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Litiko Letekulima, Kutfutukiswa
Kwetindzawo Tasemakhaya, Temhlaba
Netesimondzawo

Departement van Landbou,
Landelike Ontwikkeling,
Grond en Ongewing Sake

umNyango weZelimo
UkuThuthukiswa kweNdawo zemaKhaya,
iNarha neeNdaba zeBhoduluko

Enquiries : Okwethu-kuhle Fakude
Telephone : 013 692 5806
Reference no. : 1/3/1/16/1N-131
NEAS ref no. : MPP/EIA/0000420/2018

Meshack Mahamba
Steve Tshwete Local Municipality
PO Box 14
Middelburg
1050

Fax no: 013 249 2550
Tel No: 013 249 7178
Email: meshackm@stlm.gov.za

Dear Sir/Madam,

ENVIRONMENTAL AUTHORISATION: THE PROPOSED ESTABLISHMENT OF AN INTEGRATED RESIDENTIAL DEVELOPMENT TO BE KNOWN AS AERORAND SOUTH ON PORTION 341 OF THE REMAINDER OF PORTION 27 OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS , WITHIN STEVE THWETE LOCAL MUNICIPALITY, MPUMALANGA PROVINCE.

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 4(2) of the Environmental Impact Assessment Regulations 2014, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of this letter, of the Department's decision in respect of your application. Such notification must comply with the requirements of Regulations 4(2)(a)-(b) and must draw the attention of registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of National Appeal Regulations, 2014.

Your attention is drawn to National Appeal Regulations 2014, 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 days of the date of this letter, by means of one of the following methods:

By facsimile: (013) 766 8295
By post: Private Bag x 11219
Nelspruit
1200

By hand: Building 6, No. 7 Government Boulevard,
Riverside Park Extension
Nelspruit
1200

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Should you decide to appeal, you must serve a copy of your notice of 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 sincerely,

MS. P.N. NTULI

ACTING CHIEF DIRECTOR: ENVIRONMENTAL AFFAIRS

DATE: 30/04/2019

cc: Musa Mondlane
Rihlaza Environmental Services & Consulting (Pty) Ltd
Fax no: 086 763 8676
Tel No: 071 534 2295
E-mail: musamondlane@gmail.com



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Environmental Authorisation

Application number: 1/3/1/16/1N-131

Holder of Authorisation: STEVE TSHWETE LOCAL
MUNICIPALITY

NEAS reference number: MPP/EIA/0000420/2018

Location of activity: ON PORTION 341 OF THE
REMAINDER OF PORTION 27 OF
THE FARM MIDDELBURG TOWN
AND TOWNLANDS, WITHIN STEVE
TSHWETE LOCAL MUNICIPALITY,
MPUMALANGA PROVINCE

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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. Activities 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 2014 as amended, the Department hereby authorises:

Steve Tshwete Local Municipality
PO Box 14
Middelburg
1050

Attention: Mr Meshack Mahamba
Fax no: 013 249 2550
Tel No: 013 249 7178
Email: meshackm@stlm.gov.za

To undertake the following activity (hereafter referred to as "the activity"):

The proposed establishment of an integrated residential development to be known as Aerorand South on Portion 341 of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 27 JS, within Steve Tshwete Local Municipality, Mpumalanga Province at the following central co-ordinates; 25° 48' 29.00"S 29° 27' 03.04"E

The total extent of the property to be developed is 101 hectares and it will comprise of the following;

-“Residential 1”	= 608 stands
-“Residential 2”	=2 stands
-“Residential 3”	=2 stands
-“Institutional”	=4stands
-“Municipal”	=2 stands
-“Public Open Space”	=6 stands
TOTAL	=624 stands

- Low Cost Housing
- Water and Sanitation (Pipeline)
- Storm Water Drainage
- Entrance and Exit Roads

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Activities that will require authorisation are listed in Government Notice R327 & Government Notice R325 of 07 April 2017 and they are presented in the table below:

The following activities are applicable

Government Notice R327	Activity	Description	Applicability
Listing Notice 1	9	The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water- i) With an internal diameter of 0.36 metres or more; or ii) With a peak throughput of 120 litres per second or more	The development of the pipeline will be for sanitation and storm water management
Listing Notice 1	10	The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes- i) With an internal diameter of 0.36 metres or more; or ii) With a peak throughput of 120 litres per second or more	The development of a pipeline will be for the sanitation, sewage and effluent
Listing Notice 1	28	Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agricultural, game farming, equestrian purposes or afforestation on or before 01 April 1998 and where such development; i) Will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or ii) Will occur outside an urban area, where the total land to be is bigger than 1 hectare;	The development of a township establishment for low cost housing and related activities.
Government Notice R325	Activity	Description	Applicability
Listing Notice 2	15	The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for – (ii) Maintenance purposes undertaken in accordance with a maintenance management plan.	South Aerorand to be developed as township establishment

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



3. Conditions of Authorisation

Scope of authorisation

- 3.1 Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
- 3.2 The holder of the authorisation must ensure compliance with these 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 terms of the regulations.
- 3.5 In the event that the impacts exceed the significance as predicted in the Environmental Impact Assessment Report, authorisation may be withdrawn after proper procedures have been followed.
- 3.6 In the event of any dispute concerning the significance of a particular impact, the opinion of the Department in respect of its significance will prevail.
- 3.7 The Department may change or amend any of the conditions of this authorisation if, in the opinion of the Department, it is environmentally justified.
- 3.8 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.
- 3.9 The holder of this authorisation is responsible for compliance with the provisions for Duty of Care and Remediation of Environmental Damage contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- 3.10 This authorization does not negate the holder of the authorization, responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

Appeal of authorisation

- 3.11 The holder of the authorisation must notify every registered interested and affected party, in writing and within fourteen (14) days of the date of this decision, of the outcome of the application.
- 3.12 The notification referred to above, must –
 - a) Specify the date on which the authorisation was issued;
 - b) Inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014; and
 - c) Advise the interested and affected party to the manner in which the decision can be accessed;
 - d) Be published in the newspaper contemplated in Regulation 41(2)(c) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management and monitoring of the activity.

- 3.13 The Environmental Management Plan (EMPr) dated 13th March 2019 and submitted as part of the Environmental Impact Assessment Report is hereby approved and must be implemented and adhered to throughout the lifecycle of the activity.

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- 3.14 The applicant must appoint an independent Environmental Control Officer (ECO) that will have the responsibility of monitoring and reporting on compliance with the conditions of this environmental authorisation as well as monitoring and reporting on the implementation of the approved EMPr.
- 3.14.1 The ECO must be appointed before the commencement of construction and the Department must be notified of such an appointment for communication purposes.
- 3.14.2 The ECO must oversee and monitor the success of all rehabilitation activities.
- 3.14.3 During the construction phase, the ECO must submit monthly compliance reports to the Department in writing and copy the applicant with such reports. Where applicable, the ECO may negotiate the required frequency for the submission of reports with the Department, which must be agreed to in writing by the Department. The reports must include a description of all activities on site, problems identified, transgressions noted and remedial action implemented. All reports must reflect the Department's reference number of the project on the cover page.
- 3.14.4 The ECO must maintain the following on site:
- A site diary
 - Copies of all reports submitted to the Department
 - A complaints' register of all environmental complaints regarding the proposed project.
- 3.14.5 The ECO must remain employed until all rehabilitation measures as well as site clean-up are completed and the site is handed over to the applicant by the contractor for operation.
- 3.15 The holder of the authorisation must submit an environmental audit report to the Department upon completion of the construction and rehabilitation activities. The environmental audit report must be compiled by an independent environmental auditor and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the conditions of this authorisation as well as the requirements of the EMPr.
- 3.16 The Department retains the right to monitor and/ or inspect the proposed development during both construction and operational phases.

Commissioning and operation of the activity

- 3.17 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, and must include the name and contact details of the appointed ECO.
- 3.18 All relevant authorizations and licenses must be obtained before construction commences.
- 3.19 The Environmental Control Officer must ensure that all temporary structures, materials, waste and facilities used for construction activities are removed upon completion of the project.
- 3.20 Construction personnel must be sensitized to the requirements of the South African Heritage Resources Act. 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.
- 3.21 The Applicant must compile an Environmental Policy understood and known by all employees, and all employees must receive basic environmental awareness training
- 3.22 During the course of the development, the developer and contractors must comply with all the relevant legislation, including the bylaws of Steve Tshwete Local Municipality. Working hours must be confined between 07h00 to 17h00.
- 3.23 All designs must be as set out by guidelines for the provision of engineering services for residential development.
- 3.24 Builders and developers must adhere to NHBC's strict standards of construction contained in the NHBC Technical Building Standards.

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- 3.25 The Contractor must ensure that there is access to clean drinking water for all employees on site.
- 3.26 Concrete mixing must be done on pre-designed slabs underlined by PVS lining and on previously disturbed areas.
- 3.27 Air pollution caused during construction must be limited by using dust suppression methods such as water spraying.
- 3.28 Chemical toilet must be provided during construction and must be regularly serviced to avoid spills or leaks from toilets to ground water.
- 3.29 All general waste generated on the site must be disposed of at an official registered landfill site or as directed by any other relevant authority. No construction material or any other waste material may be dumped into any watercourse or surrounding area.
- 3.30 The contractor must be responsible for safe siting, operation, maintenance and closure of any spoil sites.
- 3.31 All machinery, including earthmoving vehicles needs regular maintenance to reduce noise intensity.
- 3.32 All fire management plans must be identified implemented and maintained, commencing prior to construction and maintained throughout the operation phase.
- 3.33 Construction vehicles and equipment must be checked and maintained regularly to ensure that there is no environmental contamination as a result of oil, fuel or hydraulic fluid leakages.
- 3.34 The pollution of adjacent areas due to improper storage of construction materials or any hazardous substances is prohibited.
- 3.35 Increased runoff due to vegetation clearance and/ or soil compaction must be managed, and steps must be taken to ensure that storm water does not lead to bank instability and excessive levels of silt entering any watercourse.
- 3.36 The Municipality must be responsible for the rehabilitation of any damaged caused to the environment due to any event occurring on site, or off site which has been as a direct incident emanating from the site.
- 3.37 Steve Tshwete Local Municipality is responsible for the removal and appropriate disposal at a landfill site of all maintenance waste produced during construction and operational phase.
- 3.38 A monitoring program must be compiled and implemented to ensure that the sewage, storm water management and solid waste are managed and functioning properly and that they conform to the standards set by the relevant regulatory authorities.
- 3.39 The pipeline for sewerage treatment system must be regularly inspected to ensure that no spills or leaks from sanitation system flows to ground and surface water courses.
- 3.40 All recommendations, key findings and conditions made in all the specialist studies must be adhered to.
- 3.41 Any environmental complaints received from the public during the construction and operational phases of the activity must be attended to as soon as possible and addressed to the satisfaction of all concerned.

General

- 3.42 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.
- 3.43 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.

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

ENVIRONMENTAL AUTHORISATION APPROVED BY:

MS. P.N. NTULI

ACTING CHIEF DIRECTOR: ENVIRONMENTAL AFFAIRS

DATE: 30/04/2019



Annexure 1: Reasons for the Decision

1. Background

1.1 The applicant, Steve Tshwete Local Municipality, applied for authorisation to carry out the following activity:

The proposed establishment of an integrated residential development to be known as Aerorand South on Portion 341 of the Remainder of Portion 27 of the farm Middelburg Town and Townlands 27 JS, within Steve Tshwete Local Municipality, Mpumalanga Province at the following central co-ordinates; 25° 48' 29.00"S 29° 27' 03.04"E

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- Water and Sanitation (Pipeline)
- Storm Water Drainage
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The following activities are applicable

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Listing Notice 1	28	Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agricultural, game farming, equestrian purposes or afforestation on or before 01 April 1998 and where such development; <ul style="list-style-type: none"> iii) Will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or iv) Will occur outside an urban area, where the total land to be is bigger than 1 hectare; 	The development of a township establishment for low cost housing and related activities.
Government Notice R325	Activity	Description	Applicability
Listing Notice 2	15	The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for – <ul style="list-style-type: none"> (ii) Maintenance purposes undertaken in accordance with a maintenance management plan. 	South Aerorand to be developed as township establishment

1.2.1 The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake an Environmental Impact process:

Rihlaza Environmental Services and Consulting (Pty) Ltd
 P.O. Box 6175
 Tasbet Park
 1040

Contact person: Musa Mondlane
 Tel: 071 534 2295
 Fax: 086 763 8676
 Email: musamondlane@gmail.com

2. Information considered in making the decision.

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

- a) The information contained in the application form submitted on 25th June 2018
- b) The information contained in the Environmental Impact Assessment Report and the EMPr dated 13th March 2013
- c) Comments and views received from interested and affected parties as attached in the Final Environmental Impact Assessment Report.
- d) 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
- e) The findings of the site visit was undertaken by Ms.Okwethu-kuhle Fakude on the 27th March 2019.

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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) The PPP was done and comments from I&APs were addressed.
- b) Alternatives were considered and discussed.
- c) During the construction phase of the proposed development, jobs will be created and thus reduce the unemployment rate of the area.
- d) Other applicable legislations, policies and/or guidelines were considered.
- e) No threatened flora and fauna observed on site during the site visit.
- f) No significant detrimental environmental impacts are anticipated, should the mitigation measures stipulated in the environmental impact report and conditions of this environmental authorisation be implemented and adhered to.

4. Findings

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

- a) The said site is located within the Steve Tshwete Local Municipality and the development will therefore be serviced by the municipality.
- b) The development will not compromise the integrity of the existing environmental management priorities for the area.
- c) No significant detrimental environmental impacts are anticipated, should the mitigation measures stipulated in the environmental impact report and conditions of this environmental authorisation be implemented and adhered to.

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, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated for to acceptable levels. Authorisation is accordingly granted.