



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

Ref: 12/1/9/2-C79 Enq: Mthombeni RV Tel: (015) 293 8396 E-mail: MthombeniRV@ledet.gov.za

LJ Janse van Vuuren
P O Box 24
STARTWATER
0622

For attention: LJ Janse van Vuuren

E-mail: joan.marina@vodamail.co.za

ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CLEARANCE OF 950 HECTARES OF INDIGENOUS VEGETATION FOR THE ESTABLISHMENT OF CROPLANDS AND RELATED FARMING INFRASTRUCTURE ON THE REMAINING EXTENT AND PORTION 1 OF THE FARM ZWARTBERG 72 MR WITHIN BLOUBERG LOCAL MUNICIPALITY OF CAPRICORN DISTRICT

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 4(2) of the Environmental Impact Assessment Regulations of 2014, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) calendar days, of the date of the Department's decision in respect of your application as well as the provisions regarding the lodgement of appeals as provided for in the National Appeals Regulations of 2014.

Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge an appeal with the MEC for Economic Development, Environment and Tourism (LEDET), within 20 calendar days of receiving this letter by means of the prescribed forms obtainable from LEDET, by means of one of the following methods:

By post : Private Bag X 9484, **POLOKWANE**, 0699

By hand : Evridiki Towers, 20 Hans Van Rensburg/19 Biccard Street, **POLOKWANE**, 0699

Should you decide to appeal, you must serve a copy of your appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours faithfully

DIRECTOR
ENVIRONMENTAL IMPACT MANAGEMENT
DATE: 2/06/2022



Cc: Tua Conserva Environmental & Conservation Services cc

Attention: Mr Johannes Claassens

E-mail: dons.tuaconserva@gmail.com

HEAD OFFICE

20 Hans Van Rensburg Street / 19 Biccard Street, Polokwane, 0700, Private Bag X 9484, Polokwane, 0700
(Switchboard) Tel: +2715 293 8300 Website: www.ledet.gov.za

The heartland of southern Africa - development is about people!



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM
ENVIRONMENTAL AUTHORISATION

PROJECT DESCRIPTION: THE PROPOSED CLEARANCE OF 950 HECTARES OF INDIGENOUS VEGETATION FOR THE ESTABLISHMENT OF CROPLANDS AND RELATED FARMING INFRASTRUCTURE ON THE REMAINING EXTENT AND PORTION 1 OF THE FARM ZWARTBERG 72 MR WITHIN BLOUBERG LOCAL MUNICIPALITY OF CAPRICORN DISTRICT

Environmental Impact Assessment Process: Scoping and Environmental Impact Reporting

LEDET Reference	12/1/9/2-C79
NEAS Reference	LIM/EIA/0001470/2021
Amendments	First Issue

Holder of Authorisation: LJ Janse van Vuuren

Address: P O Box 24
STARTWATER
0622

For attention: LJ Janse van Vuuren

Cell: 082 722 4282

E-mail: johan.marina@vodamail.co.za

LOCATION OF ACTIVITY:

Local/nearest Area description	Location	District Municipality	Local Municipality
Alldays	Remaining extent and portion 1 of the farm Zwartberg 72 MR	Capricorn	Blouberg

GPS Coordinates

Point	Coordinates			
Centre	South	22°	48'	35.25"
	East	28°	7'	54.34"



ACRONYMS

NEMA	National Environmental Management Act, 1998 (Act 107 of 1998), as amended.
Regulations	EIA Regulations of 8 December 2014 in terms of Chapter 5 of NEMA.
EIA	Environmental Impact Assessment.
Department	Department of Economic Development, Environment and Tourism.
I&APs	Registered Interested and Affected Parties.
EA	Environmental Authorisation.
EMPr	Environmental Management Programme.

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

ACTIVITIES AUTHORISED

Notice and description	Activity Number and description	Component in the proposed development/expansion
Notice 1: R. 983 of 2014	The development of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50000 cubic metres or more, unless such storage falls within the ambit of activity 16 in Listing Notice 2 of 2014".	Development of an off-storage dams with a combined storage capacity 50 000 cubic metres for having a reserve of water during peak irrigation periods.
Notice 2: R. 984 of 2014	Activity 13 – "The physical alteration of virgin soil to agriculture, or afforestation for the purposes of commercial tree, timber or wood production of 100 hectares or more".	The physical alteration of 950 hectares of virgin soil for the establishment of croplands and related farming infrastructure.
Notice 2: R. 984 of 2014	Activity 15 – "The clearance of an area of 20 hectares or more of indigenous vegetation".	The clearance of approximately 950 hectares of indigenous vegetation.
Notice 2: R. 984 of 2014	The development of a dam where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the highwater mark of the dam covers an area of 10 hectares or more".	The proposed development will also entail a development of a dam with a dam wall of 5 metres high on an area of 10 hectares in extent.

Associated activities

- Dam with a dam wall of 5 metres high.




CONDITIONS

1. Departmental Standard Conditions attached as Annexure 2 must be adhered to.
2. The EMPr attached as part of reports for the above development submitted as part of the application for an EA is hereby approved and must be adhered to throughout the life cycle of the activity.
3. Protected plant species identified on site in terms of the National Forests Act, 1998 (Act No 84 of 1998 and Limpopo Environmental Management Act, 2003 (Act no 7 of 2003) such as the *Sclerocarya birrea* (Marula tree) and *Philenoptera violaceae* (Apple leaf tree) must not be removed unless the necessary permit is obtained from the Department of Forestry, Fisheries and the Environment (DFFE).
4. The proposed development must not encroach into buffer zones of the non-perennial drainage channel within the site.
5. Permission to cultivate virgin soil must be applied for in terms of Conservation of Agricultural Resource Act of 1983 with the Department of Agriculture, Land Reform and Rural Development (DALRRD).

This activity must commence within a period of ten (10) years from the date when the EA was issued. If commencement of the activity does not occur within that period, the EA lapses and a new application for EA may be made in order for the activity to be undertaken. Any request for extension of the validity period of the EA must be lodged with the Department at least 60 days before the expiry date of the EA.


CHIEF DIRECTOR
ENVIRONMENTAL TRADE AND PROTECTION

DATE: 02/06/2022

DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT AND TOURISM
HEAD OFFICE ENVIRONMENTAL IMPACT MANAGEMENT
02 -06- 2022
P.O. BOX 55464 POLOKWANE, 0700
LIMPOPO PROVINCE

ANNEXURE 1: REASONS FOR THE DECISION

1. Environmental Assessment Practitioner

Names: Mr Johannes Claassens
Company: Tua Conserva Environmental & Conservation Services cc
Telephone Number: 073 593 9224 / 082 885 9118
E-mail: dons.tuaconserva@gmail.com

2. Dates of receipt of information

Document	Application Form	SCOPING REPORT AND ENVIRONMENTAL ASSESSMENT REPORT	ENVIRONMENTAL IMPACT
Date of receipt	Application form – 25/11/2021	SR for consultation – 25/11/2021 SR for decision – 07/02/2022	EIAR for consultation – 03/03/2021 EIAR for decision – 25/04/2022
Date of acknowledgement of receipt	Application form – 06/12/2021	SR for consultation – 06/12/2021 SR for decision – 17/02/2022	EIAR for consultation – 11/03/2023 EIAR for decision – 06/05/2022
Date of acceptance	01/03/2022		

3. List of specialist reports and other information:

Report description	Person (and Company) where applicable, who compiled the report and Date	Appendices
Archaeological Report	Jaco van der Walt of Beyond Heritage dated January 2022	Appendix D
Ecological, Red Data & Biodiversity Report	Johannes Claassens of Tua Conserva Environmental & Conservation Services cc dated February 2022	Appendix E

4. Key factors considered in making the decision

4.1 Public Participation

Name of newspaper: Polokwane Observer

Date of advert in the newspaper: 14-20 October 2021



Environmental Authorisation for the proposed clearance of 950 hectares of indigenous vegetation for the establishment of croplands and related farming infrastructure on the remaining extent and portion 1 of the farm Zwartberg 72 MR within Blouberg Local Municipality of Capricorn District

Site Notices:

- Placed on-site at entrance gate of the project farm;
- Placed on the southern-western corner of the project farm; and
- NTB (farmers and general store).



Notification of interested and affected parties about the development:

- Through the newspaper advert, e-mails, letters and site notices; and
- Through the distribution of the draft Scoping Report.

4.2 Findings

Activity/Report	Finding
Archaeological Report	<ul style="list-style-type: none"> • Large sections of the study area are disturbed from a heritage perspective by farming activities; most notably cultivation that was practised from the 1960's; and • It is recommended that if any artefacts (e.g., bone, ceramics) is uncovered, all operations must be stopped, and an Archaeologist must be contacted to assess the findings.
Ecological, Red Data & Biodiversity Report	<ul style="list-style-type: none"> • The project area has been progressively altered by past human activities; • The conservation value of the area is that of low with average species richness as compared to other similar vegetation types and units; • Although no red data species were found on site, it is still mandatory to ensure that a knowledgeable environmental and conservation person with experience is used on the project as an Environmental Control Officer (ECO); and • A Conservation and Farming Ecotone Monitoring Plan (CFEMP) must be compiled by a conservation specialist and should be updated every year, in order to incorporate new farming activities and techniques.

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

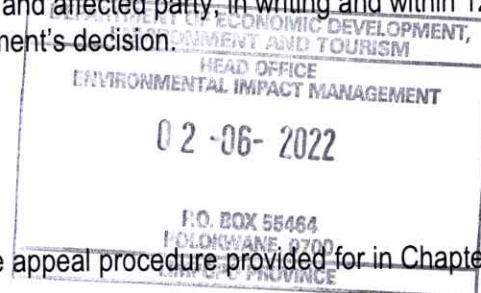
LEDET DEPARTMENTAL STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1 The holder of the EA shall be responsible for ensuring compliance with the conditions contained in this EA. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the EA.
- 1.2 Any changes to, or deviations from, the project description set out in this EA 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 EA to apply for further authorisation in terms of the Regulations.
- 1.3 The activity, which is authorised, may only be carried out at the property indicated in the EA.
- 1.4 The holder of the EA will be held liable for any damages to the environment and associated costs, which results from any activity related to the construction and/or operation of the proposed project.
- 1.5 Where any of the holder of the EA's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the holder of the EA must notify the Department as soon as the new details become known to the holder of the EA.
- 1.6 The Department reserves the right to monitor and audit the development throughout its full life cycle.
- 1.7 This EA does not negate the holder of the EA's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

2. APPEAL OF AUTHORISATION

- 2.1. The holder of the EA must notify all registered interested and affected party, in writing and within 12 (twelve) calendar days, of receiving notice of the Department's decision.
- 2.2. The notification referred must –
 - 2.2.1 specify the date on which the EA was issued;
 - 2.2.2 inform all the interested and affected party of the appeal procedure provided for in Chapter 7 of the Regulations;
 - 2.2.3 advise all the interested and affected party that a copy of the EA will be furnished on request; and
 - 2.2.4 give the reasons for the decision.



3. APPEAL PROCEDURE

- 3.1 An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Department.
- 3.2 An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs, submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) using the prescribed form obtainable from the Department, to the Appeal Administrator.
- 3.3 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; as follows:

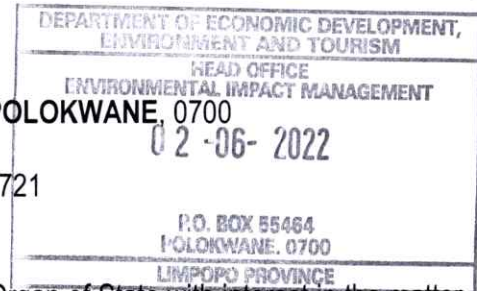
Ms Aluwani Khorommbi

Address: 20 Hans van Rensburg Street, Evridiki Towers, **POLOKWANE, 0700**

MEC Support Services

Tel: (015) 293 8523 | Fax: (015) 291 1168 | Mobile: 0835721721

Web: www.ledet.gov.za

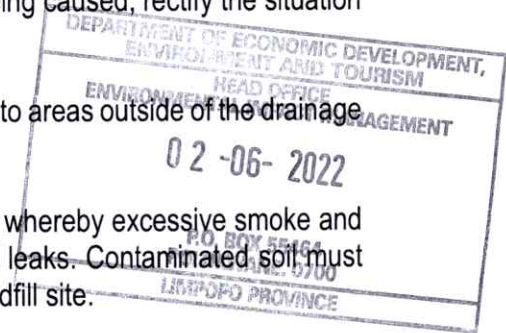


- 3.4 Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Department that issued the decision.

4. COMMENCEMENT OF THE DEVELOPMENT

- 4.1 In order to ensure their safety, all employees must be given the necessary personal protective equipment.
- 4.2 This EA must be provided to the site operator and the requirements thereof must be made fully known to him/her.
- 4.3 Appropriate notification signs must be erected at the construction site, warning the public (residents, visitors etc) about the hazards around the construction site and presence of heavy vehicles and machinery.
- 4.4 Hauling routes for construction vehicles and machinery must be clearly marked and appropriate signalling must be posted to that effect. Further, movement of construction vehicles and machinery must be restricted to areas outside of the drainage line/wet area.
- 4.5 Construction must include appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of stormwater run-off.
- 4.6 Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
- 4.7 All construction areas (e. g. material lay down area), topsoil and sub-soils must be protected from contamination or pollution and stockpiling must not take place in drainage lines or where it would impede surface water runoff.

- 4.8 The holder of the EA must note that in terms of the National Forests Act (Act No. 84 of 1998); protected plant species (also listed in Limpopo Environmental Management Act, 2003 (Act No. 7 of 2003) must not be cut, disturbed, damaged, destroyed, and their product must not be possessed, collected, removed, transported, exported, donated, purchased or sold unless permission is granted by the Department of Forestry, Fisheries and the Environment (DFFE).
- 4.9 If any soil contamination is noted during the construction and operational phase of the proposed activities, the contaminated soil must be removed to a suitable waste disposal facility and the site must be rehabilitated to the satisfaction of this Department and the DWS. The opportunity for the on-site remediation and re-use of contaminated soil must be investigated prior to disposal and this Department must be informed in this regard.
- 4.10 Should infill material be required for any purpose, the use of borrow pits must comply with the provisions of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) administered by the Department of Mineral Resources and Energy (DMRE).
- 4.11 An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate avoidance, reduction, recycling, re-use and disposal where appropriate. Uncontaminated builders' rubble generated during the construction can be re-used as back filling material on site. Ensure that no refuse or builders rubble generated on the premises is placed, dumped or deposited on adjacent properties or public places and open spaces during or after construction.
- 4.12 Section 28 of the NEMA places a duty of care on the holder of the EA to ensure that reasonable measures are taken to prevent pollution or degradation of the environment from occurring, continuing or recurring. Should any environmental damage result from this development or the operation thereof, the holder of the EA , must within 14 days of the damage being caused, rectify the situation at his/her own expense.
- 4.13 Movement of construction vehicles and machinery must be restricted to areas outside of the drainage lines/wet area.
- 4.14 Construction vehicles must be serviced and maintained in a manner whereby excessive smoke and noise production is reduced to acceptable levels, and to prevent oil leaks. Contaminated soil must be remediated on site or removed to an appropriately authorised landfill site.
- 4.15 Dust and nuisance must be minimised through damping down of unsurfaced areas.
- 4.16 Residents (if any) on the property and surrounding area must be informed if any unusually noisy activities are planned. Noise impacts must be reduced over distance at a rate of 1db (decibel) per 13 metres.
- 4.17 Chemical sanitation facilities or systems such as "toilets" that do not rely on seepage of liquids must be provided with a ratio of one for every 15 workers. These must be placed such that they prevent spills or leaks to the environment and must be maintained according to operating instructions and the contents thereof must be disposed of at an authorised waste water treatment works.



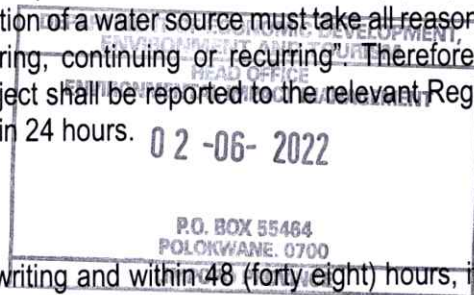
- 4.18 Mixing of cement, concrete, paints, solvents, sealants and adhesive must be done in specified areas on concrete aprons or on protected plastic linings to contain spillage or overflows onto soil to avoid contamination to underground water and environmental damage.
- 4.19 Construction activities must be suspended and a representative of the South African Heritage Resources Agency (SAHRA) and/ or Limpopo Heritage Resources Agency (LIHRA) be contacted immediately in the event of finding or uncovering any subterranean (middens, graves, etc.).
- 4.20 Care must be taken to ensure that the material and excavated soil required for backfilling are free of contamination from hydrocarbons.
- 4.21 The hydraulic fluids or chemicals required during construction must be stored in a concrete lined surface with bund walls and shall be designed in such a manner that any spillage can be contained and reclaimed without any impact on the surrounding environment. Should any spills occur it should be cleaned immediately by removing the spillage together with the polluted solid and dispose it in an authorised disposal site permitted to dispose of such waste. The Regional Office of the Department of Water and Sanitation must be notified within 24 hours of an incident that may pollute surface and ground water.

5. MANAGEMENT OF THE ACTIVITY

- 5.1 A copy of this EA must be kept at the property / on-site office where the activity (ies) will be undertaken. The EA 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 EA who works or undertakes work at the property.
- 5.2 The contents of the EMPr and its objectives must be made known to all contractors, subcontractors, agents and other people working on the site, and any updates or amendments to the EMPr must be submitted to the Department for approval.
- 5.3 Regular monitoring and maintenance of storm water drainage facilities must be conducted at all times and repaired, if damaged, as directed by this Department or any other relevant authority.
- 5.4 The holder of the EA shall note that in terms of Section 19(1) of the National Water Act, 1998 (Act No. 36 of 1998), "An owner of the land, a person in control of land or a person who occupies or uses the land on which- (a) any activity or process is or was performed or undertaken; or (b) any other situation exists, which caused or is likely to cause pollution of a water source must take all reasonable measures to prevent any such pollution from occurring, continuing or recurring". Therefore any pollution incident(s) associated with the proposed project shall be reported to the relevant Regional Office of the Department of Water and Sanitation within 24 hours.

6. REPORTING TO THE DEPARTMENT

- 6.1 The holder of the EA must notify the Department, in writing and within 48 (forty eight) hours, if any condition of this EA cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance. Non-compliance with a condition of this EA may result in criminal prosecution or other actions provided for in NEMA and the Regulations.



- 6.2 Fourteen (14) days written notice must be given to the Department that the activity's operational phase will commence. Commencement for the purposes of this condition includes site preparation.
- 6.3 The holder of the EA must notify the Department within thirty (30) days after the completion of the construction activities.
- 6.4 Any complaints received from the registered interested and affected parties (I&APs) during the construction and operational phase of the activity must be attended to as soon as possible and addressed to the satisfaction of all concerned I&APs.
- 6.5 The holder of the authorisation must ensure that an up to date emergency register is kept during the construction and operation of the project. This register must be made available upon request by the Department.

7. SITE CLOSURE AND DECOMMISSIONING

- 7.1 Should the activity ever cease or become redundant, the holder of EA shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

