

COURT ONLINE COVER PAGE

IN THE HIGH COURT OF SOUTH AFRICA
Gauteng Local Division, Johannesburg

CASE NO: **2024-023952**

In the matter between:

**The Kya Sands Burning Wasteland
Community Forum NPC**

Plaintiff / Applicant / Appellant

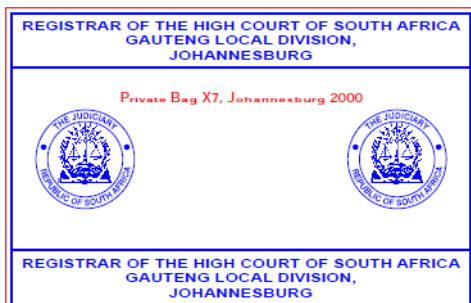
and

**City of Johannesburg Metropolitan
Municipality, Pikitup Johannesburg
(SOC) Ltd, Johannesburg Metropolitan
Police Department, MEC for Gauteng
Department: Agriculture and Rural
Development, Minister of Forestry,
Fisheries and the Environment, Minister
of Police, National Commissioner of the
South African Police Services**

Defendant / Respondent

SIGNED COURT ORDER GRANTED BY JUDGE DLAMINI J ON 05 AUGUST 2024

NOTE: This document was filed electronically by the Registrar on 12/8/2024 at 12:53:26 PM South African Standard Time (SAST). The time and date the document was filed by the party is presented on the header of each page of this document.



ELECTRONICALLY SIGNED BY:

**Registrar of High Court , Gauteng
Local Division, Johannesburg**

12/8/2024-12:53:26 PM
H. Oros / August / 2024

IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG

Case No 2024/023952

In the matter between:

**THE KYA SANDS BURNING WASTELAND
COMMUNITY FORUM NPC**

Applicant

and

**CITY OF JOHANNESBURG METROPOLITAN
MUNICIPALITY**

First Respondent

PIKITUP JOHANNESBURG SOC LTD

Second Respondent

**JOHANNESBURG METROPOLITAN POLICE
DEPARTMENT**

Third Respondent

**MEC FOR GAUTENG DEPARTMENT:
AGRICULTURE AND RURAL DEVELOPMENT**

Fourth Respondent

**MINISTER OF FORESTRY, FISHERIES AND THE
ENVIRONMENT**

Fifth Respondent

MINISTER OF POLICE

Sixth Respondent

**NATIONAL COMMISSIONER OF THE SOUTH
AFRICAN POLICE SERVICES**

Seventh Respondent

DRAFT ORDER

By agreement between the Applicant, and First and Second Respondents the following order is granted:-

- 1 The First Respondent is ordered to conduct comprehensive air quality testing and further, to commission the production of an expert report – including the installation of active and passive air samplers, which include testing for Volatile Organic Compounds (VOCs), as well as sulphur dioxide, nitrogen dioxide, and hydrogen fluoride – at its own cost, in and

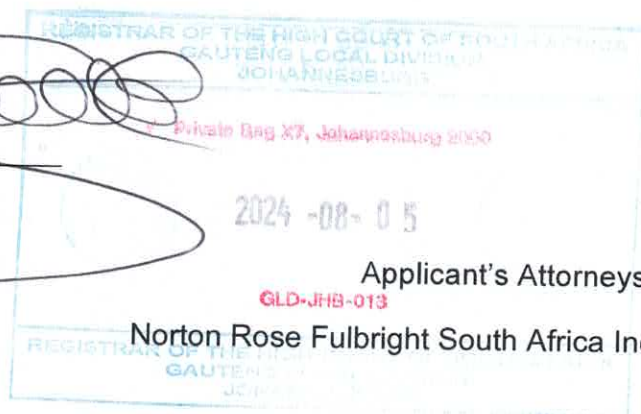
around the decommissioned Kya Sands Waste Disposal Site on Portion 46 of the Farm Houtkoppes 193-IQ by **28 February 2025**.

- 2 The First Respondent is ordered to provide the Applicant and the above Honourable Court with the full air quality testing results, as well as the expert report by **30 April 2025**.
- 3 The First and Second Respondents are directed to pay the costs of this application, including the costs of counsel on an unopposed basis, at Scale A.
- 4 Any of the parties may re-enrol this matter for hearing at any stage, if necessary, on duly supplemented papers, to address the need for further orders arising from the orders set out above.



By Order

REGISTRAR



Applicant's Attorneys:

GLD-JHB-013

Norton Rose Fulbright South Africa Inc

Counsel for the Applicant:

E Richards
082 370 8542

First and Second Respondents' Attorneys:

Mkhabela Huntley Attorneys Inc.

Counsel for the First and Second Respondents:

B Manentsa

