

GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

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FAX COVER SHEET

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Date:		Pages:	06 including cover page
SUBJECT:	AUTHORISATION GRANTED FOR THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION: PROPOSED CONSTRUCTION OF A PEDESTRIAN WALKWAY AND CYCLE PATH NETWORK IN THE TEMBA AREA, CITY OF TSHWANE METROPOLITAN MUNICIPALITY		

Spoor Environmental Services (Pty) Ltd

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City of Tshwane Metropolitan Municipality
PO Box 423
Pretoria
0001

Attn: Mr Joel Mushwana
Fax no: 086 565 9831
Tel no: 012 358 7050

PER FACSIMILE/REGISTERED MAIL

Dear Sir

RE: APPLICATION FOR ENVIRONMENTAL AUTHORISATION: PROPOSED CONSTRUCTION OF A PEDESTRIAN WALKWAY AND CYCLE PATH NETWORK IN THE TEMBA AREA, CITY OF TSHWANE METROPOLITAN MUNICIPALITY

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

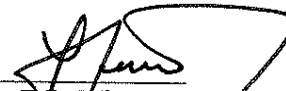
In terms of Regulation 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 calendar days of the date of this letter, of the Department's decision in respect of your application as well as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

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

By fax: 011 240 2700;
By post: P.O. Box 8769, Johannesburg 2000; or
By hand: 4th Floor, Diamond Building, 11 Diagonal Street, Johannesburg.

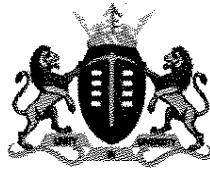
Should you decide to appeal, you must serve a copy of your Notice of Intension to Appeal on all Registered Interested and Affected Parties as well as a Notice indicating where and for what period the appeal submission will be available for inspection. The prescribed appeal form is available on the Department's website; www.gdard.gpg.gov.za .

Yours faithfully


Ms. T.R. Mbassa-Sigabj
Head: Agriculture and Rural Development

Date: 2014/06/12

Environmental Authorisation



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REPUBLIC OF SOUTH AFRICA

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Office of the RIOD
14 -05- 13 000020

Reference Number: *GAUT 002/12-13/E0300*

Holder of authorisation: *City of Tshwane Metropolitan Municipality*

Location of activity: *Temba Area*

1. Decision

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

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

2. Activities authorised

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

City of Tshwane Metropolitan Municipality

with the following contact details –

Mr. Joel Mushwana
City of Tshwane Metropolitan Municipality
PO Box 423
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Fax no: 086 565 9831

Tel no: 012 358 7050

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14 -05- 13
000020

to undertake the proposed construction of a pedestrian walkway and cycle path network in the Temba Area which falls within the jurisdiction of City of Tshwane Metropolitan Municipality.

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

3. Conditions

3.1 Specific conditions

- a) Authorisation is granted for the preferred alternative 1 proposal which is for the construction of a pedestrian walkway and cycle path network in the Temba Area.
 - i. The walkways will be constructed from the sports precinct to the Hammanskraal CBD in the Kudube Activity Node and through to the Jubilee mall along road D2757. The total length of the walkways constructed on both sides of the roadway is approximately 7.0km.
 - ii. The construction of the cycle path along the R734, R101 and road D2757 up to the Jubilee mall, constructed on both sides of the roadway, will be of an approximate total length of 7.0km.

3.2 Management of the activity

The Environmental Management Programme (“EMPr”) submitted as part of the application for environmental authorisation is hereby approved and must be strictly implemented.

3.3 Site closure and decommissioning

- a) On completion of the project all litter and construction debris must be removed from the site immediately. Under no circumstances shall litter and debris be buried or hidden on or near the site after project completion.
- b) All waste must be disposed of at a registered or permitted waste disposal site for the type of waste produced.

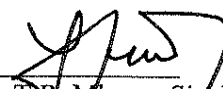
3.4 General conditions

- a) Conditions of this authorisation are binding on the holder of the authorisation, including any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- b) The activity which is authorised may only be carried out at the property or site indicated above.
- c) Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the Regulations.
- d) This activity must commence within a period of five (5) 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.
- g) This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity
- h) A copy of this authorisation must be kept at the property where the activity 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.
- i) 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.
- j) The holder of the authorisation must notify the Department, in writing and within twenty four (24) hours, if conditions above cannot be or are not adhered to. In all other cases, the holder of the authorisation must notify the Department, in writing, within seven (7) days if all other conditions of this authorisation are not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- k) Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (as amended) and the regulations.

4 Appeal of authorisation

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

Date of environmental authorisation: 2014/06/12


 Ms. T.X. Mbassa-Sigabi
 Head: Agriculture and Rural Development

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Annexure 1: Reasons for Decision

1. Background

The applicant, City of Tshwane Metropolitan Municipality applied for authorisation to undertake the following activity -

the construction of a pedestrian walkway and cycle path network in the Temba Area

The applicant appointed Spoor Environmental Services (Pty) Ltd to undertake an environmental impact assessment process in which a basic assessment process was followed.

2. Information considered in making the decision

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

- a) The information contained in the Final Basic Assessment Report and received by the Department on 27 March 2014.
- b) The comments received from interested and affected parties as included in the basic assessment report submitted to the Department.
- c) Relevant information contained in the Departmental information base including -
 - Geographical Information System (GIS);
 - Conservation Plan Version 3.3; and
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended).

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 most significant is set out below.

- a) The need and desirability of the proposed development.
- b) The spatial environmental and social attributes of the site and its surrounds.

4. Findings

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

- a) The provision of infrastructure services is an important aspect in ensuring sustainable communities. The applicant has clearly demonstrated and motivated the need and desirability of the proposed development. That, juxtaposed against the spatial environmental and social attributes of the site and its surrounds, has led the Department to believe that the development satisfies the principles of sustainable development.

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

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