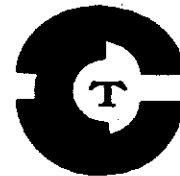


Environ. Auth
for noting
TEKPLAN



(Reg. No. 2000/019116/23)

P.O. Box 55714, Polokwane, 0700
Tel: 015 291 4177 Fax: 086 218 3267
tecoplan@mweb.co.za

South African Heritage Resources Agency
P.O. Box 4637
Cape Town
8000

Attention: Mr. Phillip Hine

Our ref.: TE1A259

Date: 7 January 2013

Sir

APPLICATION FOR AUTHORIZATION IN TERMS OF SECTION 24(5) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998)

PROJECT: PROPOSED PLANNING AND LAYOUT OF 312 ADDITIONAL ERVEN AT BALLOON VILLAGE, MARULENG LOCAL MUNICIPALITY, MOPANI DISTRICT MUNICIPALITY, LIMPOPO PROVINCE

1. The Limpopo Department of Economic Development, Environment and Tourism have decided to grant authorisation for the above project on 30 November 2012 (see Environmental Authorization attached).
2. 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 days of this letter.
3. You may appeal by means of the following methods:
 - By facsimile: (015) 293 8317;
 - By post: Private Bag X9484, POLOKWANE, 0700;
 - By hand: 3rd Floor, Evidiki Towers, 20 Hans van Rensburg Street, POLOKWANE, 0699
4. Should you decide to appeal you must serve a copy on the applicant of the notice referred to in number 2. You must also indicate to the applicant where and for what period the appeal submission will be available for inspection.
5. The contact details of the applicant is:

The Department of Cooperative Governance, Human Settlement and Traditional Affairs (COGSTA)
Private Bag X9485
Polokwane
0700

Attention: Mr. Robert Dali

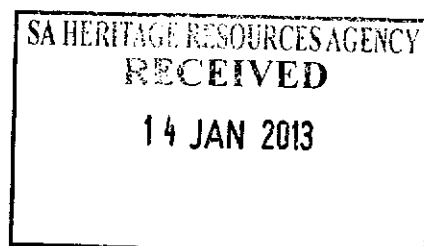
Tel: 015 294 2000
Fax: 015 293 1520
Cell: 082 559 0089

6. The appeal must be lodged by the appellant and the appeal documentation must be submitted within 30 days of the lodging of the notice of intention to appeal.
7. A statement setting out the grounds of appeal must accompany an appeal.

Thank you.

Yours faithfully

Danie Combrink





LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

Enq: M. P. Seshoka, Tel no: (015) 290 7163, Fax no: (015) 295 5015, E-mail: seshokamp@ledet.gov.za, Ref no: 12/1/9/2-M9

Limpopo Department of Cooperative Governance, Human Settlement and Traditional Affairs (COGSTA)
Private Bag X9485
POLOKWANE
0700

For attention: Mr R. Dali

Fax no: (015) 293 1520

ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED DEMARCATION OF 312 SITES AND OTHER RELATED USES AT BALLOON VILLAGE LOCATED ON THE REMAINDER OF PORTION 27 OF THE FARM LOFDAL 42 KT WITHIN MARULENG LOCAL MUNICIPALITY OF MOPANI DISTRICT: LIMPOPO PROVINCE

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 10(2) of the Environmental Impact Assessment Regulations of 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) calendar days of the date 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.

Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC for Economic Development, Environment and Tourism, within 20 days, by means of one of the following methods:

By facsimile : (015) 293 8317
By post : Private Bag X 9484, **POLOKWANE**, 0700
By hand : 3rd floor, Evridiki Towers, 20 Hans van Rensburg Street, **POLOKWANE**, 0699

Should you decide to appeal, you must serve a copy of your notice on intention 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.

Yours faithfully


**SENIOR MANAGER
ENVIRONMENTAL IMPACT MANAGEMENT**

DATE: 30/11/2012

Cc: Tekplan Environmental

For attention: Mr D. Combrink Fax no: (015) 291 4961

DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM	
ENVIRONMENTAL IMPACT MANAGEMENT	
2012-12-04	
P.O. BOX	POLOKWANE 0700
Tel: 291 1315	

HEAD OFFICE

20 Hans Van Rensburg Street / 19 Biccard Street, Polokwane, 0700, Private Bag X 9484 Polokwane, 0700
(Switchboard) Tel: +2715 293 8300/8303/8367 Website: www.ledet.gov.za

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DEPARTMENT OF
ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

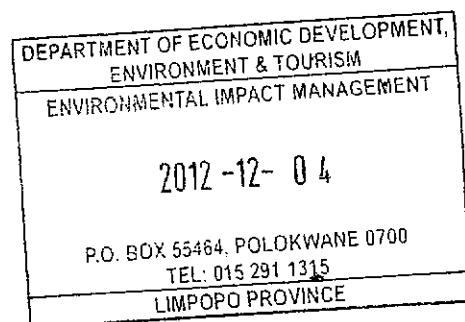
Environmental Authorisation

Authorisation register number: 12/1/9/2-M9

Last amended: First issue

Holder of authorisation: Limpopo Department of Cooperative Governance, Human Settlement and Traditional Affairs (COGSTA)

Location of activity: The proposed activity is located adjacent to an existing Village of Balloon, situated on the Remainder of Portion 27 of the farm Lofdal 42 KT within Maruleng Local Municipality of Mopani District, Limpopo Province.



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REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

Decision

ACRONYMS

- | | |
|----------------|--|
| 1. NEMA | The National Environmental Management Act, 1998 (Act 107 of 1998), as amended. |
| 2. Regulations | EIA Regulations of 18 June 2010 in terms of Chapter 5 of NEMA. |
| 3. EIA | Environmental Impact Assessment. |
| 4. Department | Department of Economic Development, Environment and Tourism. |
| 5. EA | Environmental Authorisation. |
| 6. EMPr | Environmental Management Programme. |

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this EA, 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.

ACTIVITIES AUTHORISED

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises **Limpopo Department of Cooperative Governance, Human Settlement and Traditional Affairs (COGSTA)** with the following contact details –

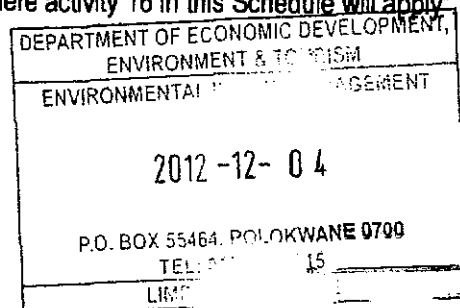
Mr R. Dali
Private Bag X9485
POLOKWANE
0700

Tel no: (015) 294 2000

Fax no: (015) 293 1520

to undertake the following activities (hereafter referred to as "the activities"):

Activity no 15 of Government Notice R. 545 of 18 June 2010 "Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use, where the total area to be transformed is 20 hectares or more, except where such physical alteration takes place for (i) linear development activity; or (ii) agriculture or afforestation where activity 16 in this Schedule will apply"



HEAD OFFICE

20 Hans Van Rensburg Street / 19 Biccard Street, Polokwane, 0700, Private Bag X 9484, Polokwane, 0700
(Switchboard) Tel: +2715 293 8300/8303/8367 Website: www.ledet.gov.za

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as described in the final Environmental Impact Assessment Report (EIAR) received by the Department on 30 July 2012 at:

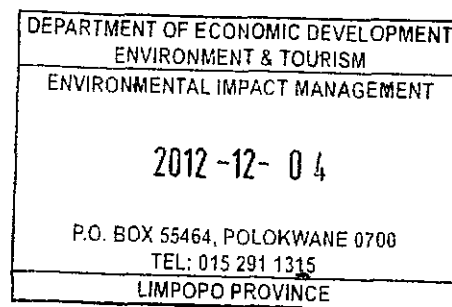
Alternative S1	Latitude	Longitude
Remainder of portion 27 of the farm Lofdal 42 KT	24° 11' 00.6"	30° 23' 12.1"

The activity involves the demarcation of 312 sites, including 3 Business erven, 1 erf for a Crèche, 1 erf for a Community Hall, 1 erf for a Church; 1 erf for a Clinic; 1 erf for a Sports Field/School and 3 erven for Public Open Space, on a total area of 28.8 hectares in extent, adjacent to an existing Village of Balloon, located on the Remainder of portion 27 of the farm Lofdal 42 KT, within the jurisdiction of Maruleng Local Municipality of Mopani District in the Limpopo Province, hereafter referred to as "the property".

The granting of this EA is subject to the conditions set out below and Annexure 2.

Specific conditions

1. The subject site of development consists of numerous Marula Trees. Therefore, should the applicant wishes to remove such trees, necessary permission must be granted by the Department of Agriculture, Fisheries and Forestry (DAFF) in terms of the National Forests Act, 1998, (Act no. 84 of 1998).
2. The Geo-technical recommendations must be made available to potential stand owners in order to allow for the implementation of specific design and/or precautionary measures to reduce the risk of structural damage to structures.
3. The Environmental Management Programme (EMPr) attached as Section 8 in the Environmental Impact Assessment Report (EIAR) of 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.



ANNEXURE 1: REASONS FOR THE DECISION

1. Background

The application from the applicant (Limpopo Department of Cooperative Governance, Human Settlement and Traditional Affairs (COGSTA) is for Government Notice R. 545 of 18 June 2010 activities. The following activity is being applied for:

Activity no 15 of Government Notice R. 545 of 18 June 2010 "Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use, where the total area to be transformed is 20 hectares or more, except where such physical alteration takes place for (i) linear development activity; or (ii) agriculture or afforestation where activity 16 in the Schedule will apply".

The proposed activity involves the demarcation of 312 sites, including 3 Business erven, 1 erf for a Crèche, 1 erf for a Community Hall, 1 erf for a Church; 1 erf for a Clinic; 1 erf for a Sports Field/School and 3 erven for Public Open Space, on a total area of 28.8 hectares in extent, adjacent to an existing Village of Balloon, located on the Remainder of portion 27 of the farm Lofdal 42 KT, within the jurisdiction of Maruleng Local Municipality of Mopani District in the Limpopo Province.

The applicant appointed Tekplan Environmental (represented by Mr D. Combrink) to undertake the Environmental Impact Assessment process as required by Regulation 16 of the EIA Regulations, 2010.

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 EIA application forms, draft, and final EIAR received by the Department on 22 May 2012 and 30 July 2012 respectively.
- b) Ecological Survey Report dated June 2011, compiled by AGES and attached as Annexure M of the final EIAR.
- c) ~~Heritage Impact Assessment dated 28 June 2011; compiled by G and A Heritage Management Consultants and attached as Annexure N.~~
- d) Engineering Service Report dated 15 May 2012, compiled by Dombo and Du Plessis and attached as Annexure K.
- e) Geotechnical Investigation dated 9 June 2011, conducted by Soilkraft CC and attached as attached as Annexure L.
- f) 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).

3. Key factors considered in making the decision

- a) 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.

Proposed demarcation of 312 sites and other related uses at Balloon Village located on the Remainder of portion 27 of the farm Lofdal 42 KT, Maruleng Local Municipality, Mopani District

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2012-12-04
P.O. BOX 55464, POLLEN TEL: 015 291 1315

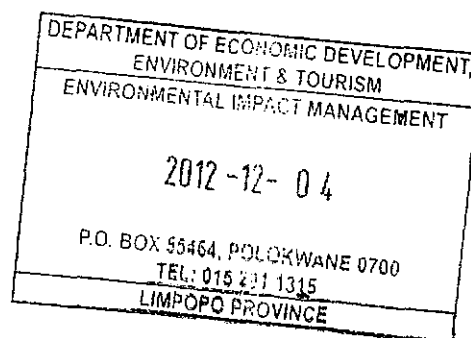
- b) Details provided of the qualifications of the EAP indicate that the EAP is competent to carry out the environmental impact assessment procedures.
- c) A sufficient Public Participation Process (PPP) was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA regulations, 2010 for public involvement.

4. Findings

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

- a) The possible impacts relevant to the proposed activity can be mitigated using the recommendations outlined in the EIAR compiled by Tekplan Environmental and received by the Department on 30 July 2012 to ensure prevention and minimal impacts on the receiving environment.
- b) According to the findings of the site inspection undertaken by Mr Masungi Tshuketani on 28 June 2012:
 - The proposed demarcation of 312 sites will occur adjacent to an existing Village of Balloon;
 - Electricity is readily available throughout the existing village;
 - The area is currently used for livestock grazing and extensive fire wood collection; and
 - The vegetation is disturbed with existence of Marula trees.

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 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 is accordingly granted.



Annexure 2: General Conditions

1. SCOPE OF AUTHORISATION

- 1.1 This EA applies only to the above mentioned activity, i.e., demarcation of 312 sites adjacent to an existing Village of Balloon, located on the Remainder of portion 27 of the farm Lofdal 42 KT as indicated in the layout plan attached as Annexure A of the final Environmental Impact Assessment Report (EIAR).
- 1.2 Authorisation of the activity is subject to the conditions contained herein, and is binding to the holder thereof.
- 1.3 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.
- 1.4 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.
- 1.5 The activities authorised may only be carried out at the properties as described above.
- 1.6 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.

1.6.1 Relevant legislation that must be complied with by the holder of this EA includes, *inter alia*:

- National Heritage Resources Act (Act No. 27 of 1999);
- National Water Act (Act No. 36 of 1998);
- National Environmental Management Act, (Act No. 59 of 2008);
- National Forest Act, (Act No. 84 of 1998); and
- Housing Act (Act 107 of 1997).

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 to authorise the activity.
- 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 in Chapter 7 of the Regulations;

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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. **MANAGEMENT OF THE ACTIVITY**

3.1 Should infill material be required for any purpose, the use of borrow pits must comply with the provisions of the Minerals and Petroleum Resources Development Act, 2002 (Act 28 of 2002) administered by the Department of Mineral Resources (DMR).

3.2 Monitoring must take place during the construction phase to ensure that any cultural material that may be exposed is dealt with in the appropriate manner.

3.3 All waste generated on site during the operation of the development must be stored, handled and disposed of in an environmentally acceptable manner, as directed by this Department or any other relevant authority.

3.4 Section 28 of the NEMA places a duty of care on **Limpopo Department of Cooperative Governance, Human Settlement and Traditional Affairs (COGSTA)** 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, **Limpopo Department of Cooperative Governance, Human Settlement and Traditional Affairs (COGSTA)**, must within 14 days of the damage being caused, rectify the situation at his/her own expense.

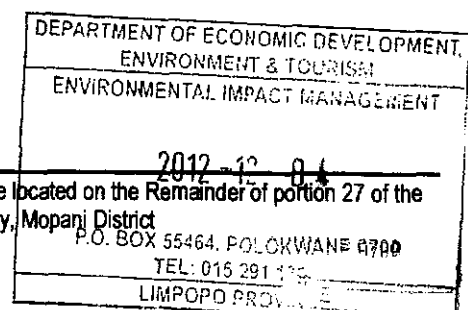
4. **MONITORING**

4.1 Monitoring must take place during the development phase to ensure that any cultural material is dealt with in the appropriate manner.

4.2 Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

4.3 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 the National Environmental Management Act, 1998 and the regulations.

4.4 The Department reserves the right to monitor and audit the development throughout its full life cycle to ensure that it adheres to all the conditions and mitigation measures included in the EIAR. Records of monitoring and auditing must be available for inspection to any relevant authority inspecting the development.



5. RECORDING AND REPORTING TO THE DEPARTMENT

- 5.1 The holder of the EA must submit an Environmental Audit Report (EAR) to the Department upon completion of the construction and rehabilitation activities. The EAR must –
- 5.2 Indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the EA conditions.
- 5.3 Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

6 NOTIFICATION TO AUTHORITIES

- 6.1 Seven (7) days written notice must be given to the Department prior to the commencement of construction activities. Commencement for the purposes of this condition includes site preparation.

7 COMMENCEMENT OF THE ACTIVITY

- 7.1 This activity must commence within a period of three (3) 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 must 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.
- 7.2 All animals protected under the Limpopo Environmental Management Act, 2003 (Act no. 7 of 2003) are not allowed to be killed or trapped on site.
- 7.3 Construction activities must be suspended and a representative of the South African Heritage Resources Agency (SAHRA) be contacted immediately in the event of finding or uncovering any subterranean features / resources such as middens, graves, etc.
- 7.4 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.
- 7.5 The applicant, contractors and sub-contractors working on the site must ensure that oil, fuel and chemicals must be stored in a bunded area with adequate containment (at least 1.5 times the volume of fuel) for potential spills and leaks throughout the construction period.
- 7.6 Dust and nuisance to existing residents must be minimised through damping down of unsurfaced roads, and construction vehicles must avoid travelling unnecessarily through private land through good planning and by effectively controlling site activities.
- 7.7 The applicant, contractors and sub-contractors working on the site must ensure that oil, fuel and chemicals are confined to specific and secured areas throughout the construction period. These materials must be stored in a bunded area with adequate containment (at least 1.5 times the volume of fuel) for potential spills and leaks.

7.8 Mature indigenous trees 3 meters and more identified on site must be incorporated into a proper landscaping plan and retained as far as possible during the construction phase of the proposed development in order to minimise visual impacts.

7.9 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 or removed to a Class Hh Landfill site.

8 OPERATION OF THE ACTIVITY

8.1 Fourteen (14) days written notice must be given to the Department that the activity's operational phase will commence. A notice must include a date on which it is anticipated that the activity will commence.

8.2 Storm water drainage system must be inspected and monitored at all times and repaired if damaged and as directed by this Department or any other relevant authority.

8.3 All general waste generated on site during the operation of the development must be stored, handled and disposed of at the Maruleng landfill site.

9. SITE CLOSURE AND DECOMMISSIONING

9.1 Should the activity ever cease or become redundant, the applicant 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.

10. GENERAL

10.1 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.

10.2 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.

10.3 National government, provincial government, local authorities or committees appointed in terms of the conditions of this EA 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 EA as set out in this document or any other subsequent document emanating from these conditions of authorisation.

**GENERAL MANAGER,
ENVIRONMENTAL TRADE AND PROTECTION**

DATE: 30.11.12.

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