

17/2/1/16 MP-120

Mpumalanga Provincial Government

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DEPARTMENT OF AGRICULTURE AND LAND ADMINISTRATION DIRECTORATE: ENVIRONMENTAL IMPACT MANAGEMENT

Litiko Letekulima Kanye
Nekuphatfwa Kwemhlabha

Departement van Landbou, en
Grondadministrasie

Umnnyango Wozokulima,
Nebhoduluko KweNarha

Environmental Authorisation

- Authorisation register number** : 17/2/1/16 MP-120
- Holder of Authorisation** : GFT Trust
- Location of activity** : Located on portion 13 and 188 of the farm Nooitgedacht in Extension 39 of Ermelo within the jurisdiction of Msukaligwa Local Municipality, Mpumalanga Province.

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29/01/2010 09:48

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172/116 MP-120

1. Decision

The Department is satisfied on the basis of the information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity as specified below. Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

2. Activity authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2006, the Department hereby authorises:

GTF Trust
P.O Box 786
Ermelo
2350

Contact person: Mr. Thom Le Roux

Tel no: (017) 811 7422/082 335 1454
Fax no: (017) 819 2237

to undertake the following activity (hereafter referred to as "the activity"): The establishment of a residential township on portion 13 and 18B of the farm Nootgedacht extension 39 of Ermelo within the jurisdiction of Msukaligwa Local Municipality, Mpumalanga Province. The activity will entail the establishment of 3 residential stands, private open space and special even for recreational facilities and institutional use. The area to be developed will be approximately 18.25 ha in extent.

The site co-ordinates are: 26°31.934' S and 29°58.927' E. **Items: 1(k) i and ii, 1(m), 16 (a) and item 20 as identified in terms of chapter 5 of the National Environmental Management Act, 1998 and Government Notice R 386.**

3. Conditions of Authorisation

The granting of this environmental authorisation is subject to the conditions set out below.

Scope of authorisation

- 3.1 Authorisation of the activity is subject to the conditions contained in this authorisation which are part of the environmental authorisation and are legally binding on the holder of the authorisation.
- 3.2 The holder of the authorisation must ensure compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation;
- 3.3 The activity which is authorised may only be carried out at the property indicated above;
- 3.4 Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in

From:portia

To:041975#0866715919

29/01/2010 09:48

#694 P.005

172/1/16 MP 120

terms of the regulations;

- 3.5 This activity must commence within a period of **two (2) years** from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken;
- 3.6 This authorisation does not negate the holder of the authorisation, responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

Appeal of authorisation

- 3.7 The holder of the authorisation must notify every registered interested and affected party, in writing and within seven (7) calendar days, of receiving notice of the Department's decision to authorise the activity.
- 3.8 The notification referred to above must :
- Specify the date on which the authorisation was issued;
 - Inform the interested and affected parties of the appeal procedure provided for in Chapter 7 of the regulations;
 - Advise the interested and affected parties that a copy of the authorisation and reasons for the decision will be furnished on request.

Management and monitoring of the activity

- 3.9 The Environmental Management Plan (EMP) submitted as part of the application for environmental authorization (Appendix G) must be implemented and adhered to during the construction and operation of the activity
- 3.10 The applicant must appoint an Environmental Control Officer (ECO) for the construction phases in order to ensure compliance with the conditions of this environmental authorisation \ as well as the Environmental Management Plan.
- 3.10.1 The ECO must be appointed before the start of construction and the authorities must be notified of such an appointment for communication purposes.
- 3.10.2 The ECO must submit quarterly environmental compliance reports to the Department for the duration of the construction phase.
- 3.10.3 The ECO must maintain the following on site:
- A site diary
 - Copies of all reports submitted to the Department
 - A complaints register of all public complaints and the remedies applied to such complaints
- 3.11 The holder of the authorisation must submit a post-construction environmental audit report to the Department. An accredited independent auditor must compile the audit report.
- 3.12 The holder of the authorisation must submit a post-construction environmental audit report to the Department. An accredited independent auditor must compile the audit report.
- 3.13 The Department retains the right to monitor and/ or inspect the proposed project during both construction and operational phases.
- Commissioning and operation of the activity**
- 3.14 Fourteen (14) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.

From: portia

To: 041975#0866715919

29/01/2010 09:48

#694 P.006

172/1/16 MP-120

- 3.15 Any disturbance associated with construction must be limited to within 5m (five metres) of the footprint of the site, and construction must only take place between 07:00 am to 18:00 pm during weekdays and from 7:00 am to 13:00 pm on Saturdays to avoid noise impact to the surrounding residential areas.
- 3.16 Measures must be taken to prevent and manage soil erosion during and after construction.
- 3.17 Appropriate storm water management measures must be designed to control storm water and prevent soil erosion during all the phases of the project.
- 3.18 No contaminated water may be discharged to storm water pipes or sewers.
- 3.19 The pollution of adjacent areas due to improper storage of construction materials as well as other hazardous substances must be prevented.
- 3.20 All construction vehicles are kept in a good working order as to prevent unexpected leakages of fuels and lubricants.
- 3.21 No maintenance of machinery or vehicles must be carried out on site.
- 3.22 The storage and handling of fuel, lubricants and other chemicals must take place in specially demarcated solid and bunded areas.
- 3.23 Accidental spills must be treated with chemical absorbent within 24 hours and be disposed of at registered landfill site.
- 3.24 Any trenches that are dug for the erection of the pipes must be filled up and compacted well and slightly higher than the areas around it, as this will allow for settling of the soil without trench forming again.
- 3.25 Appropriate storm water management measures must be designed and constructed to prevent soil erosion.
- 3.26 Dust suppression measures must be applied during site clearance to reduce the emission of dust and speed control must be implemented on the construction roads to reduce the generation of dust during construction.
- 3.27 It is the responsibility of the holder of the authorisation to rectify any source of pollution from their undertaking and to take appropriate measures to prevent any pollution of surface as well as ground water.
- 3.28 All invader species classified in terms of Conservation of Agricultural Resources Act 1983 (Act 43 of 1983) must be identified and eradicated in an ecologically sensitive manner during construction phase.
- 3.29 Mixing of chemicals and hazardous substances must take place on impermeable surfaces.
- 3.30 Access point to the development must be restricted and controlled to provide safe access to the main road during construction.
- 3.31 Appropriate ablution facilities and camp waste disposal must be provided for the construction team.

From: portia

To: 041975#0866715919

29/01/2010 09:49

#694 P. 007

17/2/16 MP-120

- 3.32 All waste generated during the construction must be removed on a weekly basis and be disposed of at registered landfill site. Under no circumstances must waste be burned on the construction site.
- 3.33 Should any material of cultural or archaeological significance be encountered during construction, all activities must cease immediately and the South African Heritage Resources Agency (SAHRA) must be informed accordingly.
- 3.34 Any complaints received from the public during all the development phases of the activity must be attended immediately and be addressed to the satisfaction of all concerned.
- 3.35 No part of the residence development must occur within 1:100 year flood line.

General

- 3.36 A copy of this authorisation must be kept at the property where the activities will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 3.37 Where any of the applicant's contact details change including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.38 The holder of the authorisation must notify the Department, in writing and within 24 (twenty four) hours, if conditions of this authorisation are not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 3.39 Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 3.40 National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorization or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorization as set out in this document or any other subsequent document emanating from these conditions of authorization.

ENVIRONMENTAL AUTHORISATION APPROVED BY:



Director: Environmental Impact Management
For HOD: Agriculture and Land Administration

28 / 01 / 2010
Date

17/2/16 MP-120

Annexure 1: Reasons for the Decision

1. Background

- 1.1 The applicant, GTF Trust applied for authorisation to carry out the following activity:

The establishment of a residential township on portion 13 and portion 188 of the farm Nootgedacht extension 39 Ermeio within the jurisdiction of Msukaligwa Local Municipality, Mpumalanga Province. The site co-ordinates are: 26°31.934' S and 29°58.927' E.

- 1.2 The applicant appointed the following Environmental Assessment Practitioner to undertake the Environmental Assessment process:

Consultant : BSL Mpumalanga Consulting Engineers
Address : P.O. Box 1392, Barberton, 1300
Contact Person : Ben Theron
Telephone : (013) 712 4345
Fax : (086) 671 5919

2. Information considered in making the decision.

In reaching its decision, the Department took the following into consideration:

- a) The information contained in the Basic Assessment Report;
- b) The outcome of the public participation process as included in the Basic Assessment Report;
- c) The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998); and
- c) The findings of the site visit undertaken by Michael Nyirenda from the department on 30 July 2008.

3. Key factors considered in making the decision.

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below:

- a) Traffic impact;
- b) Biophysical environment;
- c) Sufficiency and availability of bulk services;
- d) Need and desirability of the development;
- e) Agricultural potential;
- f) Heritage impact;
- g) Socio economic factors related to the development;
- h) Public involvement.

4. Findings

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

- a) There will be minimal impact on the traffic in the area as there would be various separate entrances that would balance the traffic impact;
- b) The area is disturbed with scattered aliens vegetation and is also characterised by numerous footpaths used for crossing purposes;
- c) Msukaligwa Local Municipality confirms the availability of services to cater for the proposed township development.

From:portia

To:041975#0866715919

29/01/2010 09:50

#694 P.009

17/2/16 MP-120

- d) No moderate or high potential agricultural land was found in the bigger surveyed area of development ;
- e) No important cultural heritage resources were found in the area;
- f) The activity will generate employment opportunities during construction and operational phases, and contribute to the economic growth in the area;
- g) All the Interested and Affected parties were given an opportunity to participate in the Environmental Assessment process and no objections were received.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management as laid down in Chapter 5 of the National Environmental Management Act, 1996 (Act No. 107 of 1996) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated for to acceptable levels. The application is accordingly granted.