 2539					
E-mail:	pretty@mshandukani.co.za						Fax:	(012) 656 0527					

Please Note: In instances where there is more than one individual / company responsible for the unlawful commencement of listed activities, please attach a list of the individuals/companies with all contact details to this form.

Environmental Assessment Practitioner (EAP):	Selahle Consultancy & Projects (Pty) Ltd		
Contact person:	Shonisani Selahle		
Postal address:	P.O Box 1059 Halfway House, Midrand		
		Postal code:	1684
Telephone:	(011) 026 2560	Cell:	079 614 8298 / 079 569 5277
E-mail:	admin@scprojects.co.za shonie@scprojects.co.za	Fax:	(086) 685 9567

EAP Qualifications	National Diploma in Geology
EAPASA Registration Status	Registered (X) Not Yet Registered () Registration in Progress ()
Registration Category	Candidate EAP () Registered EAP (X)
EAPASA Registration Number	EAPASA (2020/2646)
Other Relevant Associations	IAIASA, SACNASP

Name of Landowner(s):	Pretty Shandukani		
Contact person(s):	Pretty Shandukani		
Postal address:	PO Box 357, Celtis Ridge		
	Postal code:	0130	
Telephone:	(012) 656 0236	Cell:	079 399 1621
E-mail:	pretty@mshandukani.co.za	Fax:	012 656 0527

Please Note: In instances where there is more than one landowner, please attach a list of landowners with their contact details to this form.

Municipality in whose area of jurisdiction the activity falls:	City of Johannesburg Metropolitan Municipality		
Contact person:	Tebogo Modiba		
Postal address:	PO Box 1049, Johannesburg		
	Postal code:	2000	
Telephone	(011) 082 7972	Cell:	
E-mail:	TebogoMod@joburg.gov.za	Fax:	011 082 7972

Please Note: In instances where there is more than one Municipality involved, please attach a list of Municipalities with their contact details to this form.

Project title:	Rectification of unlawful activities on Holdings 105 of Blue Hills Agricultural Holdings under the jurisdiction of the City of Johannesburg Metropolitan Municipality.
Property location:	The property is situated on the southwestern corner of Acacia and Mimosa Roads, Midrand, Blue Hills Agricultural Holdings area.
Farm/Erf name & number (incl. portion):	Holdings 105 of Blue Hills Agricultural holdings.
SG21 Digit code:	T0JR00160000010400000

Co-ordinates:	Latitude (S):			Longitude (E):		
	25°	57'	29.68"	28°	5'	24.17"
Please Note: Where a large number of properties are involved (e.g. linear activities), attach a list of property descriptions to this form. Indicate the position of the activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates must be in degrees, minutes and seconds. The minutes must be given to at least three decimals to ensure adequate accuracy. The EAP is required to contact the relevant competent authority with regards to the projection that must be used.						
Street address:	105 Acacia Road, Blue Hills Agricultural Holdings.					
Magisterial District or Town:	Midrand.					
Please Note: In instances where there is more than one town or district involved, please attach a list of towns or districts as well as complete physical address information for the entire area to this form.						
Closest City/Town:	Pretoria				Distance	27 Km
Zoning of Property:	Residential Zone 3					
Please Note: In instances where there is more than one zoning, please attach a map clearly indicating the zoning of the different portions.						
Was a rezoning application required?					YES	NO ☒
Was a consent use application required?					YES	NO ☒
Please Note: Where planning approvals have been granted, please attach the relevant approvals.						
Owners consent:	The Applicant is the Landowner Letters of consent from all landowners or a detailed explanation by the applicant explaining why such letters of consent are not furnished must be attached to the application form.					

2. APPLICATION HISTORY

(Mark the appropriate box with "☒" and provide a description where required).

Has any national, provincial or local authority considered any development applications on the property previously?	Yes ☒	No
If so, please give a brief description of the type and/or nature of the application/s: (In instances where there were more than one application, please attach a list of these applications)		
OMEIDA 426cc was initially granted an Environmental Authorisation (EA) on 30 August 2018. Subsequently, the EA was amended to update the details of the Environmental Authorisation holder, with the amendment granted on 17 September 2024. The reference numbers for the respective EAs were Gaut 002/18-19/E0036 (original) and Gaut 006/24-25/E0017 (amended).		

An application for Environmental Authorisation (EA) was submitted to the Gauteng Department of Environment (GDEnv) for the proposed medium-density township development on Holdings 105 of Blue Hills Agricultural Holdings. Due to the presence of a wetland in the southern part of the study area and an authorised road within the wetland, the conditions of the Environmental Authorisation required the proponent to obtain a Water Use License for all activities within the wetland and its buffer zone.		
Which authority considered the application(s):		
Gauteng Department of Environment (GDEnv) & Department of Water and Sanitation (DWS).		
Has any one of the previous application/s on the property been approved or rejected? If so, provide a list of the successful and unsuccessful application/s and the reasons for the decision/s.	Yes X	No
The Environmental Authorisation for the construction of the Medium-density units was granted on 30 August 2018 by GDARDE. The reasons for the decision listed under Annexure 1 of the granted EA are as follows: ▪ The impact the development would have on the environment and these impacts would be mitigated to acceptable levels. ▪ The wetland was excluded from the development and only a road and related infrastructure were allowed to be constructed subject to obtaining a Water Use License. ▪ The zoning of the site in terms of the GPEMF is Zone 1 and was compatible with the proposed development. ▪ The Public Participation Process was conducted in accordance with the EIA regulations 2014 (as amended) requirements.		
Provide detail on the period of validity of decision(s) and expiry dates of the above applications/ permits etc.		
The granted Environmental Authorisation has a commencement validity period of 10 years from the date of the approval.		

3. APPLICANT COMPLIANCE HISTORY

(a) **Administrative Enforcement** (please indicate any administrative enforcement action that has been taken against the Applicant whether directly or against a Company in which the Applicant is a Director)

Province:	N/A
Date of Administrative Enforcement:	N/A
Reference Number:	N/A

(b) **Criminal Enforcement** (please indicate any criminal enforcement action that has been taken against the Applicant)

Province:	N/A
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Details of criminal enforcement:	N/A
Name(s) of director(s) criminally charged:	N/A
CAS Number:	N/A

(c) Previous S24G Applications (please indicate any previous section 24G application that has been submitted by the Applicant whether within or outside the Gauteng Province)

Province:	N/A
Reference Number:	N/A
Status of application:	N/A

4. APPLICANT DECLARATION

As a consequence of the unlawful commencement or continuation of the listed activity(ies) indicated in Section B of this application form, I hereby apply in terms of Section 24G of the National Environmental Management Act (No 107 of 1998, as amended).

Applicant (Full names) **Pretty Shandukani**

Signature: _____

Place: _____

Date: _____

EAP (Full names) **Shonisani Selahle**

Signature: _____

Place: _____

Date: _____

SECTION B: ACTIVITY INFORMATION

1. ACTIVITIES APPLIED FOR:

Applicants and EAPs are strongly advised to discuss the merits of a combined application (*if deemed applicable*) with the relevant competent authority prior to the completion of this application form and submission thereof.

All potential listed activities associated with the development must be indicated below. (See Annexures B,C, D and E). Only those activities for which the applicant applies will be considered.

Where the EIA activity/ies applied for commenced during 2006, 2010 and 2014 listed activity regimes, the corresponding activity listed in the 2017 listings must be indicated in Table 6.

Where the Waste Management activity/ies applied for commenced during 2009 and 2013 listed activity regimes, the corresponding activity/ies listed in the 2017 listings must be indicated in Table 9.

The onus is on the applicant to ensure that all the applicable listed activities are included in the application.

Listed activities applied for. Identify the relevant listed activities applied for below:

National Environmental Management Act, 1998:

Table 1:

ECA EIA Contraventions: Between 08 September 1997, end of day 09 May 2002 and still listed in terms of 2010 Regulations.	
Activities unlawfully commenced with on or after 08 September 1997 and before end 09 May 2002: EIA Regulations promulgated in terms of the ECA, Act No 73 of 1989, as amended and are still in terms of 2010 Regulations.	
Listed Activity(ies)	Details of Activity(ies)
N/A	N/A
N/A	N/A

Table 2:

ECA EIA Contraventions: Between 10 May 2002 and before end of day 03 June 2006 and still listed in terms of 2017 EIA Regulations	
Activities unlawfully commenced with on or after 10 May 2002 and before end of day 02 June 2006: EIA Regulations promulgated in terms of the ECA, Act No 73 of 1989, as amended and are still listed in terms of 2010 Regulations.	
Listed Activity(ies)	Details of Activity(ies)
N/A	N/A
N/A	N/A

Table 3:

NEMA EIA Contraventions: Between 03 June 2006 and before end of day 01 August 2010	
Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 (as amended) after 03 July 2006 and ended 01 August 2010	
Government Notice No. R386 Activity No(s):	Details of Activity(ies) requiring Basic Assessment
N/A	N/A

N/A	N/A
Government Notice No. R387, Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA
N/A	N/A
N/A	N/A

Table 4:

NEMA EIA Contraventions: From 02 August 2010 and before end of day 7 December 2014	
Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 on/after 02 August 2010 and ended 7 December 2014	
Government Notice No. R544 Activity No(s):	Details of Activity(ies) requiring Basic Assessment
N/A	N/A
N/A	N/A
Government Notice No. R545, Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA
N/A	N/A
N/A	N/A
Government Notice No. R546, Activity No(s):	Details of Activities that occurred in specific identified geographical areas only and requires a Scoping Report and EIA
N/A	N/A
N/A	N/A

Table 5:

NEMA EIA Contraventions: From 08 December 2014 and before end of day 6 April 2017	
Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 on/ after 08 December 2014 and ended 6 April 2017	
Government Notice No. R983 Activity No(s):	Details of Activity(ies) requiring Basic Assessment
N/A	N/A
N/A	N/A
Government Notice No. R984, Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA
Government Notice No. R985, Activity No(s):	Details of Activities that occurred in specific identified geographical areas only and requires a Scoping Report and EIA
N/A	N/A
N/A	N/A

Table 6:

NEMA EIA Contraventions: From 07 April 2017	
Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 on/ after 07 April 2017	
Government Notice No. R983, as amended, Activity No(s):	Details of Activity(ies) requiring Basic Assessment
GNR 327 as amended Activity 19	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand shells, shell grit. Pebbles or rocks of more than 10 cubic metres from a watercourse.

Government Notice No. R984, as amended, Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA
N/A	N/A
N/A	N/A
Government Notice No. R985, as amended, Activity No(s):	Details of Activities that occurred in specific identified geographical areas only and requires a Scoping Report and EIA
GNR 324 as amended, Activity 12 (c)(i)(ii)	The clearance of an area of 300 square metres or more of indigenous vegetation expect where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. (c) Gauteng (i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; (ii) Within Critical Biodiversity Area or Ecological Support Area identified in the Gauteng conservation plan or bioregional plans.
GNR 324 amended, Activity 14 (ii)(a)(c)	The development of (ii) infrastructure of structures with a physical footprint of 10 square metres or more, where such development occurs – (a) within a watercourse; (c) if no development setback has been adopted within 32 metres of a watercourse measured from the edge of a watercourse; (c) Gauteng (iv) Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans; (v) Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act 10 of 2004); (vi) Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;

National Environmental Management: Waste Act, 2009.

Table 7:

NEMWA Activity, 2009: From 03 July 2009 and before end of day 28 November 2013	
Activities unlawfully commenced with in terms of the NEMWA, 2008 promulgated in terms of the NEMA, Act No 107 of 1998 on/after 03 July 2009 and ended 28 November 2013	
Government Notice No. 718 List of Waste Management Activities No(s):	Details of Activity(ies) requiring Basic Assessment
N/A	N/A
N/A	N/A
Government Notice No. 718 List of Waste Management Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA
N/A	N/A

N/A	N/A
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Table 8:

NEMWA Activity, 2009: From 01 July 2013 and before the end of day 10 October 2017	
Activities unlawfully commenced with in terms of the NEMWA, 2008 promulgated in terms of the NEMA, Act No 107 of 1998 on/after 29 November and ended 10 October 2017	
Government Notice No. 921 List of Waste Management Activities No(s) Category A:	Details of Activity(ies) requiring Basic Assessment
N/A	N/A
N/A	N/A
Government Notice No. 921 List of Waste Management Activity No(s) (Category B):	Details of Activity(ies) requiring a Scoping Report and EIA
N/A	N/A
N/A	N/A

Table 9:

NEMWA Activity, 2009: From 11 October 2017	
Activities unlawfully commenced with in terms of the NEMWA, 2008 promulgated in terms of the NEMA, Act No 107 of 1998 on/after 11 October 2017	
Government Notice No. 921, as amended, List of Waste Management Activities No(s): Category A:	Details of Activity(ies) requiring Basic Assessment
N/A	N/A
N/A	N/A
Government Notice No. 921, as amended, List of Waste Management Activity No(s), (Category B):	Details of Activity(ies) requiring a Scoping Report and EIA
N/A	N/A
N/A	N/A

2. ACTIVITY COMMENCEMENT DATE

Date when activity was commenced with for the first time:

July 2022

Date(s) of Expansion(s)/ Upgrade to initial activity(ies)

Since January 2024

Please indicate the current status by ticking the appropriate boxes:

Construction completed

☒

Activity operational

☒

Property/ies transferred to
new owners.

☐

Construction ceased before the finalization

☐

Operation / activity ceased
pending the outcome of the
application

☐

Activity has been decommissioned and the property
rehabilitated to its original state

☐

3. ACTIVITY DESCRIPTION

(Mark the correct answer with “☒” and provide a description where required).

(a) Is/was the project a new development or an upgrade of an existing development?	New	upgrade
	☒	

(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed, what still has to be completed and applicable commencement dates.
A boundary wall was constructed within the wetland, along with five manholes that were installed within the wetland buffer zone. Additionally, a stormwater pipe and its discharge points were established within the wetland, and a 1m culvert was installed along the buffer zone of the wetland. Furthermore, the constructed parking area fell within the Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs). Lastly, boreholes were constructed within the buffer of the wetland. These activities were undertaken within a regulated area

(c) Provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).		
Buildings	YES	NO ☒
Provide brief description:		
N/A		
Infrastructure (e.g. roads, power, and water supply/ storage)	YES ☒	NO
Provide brief description:		
The unlawful activities that occurred within the regulated wetland and its buffer are: ▪ The construction of a boundary wall within the Wetland ▪ The construction of a Parking area for residents ▪ The construction and installation of the stormwater pipe ▪ Installation of 5 x manholes within the wetland buffer zone ▪ The discharge points of the stormwater ▪ The installation of a 1-meter Culvert within the buffer zone of the wetland. ▪ 2 x Boreholes within the buffer zone of the Wetland		
Design/Layout of Development	YES ☒	NO
How will/does the design or layout of the development facilitate resource efficiency (i.e. orientation or location of development) through all phases? Provide a brief description.		

The installation of manholes within was strategically designed to ensure resource efficiency while minimizing environmental impact. Manholes were positioned to reduce disturbance to the wetland while ensuring effective stormwater drainage, using durable materials resistant to erosion and water infiltration. Minimal land disturbance, erosion control measures, and sustainable construction methods were implemented to protect the ecosystem. The design facilitates efficient drainage, reducing flooding risks and maintenance needs while preserving water quality.

A 1-meter culvert was installed within the wetland buffer zone to allow unimpeded water movement, preventing waterlogging and maintaining hydrological connectivity. This infrastructure played a crucial role in reducing habitat fragmentation and supporting the ecological functions of the wetland.

The boundary wall within the wetland was constructed following the natural contours of the land, reducing the need for excessive excavation and minimizing disruption to the surrounding ecosystem. Durable, low-maintenance materials were used to ensure long-term sustainability and reduce resource consumption over time.

The parking area for residents was designed to optimize land use while minimizing impermeable surfaces to reduce stormwater runoff. Where feasible, permeable paving was incorporated to allow water infiltration, helping to prevent localized flooding and support groundwater recharge.

The stormwater pipe that discharged water to the wetland was installed to facilitate controlled water flow, preventing erosion and sedimentation. This system ensured sustainable water management by directing excess water into a natural filtration system within the wetland. The stormwater discharge points were strategically placed to prevent flooding and promote natural groundwater recharge. Energy dissipators and vegetation buffers were included in the design to slow down water flow, reducing the risk of erosion and maintaining the integrity of the wetland.

Two boreholes were drilled within the buffer zone of the wetland and positioned carefully to minimize their impact on the wetland's hydrology. Measures were taken to prevent over-extraction of groundwater, and monitoring systems were put in place to ensure sustainable water use. However, according to the Geohydrological report from Arys Consulting recommended a filtration method before any human consumption due to the ground water and surface water results indicated that the water from these sources is not suitable for human consumption.

Overall, the infrastructure was developed with resource efficiency in mind. The location of each component was carefully selected to integrate with the natural water flow and topography, minimizing environmental disruption. Sustainable materials were used to enhance durability and reduce long-term maintenance needs. Efficient stormwater management practices were implemented to improve water infiltration and prevent surface runoff. Through these measures, the development supported long term sustainability while reducing its ecological footprint within the development.

Processing activities (e.g. manufacturing, storage, distribution)	YES	NO X
Provide brief description:		
N/A		
Materials	YES	NO X
In which phase of the development is the use of virgin materials substituted (or will the use of virgin materials be substituted) with recycled/reused materials to reduce costs and emission of GHG while promoting environmentally friendly developments? Provide brief description.		
N/A		
Storage facilities for raw materials and products (e.g. volume and substances to be stored)		
Provide brief description	YES	NO X
N/A		
Storage and treatment facilities for solid waste and effluent generated by the project	Yes	NO X
Provide brief description		
The solid waste resulting from construction activities was disposed of at the registered Municipal landfill site (Chloorkop landfill site).		
Other activities (e.g. water abstraction activities, crop planting activities)	Yes X	No
Provide brief description		
There are two boreholes on site and only one is operational.		

4. ACTIVITY NEED AND DESIRABILITY

Describe the need and desirability of the activity:
The construction of a boundary wall within the wetland was essential to define property lines and ensure security around the development area. The desirability of the boundary wall lay in its ability to provide a clear separation between the wetland and developed areas, thereby preserving the integrity of the wetland environment. However, it was crucial that the design of the wall minimized disruption to the wetland's hydrology and biodiversity. The construction of a parking area for residents was necessary to accommodate the growing residential demand in Blue Hills, ensuring that residents had a designated space for vehicles. This infrastructure helped alleviate the risk of informal parking, which could lead to congestion and environmental degradation. The desirability of the parking area stemmed from its ability to improve the quality of life for residents by providing an organized and planned space for vehicles. The construction and installation of the stormwater pipe discharging to the wetland was a critical component for managing stormwater runoff, particularly during heavy rains. This infrastructure ensured that excess water from the attenuation dam was discharged safely into the wetland without causing erosion, sedimentation, or waterlogging. The stormwater pipe was desirable because it supported sustainable water management practices, maintaining the hydrological balance of the wetland and preventing the overburdening of local water systems. The pipe also contributed to natural water filtration in the wetland.

The discharge points of the stormwater were necessary to direct excess water into suitable areas for absorption or safe drainage, reducing the risk of flooding or property damage. These discharge points prevented water from overwhelming the wetland or other sensitive areas. The desirability of the discharge points lay in their ability to optimize water flow, reduce erosion, and protect local infrastructure. Properly designed discharge points also contributed to groundwater recharge and helped preserve the surrounding wetland ecosystem.

The installation of a 1-meter culvert within the buffer zone of the wetland was necessary to maintain the natural flow of water through the wetland buffer zone, ensuring that the area's hydrological processes were not disrupted by the development. The culvert allowed water to pass freely, preventing waterlogging and maintaining ecological connectivity. Its desirability stemmed from its ability to facilitate the safe passage of water, which is vital for the wetland's health. By preventing waterlogging and ensuring proper drainage, it supported the continued ecological function of the wetland buffer zone.

The two boreholes within the buffer zone of the wetland were installed to provide a sustainable water source for the development, reducing reliance on municipal water supply. The boreholes were particularly needed in areas where water resources were scarce or additional water demands arose. The desirability of the boreholes lay in their ability to offer a locally sourced, renewable water supply. However, it was important that the extraction of groundwater was carefully monitored to ensure it did not negatively impact the wetland's ecosystem or hydrology.

In conclusion, each of these infrastructures addressed specific needs within the Midrand development, contributing to the creation of a sustainable and functional residential area. The need for each infrastructure was driven by practical requirements, such as securing the area, providing water, managing stormwater, and offering essential amenities to residents. The desirability of these infrastructures was ensured through careful planning and design to minimize environmental impacts, promote water and energy efficiency, and protect the surrounding wetland. As such, the development complied with the NEMA guidelines, balancing development and environmental stewardship.

Indicate the benefits that the activity has/had for society in general and also indicate what benefits the activity has/had for the local communities where it is located:

▪ **BENEFITS FOR SOCIETY IN GENERAL**

One of the key benefits of these activities has been in environmental protection and sustainability. The construction of the boundary wall within the wetland, along with the installation of stormwater pipes and the culvert, has helped preserve the integrity of the wetland ecosystem. By properly managing water flow and preventing erosion and sedimentation, these measures contribute to sustainable environmental practices that combat habitat loss and biodiversity degradation. Protecting the wetland also supports broader conservation efforts and enhances resilience to climate change.

Another important societal benefit is improved water management. The stormwater management system, including the stormwater pipe and discharge points, has effectively reduced the risks of flooding and waterlogging

in urban areas, ensuring that infrastructure, roads, and communities are protected from water damage during heavy rains. Additionally, the installation of boreholes has provided a reliable, sustainable water source, reducing reliance on municipal supply and offering increased water security during periods of drought or high demand.

The development also aligns with broader goals of sustainable development. The project was designed to minimize environmental impact while meeting the needs of the growing population in Blue Hills. By balancing housing demands with environmental conservation, the development demonstrates responsible urbanization. The infrastructure supports not only the community's immediate needs but also long-term sustainability, helping to create a resilient environment for future generations.

- **BENEFITS FOR THE LOCAL COMMUNITIES**

For the local community, the benefits are also significant. The construction of a parking area for residents has improved the overall liability of the area by providing organized spaces for vehicles, reducing congestion, and improving safety. This development has contributed to a cleaner, more structured neighbourhood, making the area more convenient and accessible for residents while also enhancing its aesthetic appeal.

The construction activities have also provided employment opportunities for local workers. Both skilled and unskilled labour were needed throughout the project, offering job opportunities and stimulating the local economy. The development of infrastructure, such as the stormwater systems and boreholes, has indirectly supported the availability of local services and amenities, contributing to the overall economic growth of Blue Hills.

Additionally, the boreholes installed in the buffer zone of the wetland have provided a locally sourced water supply, which has increased water security for the local community. This is particularly beneficial in areas where water resources are scarce or unreliable. By reducing reliance on municipal water systems, the boreholes have ensured a more consistent and sustainable water supply for local residents and businesses.

The stormwater management systems, including the discharge points and stormwater pipes, have also protected the local community from flooding during heavy rains. These systems help direct excess water into the wetland, reducing runoff and minimizing the risk of water damage to properties. As a result, the community benefits from enhanced safety and reduced environmental risks, making the area less vulnerable to the impacts of climate change.

In conclusion, the activities in the development area have provided a range of benefits for both society and the local community. From environmental protection and sustainable water management to improved quality of life and economic growth, the development has fostered a balance between urbanization and environmental conservation. The project has created a safer, healthier, and more resilient community, offering long-term advantages for residents while contributing to broader societal goals of sustainability and resilience.

5. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	Approximately 55660 m ²
Indicate the area that has been transformed/cleared to allow for the activity as well as associated infrastructure	Approximately 1640 m ²
Total area (sum of the footprint area and transformed area)	Approximately 57300 m ²

6. SITE ACCESS

Was there an existing access road?	YES X	NO
If no, what was the distance over which the new access road was built?	m	
Describe the type of access road constructed: [indicate the position of the access road on the site plan]		
Access to the development can be accessed via the southwestern corner of Acacia and Mimosa Roads.		

7. SITE PHOTOGRAPHS

Colour photographs of the site and its surroundings (taken of the site and from the site), both before (if available) and after the activity commenced, with a description of each photograph must be attached to this application. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide past and recent aerial photographs. It should be supplemented with additional photographs of relevant features on the site. Date of photographs must be included. Photographs must be attached under Appendix D to this form.

8. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

Please list all legislation, policies and/or guidelines that were or are relevant to this activity.

Legislation	Administering Authority	Type Permit/ license/ authorization/comment	Date (if already obtained):
National Environmental Management Act (NEMA, Act No.107 of 1998)	GDEnv	Environmental Authorisation	30 August 2018
National Water Act (No. 36 of 1998)	Department of Water and Sanitation	Water Use License application.	Ongoing
POLICY/ GUIDELINES		ADMINISTERING AUTHORITY	
Gauteng Conservation-Plan 3.3 (2011)		Provincial	
City of Johannesburg Metropolitan Municipality Regional Spatial Development Framework (RSDF) for Region A, sub-Area 5 (2005)		City of Johannesburg Metropolitan Municipality (CoJMM)	
Integrated Development Plan (IDP) for the city of Johannesburg (2012-2016)		City of Johannesburg Metropolitan Municipality (CoJMM)	

SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT

Site/Area Description

For linear activities (pipelines etc.) as well as activities that cover very large sites, it may be necessary to complete copies of this Section for each part of the site that has a significantly different environment. In such cases please complete copies of Section C and indicate the area which is covered by each copy No. on the Site Plan.

**Section C Copy No. (e.g.
1, 2, or 3):**

N/A

1. GRADIENT OF THE SITE

Indicate the general gradient of the site(s) (cross out ("X") the appropriate box).

Flat	Flatter than 1:10	1:10 – 1:5 X	Steeper than 1:5
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2. LOCATION IN LANDSCAPE

Indicate the landform(s) that best describes the site (cross out ("X") the appropriate box (es)).

Ridgeline	Side slope of ridge	Plain X	Ridge	Other
If other, provide details.				

3. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

Is the site(s) located on or near any of the following [cross out ("X") the appropriate boxes]?

Shallow water table (less than 1.5m deep)	YES X	NO	UNSURE
Seasonally wet soils (often close to water bodies)	YES X	NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	NO X	UNSURE
Dispersive soils (soils that dissolve in water)	YES	NO X	UNSURE
Soils with high clay content	YES	NO X	UNSURE
Any other unstable soil or geological feature	YES	NO X	UNSURE
An area sensitive to erosion	YES X	NO	UNSURE
If any of the answers to the above are "YES" or "UNSURE", specialist input may be requested by the Department. Information in respect of the above will often be available at the planning Sections of local authorities. Where it exists, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used.			

4. SURFACE WATER

Indicate the surface water present on and/or adjacent to the site and alternative sites (cross out ("X") the appropriate boxes)?

Perennial River	YES	NO X	UNSURE
Non-Perennial River	YES	NO X	UNSURE
Permanent Wetland	YES	NO X	UNSURE
Seasonal Wetland	YES	NO X	UNSURE
Artificial Wetland	YES X	NO	UNSURE
If any of the answers to the above are “YES” or “UNSURE”, specialist input may be requested by the Department. Information in respect of the above will often be available at the planning Sections of local authorities. Where it exists, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used.			

5. VEGETATION AND GROUNDCOVER

5.1 VEGETATION / GROUNDCOVER (PRE-COMMENCEMENT, IF KNOWN)

Mark with an (“☒”) the block or describe (where required) the vegetation types/groundcover present on the site before commencement of the activity.

Indigenous Vegetation - good condition		Indigenous Vegetation with scattered aliens	X	Indigenous Vegetation with heavy alien infestation	
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface		Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe	
Bare soil		Building or other structure	X	Sport field	
Paved surface		Cultivated land		Other (describe below)	

Describe the vegetation type:

The site falls within the Egoli Granite Grassland which is an endangered ecosystem type. The transformed habitat unit consists of areas where historical agricultural activities have occurred, vegetation has been cleared for roads and housing, and dumping of general household waste and building rubble has resulted in significant topographic alteration and the complete clearance of vegetation. The entire study area has undergone severe transformation and disturbance, and as such there is no habitat left that can be associated with the original Egoli Granite Grassland vegetation type and limited species representative of this vegetation type were encountered.

Describe the ecosystem status

In the freshwater assessment study that was undertaken, a single freshwater resource, a valley-bottom wetland with a river channel running through it, was identified within the southern portion of the study area. The identified

freshwater resource was classified according to the classification system (Ollis, et al., 2013) as an Inland System, falling within the Highveld Aquatic Ecoregion, and the Mesic Highveld Grassland Group 3 WetVeg (wetland vegetation) group.

The hydrological patterns of the freshwater resource have been altered primarily as a result of the rapid urbanisation of the surrounding areas, particularly upstream of the resource which has resulted in an increase in impermeable and hardened surfaces, resulting in increased water inputs to the resource in the form of stormwater runoff. The creation of a berm within the freshwater resource has further altered the hydrological regime of the channelled valley bottom wetland.

5.2. VEGETATION / GROUNDCOVER (POST-COMMENCEMENT)

Mark with an ("☒") the block or describe (where required) the vegetation types / groundcover present on the site after commencement of the activity.

Indigenous Vegetation - good condition		Indigenous Vegetation with scattered aliens	X	Indigenous Vegetation with heavy alien infestation	
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface		Veld dominated by alien species		Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe	
Bare soil		Building or other structure	X	Sport field	
Paved surface		Cultivated land		Other (describe below)	
Please note: The Department may request specialist input/studies depending on the nature of the vegetation type / groundcover and impact(s) of the activity/ies.					

Describe the vegetation type:

The site falls within the Egoli Granite Grassland which is an endangered ecosystem type. The transformed habitat unit consists of areas where historical agricultural activities have occurred, vegetation has been cleared for roads and housing, and dumping of general household waste and building rubble has resulted in significant topographic alteration and the complete clearance of vegetation. The entire study area has undergone severe transformation and disturbance, and as such there is no habitat left that can be associated with the original Egoli Granite Grassland vegetation type and limited species representative of this vegetation type were encountered. A portion of the site within the wetland buffer was cleared and there was further degradation of the wetland vegetation when the wall and manholes were constructed. Clearance of vegetation within the wetland buffer and a trench was being dug to install the stormwater infrastructure and to develop the attenuation dam.

Describe the ecosystem status:

A specialist will confirm the ecosystem status of the wetland after the wall, manholes and further digging are done within the wetland its buffer. The hydrological regime of the wetland has probably changed due to the impermeable boundary wall that was erected blocking surface water that was supposed to enter the watercourse.

5.3 VEGETATION / GROUNDCOVER MANAGEMENT

Describe any mitigation/management measures that were adopted and the adequacy of these:

Limited mitigation measures were implemented during the construction of the existing infrastructure on-site. However, backfilling was done after the construction of the wall was completed. The rehabilitation of the wetland and its vegetation is still yet to be undertaken as part of this application. A wetland rehabilitation plan has been compiled, submitted, and approved by GDEnv.

5.4 DRAINAGE

To facilitate rainwater infiltration and mitigate flooding, what form of Sustainable Drainage System Principles/Technologies will be undertaken in your development? Provide brief description.

The best practice will be implemented in terms of stormwater attenuation and management and the runoff velocities and volumes entering the freshwater resource will be similar to pre-development conditions.

The use of Sustainable Drainage Systems (SUDs) to manage stormwater is considered critical due to the downward slope of the study area towards the freshwater resource, to prevent significant impacts on the hydrological functioning of the channelled valley bottom wetland, reduce the risk of flooding during high periods and reduce the risk of increased erosion. Furthermore, any discharge of runoff into the freshwater resource must be done in such a way as to prevent erosion. In this regard, it is highly recommended that a suitably qualified engineer be consulted concerning the use of SUDs. Examples of these which may apply to this development include permeable paving, rainwater harvesting, soakways, swales and bio-retention facilities or attenuation ponds to ensure that post-development runoff does not exceed pre-development runoff volumes and lead to altered flood peaks.

6. LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT)

Mark with an ("☒") the block that reflects the past land uses and/or prominent features that occur/red within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

Untransformed area	Low density residential	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial

Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical center	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (3 lanes or more)	Airport
Sport facilities	Golf course	Polo fields	Filling station	Landfill or waste treatment site
Plantation	Agriculture	River, stream or wetland	Nature conservation area	Mountain or ridge
Museum	Historical building	Graveyard	Archaeological site	
Other land uses (describe):				

7. REGIONAL PLANNING CONTEXT

Is/was the activity permitted in terms of the property's existing land use rights? Please explain:

Yes, the site is zoned Residential 3

Is/was the activity in line with the following?

	YES	NO	Please explain
○ Provincial Spatial Development Framework (PSDF)	X		

Gauteng province is a highly urbanised and densely populated province, with significant demand for residential, commercial, and industrial development. The PSDF promotes sustainable urbanisation that accommodates growth while preserving environmental and cultural resources.

The Gauteng Spatial Development Framework states that integrated environmental and spatial urban planning must be to incorporate all-natural, green and conservation spaces as functional urban spaces for, amongst others, recreation, non-motorized transport and sustainable stormwater management and in such a way, recognise the natural environment as the link between all other land uses.

	YES	NO	Please explain
○ Urban edge / Edge of Built Environment for the area	X		

The site falls within the urban edge and Zones 1 and 2 of the GPEMF and, therefore are suited to urban development.

☐ Integrated Development Plan of the Local Municipality	YES X	NO	Please explain
The Integrated development plan aims to improve the livelihood of its residents focusing on key areas such as social development, economic growth, infrastructure and environmental sustainability.			
☐ Spatial Development Framework of the Local Municipality	YES X	NO	Please explain
The Spatial development framework incorporates environmental considerations by protecting key ecological areas, green spaces, and biodiversity corridors within Johannesburg. It aims to balance development with conservation and promote sustainable land management. The framework also includes measures for climate change adaptation, such as designing flood management systems, enhancing stormwater drainage infrastructure, and addressing environmental hazards like land degradation and air pollution. The SDF emphasizes urban design principles that ensure developments are aesthetically pleasing, functional, and well-integrated into the urban fabric. Properly designed and maintained stormwater drainage systems help manage runoff during heavy rainfall, reducing the risk of localised flooding. Without effective drainage, water can accumulate in streets and low-lying areas causing property damage and infrastructure failures. Efficient stormwater management ensures that water is safely channelled away from vulnerable areas. Proper stormwater management reduces flood risks, improves water quality, prevents soil erosion, and supports sustainable urban development.			
☐ Approved Structure Plan of the Municipality	YES X	NO	Please explain
The sewer reticulation system for the proposed Blue Hills X 105 township, to connect to the existing Summerset Sewer Pump station. This design is in line with the City Water Master Plan and has been approved by the City of Johannesburg Water (JW), Development Control.			
☐ Any other Plans	YES	NO X	Please explain

8. SOCIO-ECONOMIC CONTEXT

8.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

Describe the pre-commencement social and economic characteristics of the community in order to provide baseline information.

Region A is located on the northern periphery of the City of Johannesburg Metropolitan area, bordered by Region C and Region E to the south, Mogale City Local Municipality to the west, City of Tshwane Municipality to the north and City of Ekurhuleni Municipality to the east. This region is still largely undeveloped with large tracts of land still being agricultural holdings and farm portions. The predominant land uses include but are not limited to, industries, conference and hospitality facilities, low to high-density residential areas and environmental conservation areas. There is potential for eco-tourism-related activities and urban agriculture in the western part of the region, due to this area's environmental quality and its association with other regional tourism destinations, such as the Hartbeespoort Dam (in Mogale City Local Municipality).

The key economic issues facing the region are as follows:

- The formalisation of many informal settlements in the Region, including Kya Sands, the Lion Park and Diepsloot.
- Most issues facing the region are related to the mushrooming of informal settlements in the largely non-urban sections of the region requiring to be formalised.
- The incorporation of lower-income housing typologies into the broader urban fabric to directly address the existing spatial inequalities within the region, while providing a range of different housing types for various income groups.
- There is a high level of informality in the marginalized areas that needs to be addressed. Marginalized areas and informal settlements have poor levels of infrastructure and high levels of poverty and unemployment.
- There is a need for residential and business development along and around the Gautrain station to support the functionality of the station. This will ensure optimal utilisation of the services and infrastructure; infill development is required in the remaining undeveloped land parcels within this part of the region.
- Businesses in the region occur haphazardly. Proper business sites and informal trading facilities need to be identified in strategic locations.
- Formal public transport facilities need to be located where clustering of mixed land uses exists. Proper structures need to be erected to address the needs of commuters, the transport industry and any other affected users.
- The region is affected by the lack of spatial integration. Due to spatial inequalities, marginalized areas and informal settlements are located on the outskirts of the region, resulting in long travelling distances and costly travelling fees.
- The urban areas of the region have grown dramatically over the past few years. Typical developments have included high-tech industries and offices along the N1 highway and around the Fourways Regional Node. These developments, as well as the rapid development of residential areas, place substantial pressure on the city's bulk electricity, water and road infrastructure.

SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

Describe the post-commencement social and economic characteristics of the community in order to determine any change.

Blue Hills is located within Midrand and is currently experiencing steady population growth due to its strategic location between Johannesburg and Pretoria. Midrand has become a hub for residential and commercial development, attracting people from diverse socio-economic backgrounds. The area's proximity to key employment centres such as Sandton, Centurion, and Johannesburg increases its appeal as a residential area.

9. CULTURAL/HISTORICAL FEATURES

Were there any signs or evidence (unearthed during construction) of culturally or historically significant elements including archaeological or paleontological sites, on or in close proximity to the site?		YES	NO X
		UNCERTAIN	
If YES, explain:	N/A		
If uncertain, the Department may request that specialist input be provided to establish whether such possibilities occurred on or close to the site.			
Briefly explain the findings of the specialist if one was already appointed:	N/A		
Were any buildings or structures older than 60 years affected in any way?		YES	NO X
Was it necessary to apply for a permit in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?		YES	NO X
If yes, please submit or, make sure that the applicant or a specialist submit the necessary application to SAHRA or the relevant provincial heritage agency and attach proof thereof to this application.			

SECTION D: PRELIMINARY IMPACT ASSESSMENT

Please note, that the impacts identified below refer to general impacts commonly associated with development activities. The list below is not exhaustive and may need to be supplemented. Where required, please attach information on any additional impacts to this application. Please note the Department may request further specialist input/studies depending on the nature of the land use character of the area and potential environmental impact(s) of the activity/ies.

1. WASTE, EFFLUENT AND EMISSION MANAGEMENT

(a) Solid Waste Management

Did/does the activity produce any general waste (e.g. domestic-, commercial-, certain industrial waste, including building rubble also known as solid waste) during the construction phase <u>and/or</u> the operational phase?	YES X	NO
If yes, briefly describe what type of waste was produced (i.e. green waste, building rubble, etc.) and indicate in which phase.		
General domestic waste was produced during the construction phase, this waste included papers, glass, metals and plastics.		
What quantity was/is produced during the construction period?	N/A	m ³
What was/is the estimated quantity that will be produced per month during the operational phase?	N/A	m ³

Did/does the activity produce any <u>hazardous</u> waste (e.g. chemical, medical waste, infectious, nuclear etc.) during the construction and/or the operational phase?	YES	NO X
If yes, briefly describe what type of waste was produced (i.e. infectious waste, medical waste, etc.) in which phase.		
N/A		
What quantity was/is produced during the construction period?	Unknown	
What was/is the estimated quantity that will be produced per month during the operational phase?	Unknown	

Sustainable Development: What approach is/will be adopted to minimise quantities of waste generated and disposed, such as waste separation at source, to enable reuse, reduction, recovery, and recycling? Provide brief description		
Recyclable waste is being separated into categories like paper, plastic, glass, and tin/metal. The designated service providers is responsible for collecting the recyclables.		
Where and how was/is waste treated / disposed of (describe each waste stream)?		
The waste that will be generated will be collected by the City of Joburg at scheduled intervals. The waste will be disposed of at a registered landfill site.		
Has the municipality or relevant authority confirmed that sufficient capacity exists for treating / disposing of the solid waste to be generated by this activity(ies)? If yes, provide written confirmation from municipality or relevant authority	YES	NO X
Does/did the activity produce solid waste that was/will be treated and/or disposed of at another facility other than into a municipal waste stream?	YES	NO X
If yes, did/has this facility confirmed that sufficient capacity exists for treating / disposing of the solid waste to be generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:	YES	NO X
Did/does the facility have an operating license? (If yes, please attach a copy of the license.)	YES	NO X
Facility name:	N/A	
Contact person:	N/A	

Postal address:	N/A		
	Postal code:	N/A	
Telephone:	N/A	N/A	
E-mail:	N/A	N/A	

(b) Effluent

Did/does the activity produce sewage and or any other effluent?	YES X	NO
The sewer is generated on-site and connected to an existing Summerset Sewer Pump Station.		
What was/is the estimated quantity produced per month?	300	m ³
Was/is the effluent treated and/or disposed of in a municipal system?	YES X	NO
If Yes, did/has the Municipality or relevant authority confirmed that sufficient unallocated capacity exist for treating / disposing of the sewage or any other effluent generated by this activity(ies)? Provide written confirmation from the Municipality or relevant authority.		
The sewer reticulation system for medium-density housing units is connected to the existing Summerset Sewer Pump Station, this design is in line with the city water master plan and has been approved by the city of Johannesburg Water control unit.		
Was/is any effluent produced be treated and/or disposed of on site?	YES	NO X
If yes, briefly describe the nature of the effluent and how it was/will be disposed of:		
N/A		
Did/does the activity produce effluent that was/will be treated and/or disposed of at another facility?	YES	NO X
If yes, did/has this facility confirmed that sufficient capacity exists(ed) for treating / disposing of the liquid effluent generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:	YES	NO X
Does the facility have an operating license? (If yes, please attach a copy of the license.)	YES	NO X
.		
Facility name:	N/A	
Contact person:	N/A	
Postal address:	N/A	
	Postal code:	N/A
Telephone:	N/A	
E-mail:	N/A	

Describe the measures that was/will be taken to ensure the optimal reuse or recycling of waste water, if any:
No mitigation measures were adopted.

(c) Emissions into the atmosphere

Did/does the activity produce emissions that will be disposed of into the atmosphere?	YES	NO X
If yes, did/does it require approval in terms of relevant legislation? If yes, attach a copy to this application	YES	NO X

Describe the emissions in terms of type and concentration and how it was/will be treated/mitigated:
During the construction phase, minimal dust was emitted into the atmosphere due to the movement of construction machinery on site.

(d) Describe any mitigation/management measures that were adopted and the adequacy of these:

During construction, there was regular watering of the construction site, roads and exposed soil to keep dust levels down.
--

2. WATER USE

(a) Please indicate the source(s) of water for the activity by marking ("X") in the appropriate box(es)

Municipal X	Water Board	Groundwater X	River, Stream, Dam or Lake	Other	The activity did/does not use water
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If water was/is extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that was/is extracted per month:	N/A	litres
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Please provide proof of assurance of water supply e.g. letter of confirmation from Municipality/water user associations, yield of borehole etc.

Did/does the activity require a water use permit / license from DWAF? If yes, attach a copy to this application	YES	NO
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If yes, please submit the necessary application to Department of Water Affairs and Forestry and attach proof thereof to this application.

The Water Use License Application process is underway.
--

(b) Describe any mitigation/management measures that were adopted and the adequacy of these:

N/A

(c) Sustainable Development

How does/will the development achieve water efficiency such as reuse of grey water, rainwater harvesting and use of water efficient equipment/technologies throughout its phases? Provide brief description.
--

N/A

3. POWER SUPPLY

(a) Please indicate the source of power supply e.g. Municipality / Eskom / Renewable energy source.

N/A

Has the Municipality or relevant service provider confirmed that sufficient electricity capacity (i.e. generation, supply and transmission) exist for activity(ies)? If yes, provide written confirmation from Municipality or relevant service provider.	YES	NO X
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If power supply was/is not available, where was/is it sourced from?

The activities undertaken did not make use of electricity.
--

(b) Describe any mitigation/management measures that were adopted and the adequacy of these:

N/A

4. ENERGY EFFICIENCY

Approaches adopted to achieve energy efficiency in the development to reduce long-term operational costs and Greenhouse Gases emissions.

(a) Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:

The design of the sewer manholes ensured easy access for maintenance which ensures that inspections, repairs, or cleaning operations are energy efficient. Features like easy-to-remove covers, modular structures, and streamlined internal designs allow for quicker and less energy-consuming maintenance.

(b) Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:

N/A

5. NOISE IMPACTS

(a) Did/does the activity result in any noise impacts?

YES
X

NO

If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

Low amounts of noise were generated during construction due to the movement of heavy vehicles.

Mitigation.

The noise that was generated during construction was very low. Existing noise levels in the area are mainly a result of operations on site and the use of machinery was restricted to normal working hours of 07H00 - 17H00.

6. VISUAL IMPACTS

(a) Did/does the activity result in any visual impacts?

YES
X

NO

If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

The construction of the boundary wall within the wetland resulted in visual impacts by altering the natural landscape and creating a contrast between the built structure and the surrounding environment. Additionally, it obstructed scenic views and disrupted the natural visual flow of the area. To mitigate these effects, the wall was designed using natural-coloured materials to blend with the environment, and its height was kept at a reasonable level to minimize obstruction of natural views.

The construction of the parking area for residents introduced artificial surfaces, reducing green space and natural aesthetics. To address this, the parking area was landscaped with trees and shrubs to enhance greenery. Permeable paving materials with earthy tones were used to blend with the surroundings, and proper signage was installed to maintain an organized and visually appealing layout.

The construction and installation of the stormwater pipe that discharges to the wetland disrupted the natural terrain, particularly in areas where sections of the pipeline were exposed. Excavation works also caused

temporary soil disturbances, creating visual scars on the land. To mitigate this, the pipeline was buried underground where possible. Exposed sections of the pipeline were covered with rocks and plants to reduce their visibility.

The stormwater discharge points introduced artificial elements into the natural setting, affecting the wetland's visual appeal. Additionally, erosion and sedimentation around discharge points created unsightly, muddy areas. To counteract this, the discharge points were designed with natural rock formations. Erosion control measures, such as gabions and riprap, were installed to stabilize the area and prevent soil displacement, while regular maintenance was conducted to keep the area clean.

The installation of a 1-meter culvert within the buffer zone of the wetland and manholes also introduced visible industrial structures in a natural setting, with concrete elements contrasting against the surrounding vegetation. To mitigate this, the culvert and manholes were painted in neutral colours to blend with the environment.

The installation of two boreholes within the wetland buffer zone altered the area's visual character by introducing borehole casings, pumps, and pipes, which disrupted the natural aesthetic. Construction activities also resulted in temporary disturbances. To reduce these impacts, borehole structures were painted in earth-toned colours, and protective enclosures were designed to be visually unobtrusive.

(b) Did/does the activity result in potential lighting impacts at night?	YES	NO X
If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?		
N/A		
(c) Were/are there any alternatives available to address this impact?	YES	NO X
If yes, please describe these alternatives?		
N/A		

7. SOCIO-ECONOMIC IMPLICATIONS OF THE ACTIVITY

(a) What was/is the expected capital value of the activity on completion?	± R 2 000 000
(b) What was/is the expected yearly income or contribution to the economy that will be generated by or as a result of the activity?	None
(c) Did/does the activity contribute to service infrastructure?	YES NO
(d) How many permanent new employment opportunities were created?	7
(e) What was/is the expected current value of the employment opportunities to date?	± R4 000 000
(f) What percentage of this accrued to previously disadvantaged individuals?	100%

How was (is) this (to be) ensured and monitored (please explain):
There are 7 workers who have been employed permanently to manage the activities within the site.

8. PRELIMINARY IMPACT ASSESSMENT

Briefly describe the impacts (as appropriate), significance rating of impacts and significance rating of impacts after mitigation. This must include an assessment of the significance of all impacts. Please note: This is a preliminary impact statement. The Department may request specialist input/studies depending on the type and nature of the impact(s) of the activity/ies.

Possible Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):	
	Before Mitigation	After Mitigation
Dust /Air pollution	Moderate	Low
Visual Impacts - Topographical changes	Low	Low
Soil erosion, loss of topsoil, deterioration of soil quality	High	Low
Soil pollution Moderate – High Low	Medium	Low
Degradation, destruction or elimination of habitats/ecosystems	Very High	Low
Impacts on fauna and flora	Moderate	Low
Noise/ vibration	Moderate	Low
Visual impacts	Moderate	Low
Safety and Security	Moderate-High	Low
Economic opportunities - the creation of employment	Medium	High
Waste management – solid waste Moderate	Moderate-High	Low
Watercourse impacts	High	Low
Groundwater pollution	High	Low
Water Quality	High	Medium-Low
Anthropogenic impacts	High	Medium-Low
Loss of freshwater habitat and ecological structure	High	Medium-Low
Impacts on the wetland vegetation	High	Medium-Low
Riparian vegetation impacts.	High	Medium-Low
Change in the hydrological cycle	Very High	Medium

SECTION E: ALTERNATIVES

As part of this report, consideration must be given to alternatives that are/may have been possible had an environmental impact assessment been undertaken prior to the commencement of the activity. Please provide a detailed description of the alternatives (whether location, technology or environmental) that were/are possible in terms of this application.

Site Alternative: There are no site alternatives.

SECTION F: PUBLIC PARTICIPATION

1. PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED

1.1 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF THE SECTION 24G FINE REGULATIONS, 2017

Regulation 8 of the Section 24G Fine Regulations require that all applicants must conduct a **preliminary public participation prior to submission** of a section 24G application (as outlined in Annexure A of the Section 24G Fine Regulations - Section D: Preliminary Advertisement). **Proof of the preliminary public participation must be submitted to this Department**

“The applicant must place a preliminary advertisement in-

(1) A local newspaper in circulation in the area in which the activity was, or activities were, commenced; and on the applicant's website, if any.
(2) This advertisement must comply with the requirements set out in Annexure A, Section D of the Section 24G Fine Regulations, 2017.
(3) The applicant must open and maintain of a register of interested and affected parties.
(4) The register must be attached to the application form and included in the report , or form part of the information submitted in terms of section 24G(1) of the Act, which the register must, as a minimum, contain the names, contact details and addresses of- (a) all persons who, as a consequence of the public participation process conducted in respect of the application, have submitted written comments or attended meetings with the applicant or any environmental assessment practitioner or other specialist appointed by the applicant to assist with the application; (b) all persons who have requested the applicant, in writing, to place their names on the register; and (c) all organs of state that have jurisdiction in respect of the activity to which application relates.”

Please provide a summary of the steps followed where public participation was undertaken in accordance with Regulation 8 prior to submission of this Application Form. Ensure that proof of compliance with Regulation 8 is submitted with this Application Form, including, <i>inter alia</i> , proof of preliminary advertisement in a local newspaper.		
A mandatory advertisement, to announce the intention to submit a S24G application, was published in the Midrand Reporter Newspaper on 18 October 2024.		
There were no comments received from the Interested and Affected Parties during the 20-day comment period.		
Please indicate whether the applicant has a website (please tick relevant box):	YES	NO X
If yes, please note that the application information as specified above must have been advertised on such website and proof thereof must accompany this application.		

Please note: Annexure A: Section D attached to this Application form must be strictly adhered to.

Please highlight the appropriate box below to indicate the public participation process that has been undertaken to give notice of your intention to submit this application.

1. In terms of regulation 8 of the S24G Fine Regulations -		
(a) placement of advert in at least one local newspaper	Yes X	No
If “no”, please provide reasons.		
(b) Placement of advert on the applicant’s website	Yes	No X
If “no”, Please provide reasons: The applicant does not currently have a website.		
	YES X	Deviation

2. Is it in compliance with the requirements set out in Annexure A, Section D of the Section 24G Fine Regulations, 2017?	Reasons for deviation:	
3. Did the applicant open and maintain a register of interested and affected parties?	YES X	Deviation
	Reasons for deviation:	
4. Were Interested and Affected Parties provided with 20 days to register or submit their comments?	YES X	Deviation
	Reasons for deviation:	

1.2 THE PUBLIC PARTICIPATION PROCESS IN TERMS OF NEMA EIA REGULATIONS, 2014

Please note that the Department may direct the applicant to conduct further public participation process that fulfils the requirements outlined in Chapter 6 of the EIA Regulations, 2014. In doing so, you must take into account that the EIA Regulations, 2014 and the instructions from the Department, will provide guidance in conducting such public participation process. Further note that the public participation requirements will be applicable to all sites.

1.3 LIST OF STATE DEPARTMENTS

Section 24(O)(2) obliges the relevant authority to consult with every State department that administers a law relating to a matter affecting the environment when such authority considers an application for an environmental authorisation.

LIST OF STATE DEPARTMENTS

Provide a list of all the State/National departments that will be/have been consulted, including the name and contact details of the relevant official.			
State Department	Name of person	Contact details	
Department of Water and Sanitation (DWS)	Nemutandani Tendani	Tel	012 207 9911
		E-mail	NemutandaniT@dws.gov.za
		Fax	
South African Heritage Resources Agency (SAHRA)	Salom Andrew	Tel	021 462 4502
		E-mail	asalomon@sahra.gov.za
		Fax	021 462 4509
Department of Rural Development and Land Reform	Gobodo Nomfundo	Tel	012 312 8883
		E-mail	DGOffice@drdlr.gov.za
		Fax	

SECTION G: APPENDICES

The following appendices must be attached where appropriate:

Appendix	Mark with ("X") where the indicated Appendix is attached
Appendix A: Location map	X
Appendix B: Site plan(s)	X
Appendix C: Owner(s) consent(s)	X
Appendix D: Photographs	X
Appendix E: Permit(s) /Authorisations/ license(s) from any o ther organ of state including service letters from the municipality	X
Appendix F: Additional Impact Assessment Information	
Appendix G: Report on alternatives	
Appendix H: Declarations	X
Appendix I: Any Other (describe)	X
Annexure A: Forms and Preliminary Public Participation	X

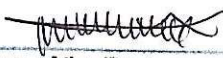
APPENDIX H: DECLARATIONS

H1: Declarations of the EAP

1. The Independent Environmental Assessment Practitioner

I, Ghonisani Selahle declare under oath that I –

- a. act as the independent environmental assessment practitioner in this application;
- b. do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the S24G of the National Environmental Management Act, read together with the relevant Environmental Impact Assessment Regulations;
- c. do not have and will not have a vested interest in the proposed activity proceeding;
- d. have no, and will not engage in, conflicting interests in the undertaking of the activity;
- e. undertake to disclose, to the competent authority, any material information that has or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the S24G of the National Environmental Management Act, read together with the Environmental Impact Assessment Regulations, 2014, as amended;
- f. will ensure that all documents will contain all relevant facts in respect of the application & that all documentation is distributed or made available to interested and affected parties. I will ensure that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced for the rectification application.
- g. will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- h. will keep a register of all interested and affected parties that participated in a public participation process; and
- i. will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.


Signature of the Environmental Assessment Practitioner:

Name of company:

Selahle Consultancy and Projects (Pty) Ltd.

Date:

20/11/2024

Signature of the Commissioner of Oaths:

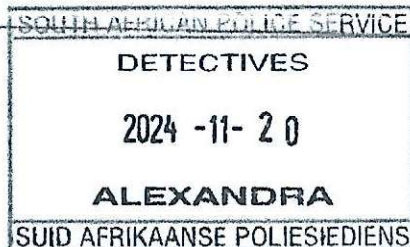
Date:

20/11/2024

Designation:

Official stamp:

Section 24G Application



H2: Declarations of the Applicant

2. The Applicant

I, Pretty Shandukani declare under oath that I -

- a. am the applicant in this application;
- b. appointed the environmental assessment practitioner as indicated under G1 above to act as the independent environmental assessment practitioner for this application;
- c. will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- d. am responsible for complying with the directive or conditions of any environmental authorisation issued by the competent authority;
- e. understand that I will be required to pay an administration fine in terms of S24G (4) of the Act and that a decision in this regard will only be forthcoming after payment of such a fine; and
- f. hereby indemnify, the Government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible in terms of the Act.

Signature of the applicant:

PS

Name of company:

Omeida Trading

Date:

09/12/2024

Signature of the Commissioner of Oaths:

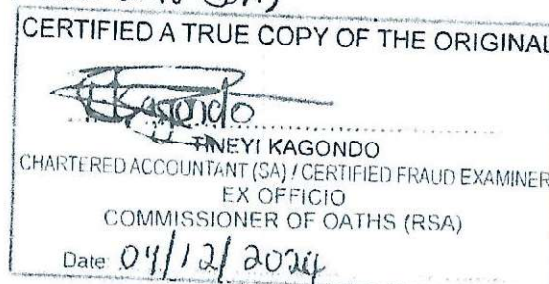
F Kagondo

Date:

09/12/2024

Designation: Chartered Accountant (SA)

Official stamp (below):



H3: POPIA Consent

The Independent Environmental Assessment Practitioner

1. I, Shonisani Selahle hereby consent to the processing of my personal information as contemplated in the Personal Information Act No 4 of 2013 by the Gauteng Department of Agriculture and Rural Development and Third Parties with whom my information may be shared with for the purpose of processing this Section 24G application including any appeal and/or litigation that might result therefrom.
2. The Department may use any of the details provided in this form for the purpose of processing this Section 24G application including any appeal and/or litigation that might result therefrom.
3. The personal information provided must only be used for the purposes indicated in 1 and 2 above of this consent.

Name:

Shonisani Selahle

Signature:



Date:

26/04/2024

H4: POPIA Consent

The Applicant

1. I, Pretty Shandukani hereby consent to the processing of my personal information as contemplated in the Personal Information Act No 4 of 2013 by the Gauteng Department of Agriculture and Rural Development and Third Parties with whom my information may be shared with for the purpose of processing this Section 24G application including any appeal and/or litigation that might result therefrom.
2. The Department may use any of the details provided in this form for the purpose of processing this Section 24G application including any appeal and/or litigation that might result therefrom.
3. The personal information provided must only be used for the purposes indicated in 1 and 2 above of this consent.

Name: Pretty Shandukani

Signature: 

Date: 09/12/2024

ANNEXURE A TO THE SECTION 24G APPLICATION FORM

SECTION A: DIRECTIVE

Section 24G(1) of the National Environmental Management Act, 1998 (Act 107 of 1998) ("NEMA") provides that on application by a person who has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1); or a person who has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20(b) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) ("NEM:WA") the Minister, the Minister responsible for mineral resources or the MEC concerned (or the official to which this power has been delegated), as the case may be, may direct the applicant to -

i	immediately cease the activity pending a decision on the application submitted in terms of this subsection
ii	investigate, evaluate and assess the impact of the activity on the environment
lii	remedy any adverse effects of the activity on the environment
iv	cease, modify or control any act, activity, process or omission causing pollution or environmental degradation
v	contain or prevent the movement of pollution or degradation of the environment
vi	eliminate any source of pollution or degradation
vii	compile a report containing -
aa	A description of the need and desirability of the activity
bb	assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity
cc	description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity
dd	description of the public participation process followed during the course of compiling the how the issues raised have been addressed
ee	an environmental management programme
	Provide such other information or undertake such further studies as the Minister, Minister responsible for mineral resources or MEC, as the case may be, may deem necessary.

You are hereby provided with an opportunity to make representations on any or all of the abovementioned instruction, including where you are of the opinion that any of these instructions are not relevant for the purposes of your application, setting out the reasons for your assertion. Kindly note further that, after taking your representations into account, a final directive may be issued.

SECTION B: DEFERRAL

Section 24G(7) of the NEMA provides that if at any stage after the submission of an application it comes to the attention of the Minister, the Minister responsible for mineral resources or the MEC, that the applicant is under criminal investigation for the contravention of, or failure to comply with, section 24F(1) of the NEMA or section 20(b) of the NEM:WA, the Minister, Minister responsible for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time as the investigation is concluded and-

- (a) The National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
- (b) The applicant concerned is acquitted or found not guilty after prosecution in respect of which such contravention or failure has been instituted; or
- (c) The applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

Kindly answer the following questions:

Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that is not subject to this application and in any province in the Republic?	YES	NO X	UNCERTAIN
If yes provide details of the offence being investigated and authority conducting the investigation, If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
N/A			
Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is not subject to this application and in any province in the Republic?	YES	NO X	UNCERTAIN
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
N/A			
Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA in terms of which this application directly relates?	YES	NO X	UNCERTAIN
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			

If you have answered yes or uncertain to any of the above questions, you are hereby provided with an opportunity to make representations as to why the Minister, Minister responsible for mineral resources or MEC, as the case may be, should not defer the application as he or she is entitled to do under section 24G (7).

SECTION C: QUANTUM OF THE SECTION 24G FINE

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant an ex post facto environmental authorisation or a waste management license as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies, copies of which must be submitted with this completed application form.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefore.

PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES

Index: Socio-Economic Impact	Place an "X" in the appropriate box
Description of variable	
The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	X
The activity is giving, has given, or could give rise to negative socio-economic impacts, but highly localised	
The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.	
Motivation:	
The current development has led to job creation and stimulated economic growth, while also helping to reduce unemployment in the surrounding area.	X

Index: Biodiversity Impact	Place an "X" in the appropriate box
Description of variable	
The activity is not giving, has not given and will not give rise to any impacts on biodiversity	X
The activity is giving, has given or could give rise to localised biodiversity impacts	
The activity is giving, has given or could give rise to significant biodiversity impacts	

The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognized biodiversity 'hot-spot' or threaten the existence of a species or sub-species.	
Motivation:	
During the rehabilitation phase, the wetland area will be revegetated with indigenous vegetation to be able to recover the ecosystem function and prevent further erosion and sedimentation.	X

Index Sense of Place Impact and 1 or Heritage Impact	Place an "X" in the appropriate box
Description of variable	
The activity is in keeping with the surrounding environment and/ or does not negatively impact the affected area's sense of place and /or heritage	X
The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage	
The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage.	
Motivation:	
The existing development has not disrupted the sense of place or heritage.	

Index Pollution Impact	Place an "X" in the appropriate box
Description of variable	
The activity is not giving, has not given and will not give rise to any pollution	
The activity is giving, has given or could give rise to pollution with low impacts,	X
The activity is giving, has given or could give rise to pollution with moderate impacts.	
The activity is giving, has given or could give rise to pollution with high impacts.	
The activity is giving, has given or could give rise to pollution with major impacts.	
Motivation:	
During the construction of the boundary wall and manholes, there were dust emissions from heavy machinery.	

PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT	
Index: Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/ or section 20(b) of the National Environmental Management Waste Act	Place an "X" in the appropriate box
Description of variable	

Administrative action was previously taken against the applicant respect the abovementioned provisions.	
No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	
Administrative action was not previously taken against the applicant in respect of the abovementioned provisions.	X
Explanation of all previous administrative action taken in respect of the above:	
Index: Previous Convictions in terms of section 24F (1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "X" in the appropriate box
Description of variable	
The applicant was previously convicted in terms of either or both of the abovementioned provisions.	
No previous administrative action was taken against the applicant, but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	
The applicant has not previously been convicted in terms of either or both abovementioned provisions.	X
Explanation of all previous convictions in respect of the above: N/A	
Index: Number of section 24G applications previously submitted by the applicant	Place an "X" in the appropriate box
Description of variable	
Number of section 24G applications previously submitted by the applicant	
No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	
No previous applications have been submitted by the applicant, but the applicant sat on the board of a firm that previously submitted an application.	
Explanation in respect of all previous applications submitted in terms of section 24G:	

PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES	
Index: Applicant's legal persona	Place an "X" in the appropriate box
Description of variable	
The applicant is a natural person.	

The applicant is a firm.	X
Describe the firm: Omeida Trading 426CC	

Index: Any other relevant information that the applicant would like to be considered.

Motivate and explain fully: A motivational letter from the client is appended to Appendix I.

NOTE: An explanation as to why the applicant did not obtain an environmental authorisation and/or waste management licence must be attached to this application.

SECTION D: PRELIMINARY ADVERTISEMENT

When submitting this application form, the applicant must attach proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, and on the applicant's website, if any.

The advertisement must state that the applicant commenced a listed or specified activity or activities or waste management activity or activities without the necessary environmental authorization and/or waste management license and is now applying for ex post facto approval. It must include the following:

- the date;
- the location;
- the applicable legislative provision contravened; and
- The activity or activities commenced with without the required authorisation.

Interested and affected parties must be provided with the details of where they can register as an Interested and Affected party and I or submit their comment. At least 20 days must be provided in which to do so.

This advertisement shall be considered as a preliminary notification and the competent authority may direct the applicant to undertake further public participation and advertising after receipt of this application form.

NOTE: Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the Competent Authority. This application must be attached to any documentation or information submitted by an applicant further to section 24G(1).

SECTION E: GAUTENG POLLUTION BUFFER ZONES GUIDELINE, MARCH 2017

Where applicable, the developer must incorporate the Pollution Buffers in the planning and design of the development to protect people and the environment from harmful/toxic emissions. The decision on the buffer size to be maintained is subject to a Departmental review process. The buffers are as follows:

BUFFER GUIDELINES	TICK WHERE APPLICABLE
Best case buffer of 1500m and worst-case buffer of 750m must be maintained in <u>Category 1 industries</u> , such as Sasol, Arcelor Mittal, Scaw Metal, Eskom power stations etc. as per paragraph 6.2.1 of the Gauteng Pollution Buffer Zones Guideline, March 2017.	
Best case buffer of 500m and worst-case buffer of 250m must be maintained in <u>Category 2 industries</u> , such as container depot in City Deep, panel beater workshops, tanneries etc. as per paragraphs 6.2.2 and 7.1 of the Gauteng Pollution Buffer Zones Guidelines, March 2017.	
Best case buffer of 100m and worst-case buffer of 50m must be maintained in Category 3 industries, such as warehousing and distribution operations as per paragraphs 6.2.3 and 7.1 of the Gauteng Pollution Buffer Zones Guideline, March 2017.	
Best case buffer of 800m and worst-case buffer of 500m must be maintained for Sewage treatment works as per paragraphs 6.2.4 and 7.1 of the Gauteng Pollution Buffer Zones Guideline, March 2017.	
Best case buffer of 400m and worst-case buffer of 200m must be maintained for General Landfill Sites (Communal, small, medium and large) as per paragraphs 6.2.5 and 7.1 of the Gauteng Pollution Buffer Zones Guideline, March 2017.	
Best case buffer of 2000m and worst-case buffer of 1000m must be maintained for Hazardous Landfill Sites as per paragraphs 6.2.5 and 7.1 of the Gauteng Pollution Buffer Zones Guideline, March 2017.	
Best case buffer of 100m and worst-case buffer of 0m must be maintained for Mine Dumps (rock dumps or stockpiles) as per paragraphs 6.2.6 and 7.1 of the Gauteng Pollution Buffer Zones Guideline, March 2017.	
Best case buffer of 1000m and worst-case buffer of 500m must be maintained for Mine Slimes Dams and Ash Dumps as per paragraphs 6.2.7 and 7.1 of the Gauteng Pollution Buffer Zones Guideline, March 2017.	
Best case buffer of 5000m and worst-case buffer of 2000m must be maintained for the Pelindaba Nuclear Facility Complex as per paragraphs 6.2.8 and 7.1 of the Gauteng Pollution Buffer Zones Guideline, March 2017.	
The Gauteng Pollution Buffer Zones Guideline is not applicable to my development	X

ANNEXURE B: EXAMPLE OF A PRELIMINARY NEWSPAPER ADVERTISEMENT

NOTICE OF INTENTION TO SUBMIT AN APPLICATION IN TERMS OF SECTION 24G OF NEMA FOR THE UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS
--

Notice is given, in terms of Section 24(G) read together with sections 24(F) of the National Environmental Management Act 107 OF 1998 that **[INSERT NAME OF APPLICANT]** –

- a. is considering submitting an application for authorisation in terms of Sections 24(G) and 24(F) of the National Environmental Management Act 107 of 1998.
- b. for the unlawful commencement of **[INSERT DESCRIPTION OF ACTIVITY COMMENCED WITH UNLAWFULLY]**

Details of activity(ies) commenced with is indicated below -

- ☐ *Date of commencement of the listed activity*
- ☐ *Location*
- ☐ *Applicable legislative provision contravened (as listed in terms of the EIA Regulations)*
- ☐ *The activity/ies commenced with without the required authorisation*

Parties wishing to comment or to be registered as interested and affected parties are requested to forward their objections and comments (*with reasons*), no later than **twenty (20) days** after the publication of this advertisement (date of advertisement), to

- ☐ *(Name of company)*
- ☐ *(Name of contact person)*
- ☐ *(Telephone number, Fax number and postal details)*