



agriculture, rural development,
land & environmental affairs

MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA

Building No. 6, No. 7 Government Boulevard, Riverside Park, 1200, Mpumalanga Province **GERT SIBANDE REGION**
Private Bag X 11219, 1200
Tel: +27 (013) 766 6067/8, Fax: +27 (013) 766 8295, Int Tel: +27 (13) 766 6067/8, Int Fax: +27 (13) 766 8295

Litiko Letekulima, Kutfufukiswa
Kwetindzawo Tasemakhaya, Temhlaba
Netesimondzawo

Departement van Landbou,
Landelike Ontwikkeling,
Grond en Ongewing Sake

umNyango weZelimo
UkuThuthukiswa kweeNdawo zemaKhaya,
iNarha neeNdaba zeBhoduluko

Application form for the rectification of unlawful commencement or continuation of a listed activity in terms of S24G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.

2017

Kindly note that:

1. This application form must be completed for all applications in terms of S24G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.
2. An independent EAP must be appointed to complete the application form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with the application.
3. In cases where an activity applied for commenced during the ECA and other activities commenced during NEMA, two applications forms must be submitted.
4. It is the responsibility of the Applicant / Environmental Assessment Practitioner (EAP) to ascertain whether subsequent versions of the application form have been published or produced by the relevant competent authority.
5. The content of the application for rectification form comprises of:
 - Section A: Application Information
 - Section B: Activity Information
 - Section C: Description of Receiving Environment
 - Section D: Preliminary Impact Assessment
 - Section E: Alternatives
 - Section F: Appendices
 - Section G: Declarations
 - Annexure A: S24G Fines Regulations
6. It is compulsory to comply and complete Annexure A of this application.
7. Incomplete applications will be returned to the applicant for revision and re-submission.

8. The required information must be typed within the spaces provided. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The space provided extend as each space is filled with typing. A legible font type and size must be used when completing the form. The font size should not be smaller than 10pt (e.g. Arial 10).
9. The use of “*not applicable*” in the application form must be done with circumspection.
10. No faxed or e-mailed applications will be accepted. This application form must be submitted by hand or mailed to the Department.
11. Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. Upon request, any interested and affected party must be provided with the information contained in and attached to this application form.
12. This application form constitutes the initiation of the S24G application process.
- 13. Activities which result in detrimental impacts to the environment are considered in a serious light by the Department and accordingly Applicants must understand that by lodging an application for the continuation of activities that commenced/ was undertaken unlawfully does not necessarily imply that the activity will be authorised. In terms of the NEMA, the MEC may either refuse to issue an EA, conditionally authorise the activity or direct you, the Applicant, to provide further information or take further steps prior to making a decision.**

DEPARTMENTAL DETAILS

DEPARTMENT DETAILS

Applications must be submitted by hand to:

S24G Unit Manager : Ms T Tanda
E-mail : ttanda@mpg.gov.za
Contact : **072 249 1384**
: And Ms Zandile Ngobeni
: daminiz@mpg.gov.za
: **079 365 9296**

Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs
Physical Address : 2nd Floor Block 4, **Office Number 231 / 237**
Cycard Building, East Tower
Riverside Office Park (Opposite Audi Entrance Gate)
Aqua Street
Nelspruit
1200

S24G Regional Assistant Directors:

Gert Sibande : Mr Musa Luhlanga
Email : mmluhlanga@mpg.gov.za
Contact : **082 769 4478**
Nkangala : Mr Quinton Shakwane
Email : kqshakwane@mpg.gov.za
Contact : **082 597 9758**
Ehlanzeni : Ms Nocawe Nkosi
Email : nocawe@mpg.gov.za
Contact : **082 683 0594**

Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs
Tel: Head Office 013 766 6067/8

SECTION A: APPLICATION INFORMATION

1. APPLICANT PROFILE INDEX

Cross out the appropriate box "☒".

| | | | |
|-----|--|----------|----|
| 1.1 | The applicant is an individual | YES | NO |
| 1.2 | The applicant is a company | YES | NO |
| 1.3 | The applicant is a state-owned enterprise or municipality | YES x | NO |
| 1.4 | Other (specify) | YES | NO |
| 1.5 | There is more than one individual / company responsible for the unlawful commencement of listed activities | YES | NO |

| | | | |
|---|--|--------------|--------------|
| Name of Project applicant: | Govan Mbeki Local Municipality | | |
| RSA Identity number: | | | |
| Contact person: | Kamesh Rohan | | |
| Position in company | Town Planner | | |
| Registered Name of Company/ Closed Corporation | Govan Mbeki Local Municipality | | |
| Trading name (if any): | Govan Mbeki Local Municipality | | |
| Registration number | | | |
| Postal address: | Horwood Street, Secunda | | |
| | CBD | Postal code: | 2302 |
| Telephone: | () | Cell: | 084 401 2137 |
| E-mail: | kamesh.r@govanmbeki.gov.za | Fax: | () |
| Please Note: In instances where there is more than one individual / company responsible for the unlawful commencement of listed activities, please attach a list of with all contact details to the back of this page. | | | |

| | | | |
|--|--|--------------|--------------|
| Environmental Assessment Practitioner (EAP): | Mang Geoenviro Services | | |
| Contact person: | Phakwago M.Kabelo | | |
| Postal address: | 687 Silverlakes Road, Unit 11 Kingfisher Building | | |
| | Hazeldean Office Park | Postal code: | 0081 |
| Telephone: | (012) 770 4022 | Cell: | 079 054 7652 |
| E-mail: | kabelo@manggeoenviro.co.za | Fax: | () |
| EAP Qualifications | National Diploma in Environmental Sciences | | |
| EAP Registrations/Associations | SACNASP (134805) | | |

| | | | | | |
|-----------------------|--|--|--------------|--------------|--|
| Name of Landowner(s): | Govan Mbeki Local Municipality | | | | |
| Contact person(s): | Kamesh Rohan | | | | |
| Postal address: | Horwood Street, Secunda | | | | |
| | CBD | | Postal code: | 2302 | |
| Telephone: | () | | Cell: | 084 401 2137 | |
| E-mail: | kamesh.r@govanmbeki.gov.za | | Fax: | () | |

Please Note: In instances where there is more than one landowner, please attach a list of landowners with their contact details to the back of this page.

| | | | | | |
|--|--|--|--------------|--------------|--|
| Municipality in whose area of jurisdiction the activity falls: | Govan Mbeki Local Municipality | | | | |
| Contact person: | Kamesh Rohan | | | | |
| Postal address: | Horwood Street, Secunda | | | | |
| | CBD | | Postal code: | 2302 | |
| Telephone | () | | Cell: | 084 401 2137 | |
| E-mail: | kamesh.r@govanmbeki.gov.za | | Fax: | () | |

Please Note: In instances where there is more than one Municipality involved, please attach a list of Municipalities with their contact details to the back of this page.

| | | | | | | |
|---|--|-----|-------|----------------|-----|--------|
| Project title: | The proposed township establishment on the remainder of portion 6 of the farm Blesbokspruit 150-JS in Emzinoni 13 & 14, Mpumalanga Province. | | | | | |
| Property location: | Emzinoni 13 & 14 | | | | | |
| Farm/Erf name & number (incl. portion): | Portion 6 of the farm Blesbokspruit 150-JS | | | | | |
| SG21 Digit code: | T0IS00000000015000006 | | | | | |
| Co-ordinates: | Latitude (S): | | | Longitude (E): | | |
| | 26° | 30' | 1.11" | 29° | 28' | 45.90" |

Please Note:
Where a large number of properties are involved (e.g. linear activities), attach a list of property descriptions to the back of this page.
Indicate the position of the activity using the latitude and longitude of the center point of the site for each alternative site. The co-ordinates must be in degrees, minutes and seconds. The minutes must be given to at least three decimals to ensure adequate accuracy. The EAP is required to contact the relevant competent authority with regards to the projection that must be used.

| | | | | | |
|-------------------------------|--|--|--|--|--|
| Street address: | Portion 6 of the farm Blesbokspruit 150-JS can be accessed from the R35. | | | | |
| Magisterial District or Town: | Bethal | | | | |

Please Note: In instances where there is more than one town or district involved, please attach a list of towns or districts as well as complete physical address information for the entire area to the back of this page.

| | | | |
|--------------------|--------|----------|------|
| Closest City/Town: | Bethal | Distance | 10km |
|--------------------|--------|----------|------|

| | | |
|--|---|-------------|
| Zoning of Property: Agriculture | | |
| Please Note: In instances where there is more than one zoning, please attach a map clearly indicating zoning of the different portions. | | |
| Was a rezoning application required? | YES | NO x |
| Was a consent use application required? | YES | NO x |
| Please Note: Where planning approvals have been granted please attach the relevant approvals. | | |
| Owners consent: | Letters of consent from all landowners or a detailed explanation by the applicant explaining why such letters of consent are not furnished must be attached to application form. . | |

2. APPLICATION HISTORY

(Cross out the appropriate box "☒" and provide a description where required).

| | | |
|---|-----|-------------|
| Has any national, provincial or local authority considered any development applications on the property previously? | Yes | No x |
| If so, please give a brief description of the type and/or nature of the application/s: (In instances where there were more than one application, please attach a list of these applications) | | |
| Not applicable, the DEA screening tool did not identify any applications on the property in question. Screening report attached. | | |
| Which authority considered the application(s): | | |
| Not Applicable | | |
| Has any one of the previous application/s on the property been approved or rejected so provide a list of the successful and unsuccessful application/s and the reasons decision/s. | Yes | No x |
| Not Applicable | | |
| Provide detail on the period of validity of decision(s) and expiry dates of the above applications/ permits etc. | | |
| Not Applicable | | |

I hereby apply in terms of Section 24 G of the National Environmental Management Act (Act no 107 of 1998 as amended) for the rectification of the unlawful commencement or continuation of the listed activity(ies) in Section B of the application form:

Applicant (Full names) _____

Signature _____

Place _____

Date:

EAP (Full names) _____

Signature _____

Place _____

Date:

SECTION B: ACTIVITY INFORMATION

1. ACTIVITIES APPLIED FOR:

Separate applications are required for one development site where more than one listed activity has commenced and where these unlawfully commenced activities constitute offences in terms of different EIA regulations (refer to Table 1 & 2 of the S24G guideline).

Applicants and EAPs are strongly advised to discuss the merits of a combined application (*if deemed applicable*) with the relevant competent authority prior to the completion of this application form and submission thereof.

The Department will use its discretion in deciding to allow one application for more than 1 Section 24F contravention on one development site.

All potential listed activities associated with the development must be indicated below. (See Annexures B, C, D and E). Only those activities for which the applicant applies will be considered.

Where the EIA activity/ies applied for commenced during 2006, 2010 and 2014 listed activity regimes, the corresponding activity listed in the 2017 listings must be indicated in Table 6.

Where the Waste Management activity/ies applied for commenced during 2009 and 2013 listed activity regimes, the corresponding activity/ies listed in the 2017 listings must be indicated in Table 9.

The onus is on the applicant to ensure that all the applicable listed activities are included in the application.

Listed activities applied for. Identify the relevant listed activities applied for below:

National Environmental Management Act, 1998

Table 1:

| ECA EIA Contraventions: Between 08 September 1997, end of day 09 May 2002 and still listed in terms of 2010 Regulations. | |
|---|--------------------------|
| Activities unlawfully commenced with on or after 08 September 1997 and before end 09 May 2002: EIA Regulations promulgated in terms of the ECA, Act No 73 of 1989, as amended and are still in terms of 2010 Regulations. | |
| Listed Activity(ies) | Details of Activity(ies) |
| | |
| | |
| | |

Table 2:

| ECA EIA Contraventions: Between 10 May 2002 and before end of day 03 June 2006 and still listed in terms of 2017 EIA Regulations | |
|--|--------------------------|
| Activities unlawfully commenced with on or after 10 May 2002 and before end of day 02 June 2006: EIA Regulations promulgated in terms of the ECA, Act No 73 of 1989, as amended and are still listed in terms of 2010 Regulations. | |
| Listed Activity(ies) | Details of Activity(ies) |
| | |
| | |

| | |
|--|--|
| | |
|--|--|

Table 3:

| NEMA EIA Contraventions: Between 03 June 2006 and before end of day 01 August 2010 | |
|--|---|
| Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 (as amended) after 03 July 2006 and ended 01 August 2010 | |
| Government Notice No. R386 Activity No(s): | Details of Activity(ies) requiring Basic Assessment |
| | |
| | |
| Government Notice No. R387, Activity No(s): | Details of Activity(ies) requiring a Scoping Report and EIA |
| | |
| | |

Table 4:

| NEMA EIA Contraventions: From 02 August 2010 and before end of day 7 December 2014 | |
|---|--|
| Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 on/after 02 August 2010 and ended 7 December 2014 | |
| Government Notice No. R544 Activity No(s): | Details of Activity(ies) requiring Basic Assessment |
| | |
| | |
| Government Notice No. R545, Activity No(s): | Details of Activity(ies) requiring a Scoping Report and EIA |
| | |
| | |
| Government Notice No. R546, Activity No(s): | Details of Activities that occurred in specific identified geographical areas only and requires a Scoping Report and EIA |
| | |
| | |

Table 5:

| NEMA EIA Contraventions: From 08 December 2014 and before end of day 6 April 2017 | |
|---|--|
| Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 on/ after 08 December 2014 and ended 6 April 2017 | |
| Government Notice No. R983 Activity No(s): | Details of Activity(ies) requiring Basic Assessment |
| 9 | The proposed development includes installation of bulk infrastructure for water or storm water purposes |
| 10 | The civil engineering specialist recommended installation of 5km bulkline to cater the proposed development. |

| | |
|---|---|
| 12 | The proposed development will keep a buffer zone of 30m within any water course. |
| 23 | The proposed project include the establishment of a cemetery on a space of 7 hectares. |
| 28 | The proposed establishment of Emzinoni township include residential area, business area, educational facilities and public open space on an area currently zoned agriculture. |
| | |
| Government Notice No. R984, Activity No(s): | Details of Activity(ies) requiring a Scoping Report and EIA |
| 15 | The proposed development entails clearance and preparing an extent area of 582 hectares. |
| | |
| | |
| Government Notice No. R985, Activity No(s): | Details of Activities that occurred in specific identified geographical areas only and requires a Scoping Report and EIA |
| | |
| | |
| | |

Table 6:

| | |
|---|--|
| NEMA EIA Contraventions: From 07April 2017 | |
| Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 on/ after 07 April 2017 | |
| Government Notice No. R983, as amended, Activity No(s): | Details of Activity(ies) requiring Basic Assessment |
| | |
| | |
| | |
| Government Notice No. R984, as amended, Activity No(s): | Details of Activity(ies) requiring a Scoping Report and EIA |
| | |
| | |
| | |
| Government Notice No. R985,as amended, Activity No(s): | Details of Activities that occurred in specific identified geographical areas only and requires a Scoping Report and EIA |
| | |
| | |
| | |

National Environmental Management: Waste Act, 2009.

Table 7:

| | |
|--|--|
| NEMWA Activity, 2009: From 03 July 2009 and before end of day 28 November 2013 | |
| Activities unlawfully commenced with in terms of the NEMWA, 2008 promulgated in terms of the NEMA, Act No 107 of 1998 on/after 03 July 2009 and ended 28 November 2013 | |

| | |
|--|---|
| Government Notice No. 718 List of Waste Management Activities No(s): | Details of Activity(ies) requiring Basic Assessment |
| | |
| | |
| Government Notice No. 718 List of Waste Management Activity No(s): | Details of Activity(ies) requiring a Scoping Report and EIA |
| | |
| | |

Table 8:

| | |
|--|---|
| NEMWA Activity, 2009: From 01 July 2013 and before end of day 10 October 2017 | |
| Activities unlawfully commenced with in terms of the NEMWA, 2008 promulgated in terms of the NEMA, Act No 107 of 1998 on/after 29 November and ended 10 October 2017 | |
| Government Notice No. 921 List of Waste Management Activities No(s) Category A: | Details of Activity(ies) requiring Basic Assessment |
| | |
| | |
| Government Notice No. 921 List of Waste Management Activity No(s) (Category B): | Details of Activity(ies) requiring a Scoping Report and EIA |
| | |
| | |

Table 9:

| | |
|--|---|
| NEMWA Activity, 2009: From 11 October 2017 | |
| Activities unlawfully commenced with in terms of the NEMWA, 2008 promulgated in terms of the NEMA, Act No 107 of 1998 on/after 11 October 2017 | |
| Government Notice No. 921, as amended, List of Waste Management Activities No(s): Category A: | Details of Activity(ies) requiring Basic Assessment |
| | |
| | |
| Government Notice No. 921, as amended, List of Waste Management Activity No(s), (Category B): | Details of Activity(ies) requiring a Scoping Report and EIA |
| | |
| | |

2. ACTIVITY DESCRIPTION

(Cross out the appropriate box "☒" and provide a description where required).

| | | |
|--|---|----------------------------------|
| (a) Is/was the project a new development or an upgrade of an existing development? | New <input checked="" type="checkbox"/> | Upgrade <input type="checkbox"/> |
|--|---|----------------------------------|

(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed, what still has to be completed and applicable commencement dates.

The Govan Mbeki Local Municipality is proposing a township establishment in Emzinoni on an extent area of approximately 582 hectares. The proposed development is situated on portion of the remainder of the portion 6 of the farm Blesbokspruit 150-IS which will be divided into two phases (phase 1 and phase 2) entailing the provision of services to enable the proposed township establishment of Emzinoni township which will consist of the following infrastructure.

Phase 1

- 2 High density residential – Social housing
- 2943 Medium density residential – 1 Dwelling
- 2 General mixed use – Business
- 9 Institutional – Primary School, Community facility, Crèche, Health facility, Cemetery, Church and Reservoir
- 14 Public open spaces
- Street

Phase 2

- 2 High density residential – Social Housing
- 2954 Medium density residential -1 Dwelling
- 1 General mixed use - Business
- 8 Institutional - Community facility, Creche and Church
- 18 Public open spaces
- Street

An application for Environmental Authorization was submitted to DARDLEA; however, the department noted that there was commencement/ development has already occurred without the Environmental Authorization. The proposed development site is currently occupied by illegal occupants. This resulted in clearance of indigenous vegetation which is a listed activity in terms of National Impact Assessment 2014 Regulation as amended.

Hence the department did not finalize an application of Environmental Authorization due to the illegal commencement of listed activities in terms of section 24F of National Environmental Management Act (107 of 1998). Therefore, the department require the applicant to apply/ follow the section 24G process.

(c) Provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).

| | | |
|---|-----|------|
| Buildings | YES | NO x |
| Provide brief description: | | |
| The proposed development is partially occupied by shacks. | | |
| Infrastructure (e.g. roads, power and water supply/ storage) | YES | NO x |
| Provide brief description: | | |
| No infrastructure was identified during the site inspection, except shacks. | | |
| Processing activities (e.g. manufacturing, storage, distribution) | YES | NO x |
| Provide brief description: | | |
| Not Applicable | | |
| Storage facilities for raw materials and products (e.g. volume and substances to be stored) | | |
| Provide brief description | YES | NO x |
| Not Applicable | | |
| Storage and treatment facilities for solid waste and effluent generated by the project | Yes | No x |
| Provide brief description | | |
| Not Applicable | | |
| Other activities (e.g. water abstraction activities, crop planting activities) | Yes | No x |
| Provide brief description | | |
| Not Applicable | | |

3. ACTIVITY NEED AND DESIRABILITY

Describe the need and desirability of the activity:

The proposed development will address the issue of resettlement of people in informal settlements. there is also a high risk of encroachment on this land should the development not be approved as planned for by Govan Mbeki Local Municipality.

The proposed development will prompt other developments in the area as there will be decentralization of services into the main central business areas of the Govan Mbeki Local Municipality which will benefit the society in having access to services in close proximity. it will also improve and aid in more business opening in the areas

The proposed development will create job opportunities during the construction phase. This will result in the development providing a much-needed short term socio-economic return. It is strongly recommended that local subcontractors and laborers should be prioritized in the construction contract. This would increase the socio-economic return of the development.

Indicate the benefits that the activity has/had for society in general and also indicate what benefits the activity has/had for the local communities where it is located:

It will create job opportunities (permanent and temporary), ensure social upliftment of the area, create investment opportunities and create a sustainable development environment. Furthermore, the development will eventually be integrated with the environment, have proper service provision and it will be well planned.

4. PHYSICAL SIZE OF THE ACTIVITY

| | |
|--|-----------------------------|
| Indicate the physical spatial size of the activity as well as associated infrastructure (footprints): | 5820000m² |
| Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure | 5820000m² |
| Total area (sum of the footprint area and transformed area) | 5820000m² |

5. SITE ACCESS

| | | |
|---|---|-----------------------------|
| Was there an existing access road? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> |
| If no, what was the distance over which the new access road was built? | <i>m</i> | |
| Describe the type of access road constructed: [indicate the position of the access road on the site plan] | | |
| The site can be accessed from the N17 and R35 road into the Emzisoni area. | | |

6. SITE PHOTOGRAPHS

Color photographs of the site and its surroundings (taken of the site and from the site), both before (if available) and after the activity commenced, with a description of each photograph must be attached to this application. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide past and recent aerial photographs. It should be supplemented with additional photographs of relevant features on the site. Date of photographs must be included. Photographs must be attached under Appendix D to this form.

7. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

Please list all legislation, policies and/or guidelines that were or are relevant to this activity.

| Legislation | Administering Authority | Type Permit/ license/ authorization/comment | Date (if already obtained): |
|-------------|-------------------------|---|-----------------------------------|
| | | | |

| | | | |
|---|--|--|---|
| National Heritage Resource Act 1999, (Act 1999 No.25 of 1999) | South Africa Heritage Resource Act (SAHRA) | Record of Decision | - |
| National Environmental Management Act, 1998 (Act No. 107 of 1998) | DARDLEA | Environmental Authorisation | - |
| 2014 Environmental Impact Assessment Regulations, promulgated in terms of Section 24(5) of NEMA (as amended on 07 April 2017) | DARDLEA | Environmental Authorisation | - |
| Constitution of the republic of South Africa 108 of 1996 | South African Government | Constitution makes provision for access to safe environment, housing and education | - |
| | | | |
| POLICY/ GUIDELINES | | ADMINISTERING AUTHORITY | |
| Govan Mbeki Integrated Development Plan (IDP) 2022/2021 | | Municipal (District) | |
| Govan Mbeki Spatial Development Framework 2021/2022 | | Municipal (District) | |
| Municipal Systems Act 32 of 2000 | | Govan Mbeki Local Municipality | |

SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT

Site/Area Description

For linear activities (pipelines etc) as well as activities that cover very large sites, it may be necessary to complete copies of this Section for each part of the site that has a significantly different environment. In such cases please complete copies of Section C and indicate the area which is covered by each copy No. on the Site Plan.

Section C Copy No. (e.g.
1, 2, or 3):

1. GRADIENT OF THE SITE

Indicate the general gradient of the site(s) (cross out the appropriate box).

| | | | |
|------|-------------------|------------|------------------|
| Flat | Flatter than 1:10 | 1:10 – 1:5 | Steeper than 1:5 |
|------|-------------------|------------|------------------|

2. LOCATION IN LANDSCAPE

Indicate the landform(s) that best describes the site (cross out (“☒”) the appropriate box (es)).

| | | | | |
|----------------------------|---------------------|-------|-------|-------|
| Ridgeline | Side slope of ridge | Plain | Ridge | Other |
| If other, provide details. | | | | |

3. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

Is the site(s) located on or near any of the following [cross out (“☒”) the appropriate boxes]?

| | | | |
|---|-----|----|--------|
| Shallow water table (less than 1.5m deep) | YES | NO | UNSURE |
| Seasonally wet soils (often close to water bodies) | YES | NO | UNSURE |
| Unstable rocky slopes or steep slopes with loose soil | YES | NO | UNSURE |
| Dispersive soils (soils that dissolve in water) | YES | NO | UNSURE |
| Soils with high clay content | YES | NO | UNSURE |
| Any other unstable soil or geological feature | YES | NO | UNSURE |
| An area sensitive to erosion | YES | NO | UNSURE |

If any of the answers to the above are “YES” or “UNSURE”, specialist input may be requested by the Department. Information in respect of the above will often be available at the planning Sections of local authorities. Where it exists, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used.

4. SURFACE WATER

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out (“”) the appropriate boxes)?

| | | | |
|--|-----|----|--------|
| Perennial River | YES | NO | UNSURE |
| Non-Perennial River | YES | NO | UNSURE |
| Permanent Wetland | YES | NO | UNSURE |
| Seasonal Wetland | YES | NO | UNSURE |
| Artificial Wetland | YES | NO | UNSURE |
| <p>If any of the answers to the above are “YES” or “UNSURE”, specialist input may be requested by the Department. Information in respect of the above will often be available at the planning Sections of local authorities. Where it exists, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used.</p> | | | |

5. VEGETATION AND GROUNDCOVER

5.1 VEGETATION / GROUNDCOVER (PRE-COMMENCEMENT, IF KNOWN)

Cross out (“”) the block or describe (where required) the vegetation types / groundcover present on the site before commencement of the activity.

| | | | |
|---|---|---|--|
| Indigenous Vegetation - good condition | Indigenous Vegetation with scattered aliens | x | Indigenous Vegetation with heavy alien infestation |
| Describe the vegetation type above: | Describe the vegetation type above: vegetation type characterized as Soweto Highveld Grassland which is located within the Grassland biome. which is having abundant species composition with more shrubs and trees. According to the ecological study; it was confirmed that there are no much of fauna species on site. Some alien invasive plants establishing themselves in the area and therefore competing with native species for resources. | | Describe the vegetation type above: |
| Provide ecosystem status for above: Vulnerable | Provide ecosystem status for above: The area of the proposed township development is situated on a degraded piece of land. The sites' original vegetation was damaged due to previous vegetation clearing for housing plot marking, and gravel roads and cattle grazing. Access roads leading to the site are existing. | | Provide Ecosystem status for above: |

The proposed area for the township development is already modified by the disruption in natural vegetation composition, structure and ecosystem functioning due to previous activities that took place on the specific site. At a local scale the site is degraded. No species of conservation concern were found present or are likely expected to be present. The property is surrounded by transformed and degraded habitat making recovery to a functional and representative ecosystem highly unlikely and very slow.

This property is not of high conservation significance for habitat preservation or ecological functionality persistence in support of the surrounding ecosystem or broader vegetation type. All alien invasive plants must be located, removed, and destroyed by burning in controlled conditions. No alien invasive plants must be left in a condition to bear fruit, to spread by seed dispersal or propagate through vegetative means.

It is anticipated that the development will have a low level of impact on the conservation status of the vegetation type and the ecological functioning of the ecosystem. The reason for the latter is because of the low significance of the current state of the vegetation found on the site. It is further recommended that the excavation and construction be restricted to the footprint to preserve the surrounding natural areas that might still be intact.

Due to land availability and service connections, the proposed site is the only site that has been identified for establishing a township during the consultation process with the Local Municipality. Therefore, no alternative site has been identified or considered during this study.

The proposed construction of the proposed township development will transform the existing surface vegetation inside the development footprint as most to all vegetation within the project footprint will be cleared during the construction phase. The surface hardness and roughness of the footprint will also be changed due to vegetation removal, possible compaction, paving of surfaces and excavation on the premises.

The area is modified and degraded by the disruption in natural vegetation composition, structure and ecosystem functioning due to previous activities, soil compaction and clearance of vegetation. A loss of natural habitat, biota and basic ecosystem functions has occurred. The latter because the area is degraded as well as partly invaded by invasive species. However, the development will add to the cumulative disturbance to the ecosystem structure and function, caused by the previous disturbance on the proposed site. The latter because most vegetation will be cleared, and construction of a human settlement will take place.

The area is not ecologically important and sensitive at any scale. Biodiversity is usually ubiquitous and not sensitive to flow and habitat modifications. It is classified as a Degraded Area although

| | | |
|--|--|--|
| | the vegetation type (when in pristine condition) is classified as Endangered. At a local scale the site is degraded and poses very little significance ecologically. No species of conservation concern were found present or are likely expected to be present. The property is surrounded by transformed land cover, mainly housing and previous agricultural activities, making recovery to a functional and representative ecosystem unlikely and very slow. | |
| Indigenous Vegetation in an ecological corridor or along a soil boundary / interface | Veld dominated by alien species | Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe |
| Bare soil | Building or other structure x | Sport field |
| Other (describe below) | Cultivated land | Paved surface |
| | | |

5.2. VEGETATION / GROUNDCOVER (POST-COMMENCEMENT)

Cross out (“☒”) the block or describe (where required) the vegetation types / groundcover present on the site after commencement of the activity.

| | | | | | |
|--|--|--|---|--|--|
| Indigenous Vegetation - good condition | | Indigenous Vegetation with scattered aliens | x | Indigenous Vegetation with heavy alien infestation | |
| Describe the vegetation type above: | | Describe the vegetation type above: Vegetation types are described in section 5.1 above. Some of disturbance to this vegetation has taken place within the development footprint which needs to be rehabilitated. | | Describe the vegetation type above: | |
| Provide ecosystem status for above: | | Provide ecosystem status for above: | | Provide Ecosystem status for above: | |
| Indigenous Vegetation in an ecological corridor or along a soil boundary / interface | | Veld dominated by alien species | | Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe | |
| Bare soil | | Building or other structure x | | Sport field | |
| Other (describe below) | | Cultivated land | | Paved surface | |

Please note: The Department may request specialist input/studies depending on the nature of the vegetation type / groundcover and impact(s) of the activity/ies.

5.3 VEGETATION / GROUNDCOVER MANAGEMENT

Describe any mitigation/management measures that were adopted and the adequacy of these:

No apparent mitigation measures were available for implementation.

6. LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT)

Cross out ("☒") the block that reflects the past land uses and/or prominent features that occur/red within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site.

Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

| Untransformed area x | Low density residential | Medium density residential x | High density residential | Informal residential x |
|-----------------------------|--------------------------------|--|------------------------------|----------------------------------|
| Retail | Commercial & warehousing | Light industrial | Medium industrial | Heavy industrial |
| Power station | Office/consulting room | Military or police base/station/compound | Casino/entertainment complex | Tourism & Hospitality facility |
| Open cast mine | Underground mine | Spoil heap or slimes dam | Quarry, sand or borrow pit | Dam or reservoir |
| Hospital/medical center | School | Tertiary education facility | Church | Old age home |
| Sewage treatment plant | Train station or shunting yard | Railway line | Major road (3 lanes or more) | Airport |
| Sport facilities | Golf course | Polo fields | Filling station | Landfill or waste treatment site |
| Plantation | Agriculture | River, stream or wetland | Nature conservation area | Mountain or ridge |
| Museum | Historical building | Graveyard | Archaeological site | |
| Other land uses (describe): | | | | |

7. REGIONAL PLANNING CONTEXT

Is/was the activity permitted in terms of the property's existing land use rights? Please explain

Yes, the activity is permitted in terms of the existing land use right.

Is/was the activity in line with the following?

| | | | |
|---|-------|----|----------------|
| ○ Provincial Spatial Development Framework (PSDF) | YES x | NO | Please explain |
|---|-------|----|----------------|

Specific activities in Emzinoni falls outside of these planning. The area is within the boundaries of residential communities; therefore, the proposed development will be utilized for activities associated with the nearby land uses.

| | | | |
|---|-----|------|----------------|
| ○ Urban edge / Edge of Built Environment for the area | YES | NO x | Please explain |
|---|-----|------|----------------|

The site falls outside the urban edge

| | | | |
|---|-------|----|----------------|
| ○ Integrated Development Plan of the Local Municipality | YES x | NO | Please explain |
|---|-------|----|----------------|

The Govan Mbeki Local Municipality believes the principles call for the emergence of settlement patterns which create benefits accessible to the people of Emzinoni. For this approach to be realised all settlements in Emzinoni should strive to achieve the following qualities:

- To generate a wide range of economic opportunities;
- To be convenient to inhabitants to conduct their daily activities, easily and as inexpensively as possible,
- To offer a choice of living conditions to all,
- To be equitable in the sense that all inhabitants have reasonable access to the opportunities and facilities which support living in settlements,
- To promote the efficient use of resources, and
- To give dignity to people through the quality of the public spatial environment.

The proposed development meets all the principles mentioned above for settlements opportunities.

| | | | |
|---|-------|----|----------------|
| ○ Spatial Development Framework of the Local Municipality | YES x | NO | Please explain |
|---|-------|----|----------------|

The Govan Mbeki Local Municipality believes the principles call for the emergence of settlement patterns which create benefits accessible to the people of Emzinoni. For this approach to be realised all settlements in Emzinoni should strive to achieve the following qualities:

- To generate a wide range of economic opportunities;
- To be convenient to inhabitants to conduct their daily activities, easily and as inexpensively as possible,
- To offer a choice of living conditions to all,
- To be equitable in the sense that all inhabitants have reasonable access to the opportunities and facilities which support living in settlements,
- To promote the efficient use of resources, and
- To give dignity to people through the quality of the public spatial environment.

The proposed development meets all the principles mentioned above for settlements opportunities.

| | | | |
|---|-------|------|----------------|
| ○ Approved Structure Plan of the Municipality | YES x | NO | Please explain |
| <p>The municipality aims to improve the following:</p> <ul style="list-style-type: none"> • Housing backlogs and incomplete housing projects: illegal settlements and land invasions in areas/ lands. • Accelerating development of seven land parcels with mixed development trajectory. | | | |
| ○ Any other Plans | YES | NO x | Please explain |
| Not Applicable | | | |

8. SOCIO-ECONOMIC CONTEXT

8.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

Describe the pre-commencement social and economic characteristics of the community in order to provide baseline information.

Prior to the project commencing, the social and economic characteristics of the surrounding communities can be described as follows:

- High level of unemployment
- Low income
- Low level of education

Positive Socio-Economic Impacts:

The proposed development will result in job creation during the construction phase of the project.

Negative Socio-Economic Impacts:

- An increase in criminal activities in the local regions of the proposed activity.
- Safety impacts may occur as a result of improper safety management on site.

8.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

Describe the post commencement social and economic characteristics of the community in order to determine any change.

As with the pre-commencement social and economic characteristics, the post-commencement social and economic characteristics are unlikely to change.

This is because the development is not anticipated to have a significant impact on the surrounding communities during construction given the limited number of temporary jobs created and the short duration of the construction period of shacks (less than 2 months).

9. CULTURAL/HISTORICAL FEATURES

| | | |
|--|-----------|------|
| Were there any signs or evidence (unearthed during construction) of culturally or historically significant elements including archaeological or paleontological sites, on or in close proximity to the site? | YES | NO x |
| | UNCERTAIN | |
| If YES, explain: | | |
| If uncertain, the Department may request that specialist input be provided to establish whether such possibilities occurred on or close to the site. | | |

| | | |
|---|-----|------|
| Briefly explain the findings of the specialist if one was already appointed: | | |
| Were any buildings or structures older than 60 years affected in any way? | YES | NO x |
| Was it necessary to apply for a permit in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)? | YES | NO x |
| If yes, please submit or, make sure that the applicant or a specialist submit the necessary application to SAHRA or the relevant provincial heritage agency and attach proof thereof to this application. | | |

SECTION D: PRELIMINARY IMPACT ASSESSMENT

Please note, the impacts identified below refer to general impacts commonly associated with development activities. The list below is not exhaustive and may need to be supplemented. Where required, please append the information on any additional impacts to this application.

1. WASTE, EFFLUENT AND EMISSION MANAGEMENT

(a) Solid waste management

| | | |
|---|----------|----------------|
| Did/does the activity produce any general waste (e.g. domestic-, commercial-, certain industrial waste, including building rubble also known as solid waste) during the construction phase <u>and/or</u> the operational phase? | YES x | NO |
| If yes, briefly describe what type of waste was produced (i.e. green waste, building rubble, etc.) in which phase. General waste was produced during the erection of shacks. | | |
| What quantity was/is produced during the construction period? | | m ³ |
| What was/is the estimated quantity that will be produced per month during the operational phase? | | m ³ |

| | | |
|---|-----|----------------|
| Did/does the activity produce any <u>hazardous</u> waste (e.g. chemical, medical waste, infectious, nuclear etc.) during the construction and/or the operational phase? | YES | NO x |
| If yes, briefly describe what type of waste was produced (i.e. infectious waste, medical waste, etc.) in which phase. Not Applicable | | |
| What quantity was/is produced during the construction period? | | m ³ |
| What was/is the estimated quantity that will be produced per month during the operational phase? | | m ³ |

| | | |
|---|-----|---------|
| Where and how was/is waste treated / disposed of (describe each waste stream)? | | |
| | | |
| Has the municipality or relevant authority confirmed that sufficient capacity exist for treating / disposing of the solid waste to be generated by this activity(ies)? If yes, provide written confirmation from municipality or relevant authority | YES | NO x |
| Does/did the activity produce solid waste that was/will be treated and/or disposed of at another facility other than into a municipal waste stream? | YES | NO x |

| | | | |
|---|--|--------------|---------|
| If yes, did/has this facility confirmed that sufficient capacity exist for treating / disposing of the solid waste to be generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility: | | YES | NO x |
| Did/does the facility have an operating license? (If yes, please attach a copy of the license.) | | YES | NO x |
| Facility name: | | | |
| Contact person: | | | |
| Postal address: | | | |
| | | Postal code: | |
| Telephone: | | Cell: | |
| E-mail: | | Fax: | |

(b) Effluent

| | | | |
|--|--|----------------|---------|
| Did/does the activity produce sewage and or any other effluent? | | YES | NO x |
| Not Applicable | | | |
| What was/is the estimated quantity produced per month? | | m ³ | |
| Was/is the effluent treated and/or disposed of in a municipal system? | | YES | NO x |
| If Yes, did/has the Municipality or relevant authority confirmed that sufficient unallocated capacity exist for treating / disposing of the sewage or any other effluent generated by this activity(ies)? Provide written confirmation from the Municipality or relevant authority. | | | |
| Not Applicable | | | |
| Was/is any effluent produced be treated and/or disposed of on site? | | YES | NO x |
| If yes, briefly describe the nature of the effluent and how it was/will be disposed of: | | | |
| Not Applicable | | | |
| Did/does the activity produce effluent that was/will be treated and/or disposed of at another facility? | | YES | NO x |
| If yes, did/has this facility confirmed that sufficient capacity exist(ed) for treating / disposing of the liquid effluent generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility: | | YES | NO |
| Does the facility have an operating license? (If yes, please attach a copy of the license.) | | YES | NO x |
| Facility name: | | | |
| Contact person: | | | |
| Postal address: | | | |
| | | Postal code: | |
| Telephone: | | Cell: | |
| E-mail: | | Fax: | |

| |
|---|
| Describe the measures that was/will be taken to ensure the optimal reuse or recycling of waste water, if any: |
| |

(c) Emissions into the atmosphere

| | | |
|--|-----|------|
| Did/does the activity produce emissions that will be disposed of into the atmosphere? | YES | NO x |
| If yes, did/does it require approval in terms of relevant legislation? If yes, attach a copy to this application | YES | NO x |
| Describe the emissions in terms of type and concentration and how it was/will be treated/mitigated: | | |
| Not Applicable | | |

(d) Describe any mitigation/management measures that were adopted and the adequacy of these:

No mitigation measures were implemented.

2. WATER USE

(a) Please indicate the source(s) of water for the activity by crossing out (“”) the appropriate box(es)

| | | | | | |
|---|--------------------------------------|--------------------------------------|---|--------------------------------|--|
| <input checked="" type="checkbox"/> Municipal | <input type="checkbox"/> Water Board | <input type="checkbox"/> Groundwater | <input type="checkbox"/> River, Stream, Dam or Lake | <input type="checkbox"/> Other | <input type="checkbox"/> The activity did/does not use water |
|---|--------------------------------------|--------------------------------------|---|--------------------------------|--|

If water was/is extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that

was/is extracted per month:

Not measured

Please provide proof of assurance of water supply eg. letter of confirmation from Municipality/water user associations, yield of borehole etc.

Did/does the activity require a water use permit / license from DWAF? If yes, attach a copy to this application

YES

NO x

If yes, please submit the necessary application to Department of Water Affairs and Forestry and attach proof thereof to this application.

(b) Describe any mitigation/management measures that were adopted and the adequacy of these:

Minimal water is used on site.

3. POWER SUPPLY

(a) Please indicate the source of power supply eg. Municipality / Eskom / Renewable energy source.

Municipality

Has the Municipality or relevant service provider confirmed that sufficient electricity capacity (i.e. generation, supply and transmission) exist for activity(ies)?

YES

NO

If yes, provide written confirmation from Municipality or relevant service provider.

x

If power supply was/is not available, where was/is it sourced from?

Not Applicable

(b) Describe any mitigation/management measures that were adopted and the adequacy of these:

Not Applicable

4. ENERGY EFFICIENCY

(a) Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:

Energy measures such as LED lights and solar power will be considered for some of the institutional facilities of the project.

(b) Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:

Alternative energy for the development includes LED lights gas installations and solar power for the township development.

5. NOISE IMPACTS

(a) Did/does the activity result in any noise impacts?

YES

NO

If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

Not Applicable

Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and potential noise impact(s) of the activity/ies.

6. VISUAL IMPACTS

(a) Did/does the activity result in any visual impacts?

YES

NO

If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

Not Applicable

(b) Did/does the activity result in potential lighting impacts at night?

YES

NO

If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

Not Applicable

(c) Were/are there any alternatives available to address this impact?

YES

NO

If yes, please describe these alternatives?

Not Applicable

Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and potential visual impact(s) of the activity/ies.

7. SOCIO-ECONOMIC IMPLICATIONS OF THE ACTIVITY

| | | |
|---|----------|----|
| (a) What was/is the expected capital value of the activity on completion? | Unknown | |
| (b) What was/is the expected yearly income or contribution to the economy that will be generated by or as a result of the activity? | Unknown | |
| (c) Did/does the activity contribute to service infrastructure? | YES x | NO |
| (d) How many permanent new employment opportunities were created? | Unknown | |
| (e) What was/is the expected current value of the employment opportunities to date? | Unknown | |
| (f) What percentage of this accrued to previously disadvantaged individuals? | Unknown | |

How was (is) this (to be) ensured and monitored (please explain):

Not Applicable

8. PRELIMINARY IMPACT ASSESSMENT

Briefly describe the impacts (as appropriate), significance rating of impacts and significance rating of impacts after mitigation. This must include an assessment of the significance of all impacts. Please note: This is a preliminary impact statement. The Department may request specialist input/studies depending on the type and nature of the impact(s) of the activity/ies.

| Possible Impacts | Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High): |
|--|--|
| Pollution to surrounding area (Waste Management) | Medium |
| Sanitation | Medium |
| Loss of vegetation | High |
| | |
| | |

SECTION E: ALTERNATIVES

As part of this report, consideration must be given to alternatives that are/may have been possible had an environmental impact assessment been undertaken prior to the commencement of the activity. Please provide a detailed description of the alternatives (whether location, technology or environmental) that were/are possible in terms of this application.

Site Alternative (Preferred Alternative)

The proposed development is situated on the remainder of portion 6 of the farm Blesbokspruit 150-IS in Mpumalanga Province. The proposed development site can be accessed via the R35 and N17 in Bethal. The geographical coordinates of the site are: 26°30'1.11" S, 29°28'45.90"

Layout-Plan Alternative (Preferred Alternative)



No-Go Alternative

This option would come into effect if phase as well as the benefits associated with the provision of houses, schools and other much needed social facilities. A high negative socio-economic impact significance would occur if the proposed development is not constructed.

The “no-go” alternative will however result in the visual environment staying the same with the natural character of the area contributing to the “sense of place”. If the development proposal is not authorised the vegetation in the current natural parts will remain largely intact which is clearly a positive factor for the biodiversity in the area. The socio-economic benefits of this project however largely outweigh the impacts in an area. The No-Go Alternative is therefore not recommended.

SECTION F: APPENDICES

The following appendices must be attached where appropriate:

| Appendix | Cross out (“☒”) the box if Appendix is attached |
|--|--|
| Appendix A: Location map | |
| Appendix B: Site plan(s) | |
| Appendix C: Owner(s) consent(s) | |
| Appendix D: Photographs | |
| Appendix E: Permit(s) / license(s) from any other organ of state including service letters from the municipality | |
| Appendix F: Additional Impact Assessment Information | |
| Appendix G: Report on alternatives | |
| Appendix H: Any Other (describe) | |
| Annexure A: Forms and Preliminary Public Participation | |

SECTION G: DECLARATIONS

G1: Declarations of the EAP

1. The Independent Environmental Assessment Practitioner

I, Phakwago M. Kabelo declare under oath that I –

- a. act as the independent environmental assessment practitioner in this application ;
- b. do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the S24G of the National Environmental Management Act, read together with the relevant Environmental Impact Assessment Regulations;
- c. do not have and will not have a vested interest in the proposed activity proceeding;
- d. have no, and will not engage in, conflicting interests in the undertaking of the activity;
- e. undertake to disclose, to the competent authority, any material information that has or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the S24G of the National Environmental Management Act, read together with the Environmental Impact Assessment Regulations, 2014, as amended;
- f. will ensure that all documents will contain all relevant facts in respect of the application & that all documentation is distributed or made available to interested and affected parties. I will ensure that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced for the rectification application.
- g. will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- h. **will keep a register of all interested and affected parties that participated in a public participation process; and**
- i. **will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.**

Signature of the environmental assessment practitioner:

Mang Geoenviro Services

Name of company:

23 February 2022

Date:

Signature of the Commissioner of Oaths:

Date:

Designation:

Official stamp:

G2: Declarations of the Applicant

2. The Applicant

I, _____, declare under oath that I -

- a. **am the applicant in this application;**
- b. **appointed the environmental assessment practitioner as indicated under G1 above to act as the independent environmental assessment practitioner for this application;**
- c. **will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;**
- d. **am responsible for complying with the directive or conditions of any environmental authorisation issued by the competent authority;**
- e. **understand that I will be required to pay an administration fine in terms of S24G (4) of the Act and that a decision in this regard will only be forthcoming after payment of such a fine; and**
- f. **hereby indemnify, the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible in terms of the Act.**

Signature of the applicant:

Name of company:

Date:

Signature of the Commissioner of Oaths:

Date:

Designation:

Official stamp (below):

ANNEXURE A TO THE SECTION 24G APPLICATION FORM

SECTION A: DIRECTIVE

Section 24G(1) of the National Environmental Management Act, 1998 (Act 107 of 1998) ("NEMA") provides that on application by a person who has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1); or a person who has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20(b) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) ("NEM:WA") the Minister, the Minister responsible for mineral resources or the MEC concerned (or the official to which this power has been delegated), as the case may be, may direct the applicant to -

| | | |
|-----|--|---|
| i | immediately cease the activity pending a decision on the application submitted in terms of this subsection | |
| ii | investigate, evaluate and assess the impact of the activity on the environment | |
| lii | remedy any adverse effects of the activity on the environment | |
| iv | cease, modify or control any act, activity, process or omission causing pollution or environmental degradation | |
| v | contain or prevent the movement of pollution or degradation of the environment | |
| vi | eliminate any source of pollution or degradation | |
| vii | compile a report containing - | |
| | aa | A description of the need and desirability of the activity |
| | bb | assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity |
| | cc | description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity |
| | dd | description of the public participation process followed during the course of compiling the how the issues raised have been addressed |
| | ee | an environmental management programme |
| | Provide such other information or undertake such further studies as the Minister, Minister responsible for mineral resources or MEC, as the case may be, may deem necessary. | |

You are hereby provided with an opportunity to make representations on any or all of the abovementioned instruction, including where you are of the opinion that any of these instructions are not relevant for the purposes of your application, setting out the reasons for your assertion. Kindly note further that, after taking your representations into account, a final directive may be issued.

SECTION B: DEFERRAL

Section 24G(7) of the NEMA provides that if at any stage after the submission of an application it comes to the attention of the Minister, the Minister responsible for mineral resources or the MEC, that the applicant is under criminal investigation for the contravention of, or failure to comply with, section 24F(1) of the NEMA or section 20(b) of the NEM:WA, the Minister, Minister responsible for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time as the investigation is concluded and-

- (a) The National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
- (b) The applicant concerned is acquitted or found not guilty after prosecution in respect of which such contravention or failure has been instituted; or
- (c) The applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

Kindly answer the following questions:

| | | | |
|--|-----|---------|-----------|
| Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that is not subject to this application and in any province in the Republic? | YES | NO X | UNCERTAIN |
| If yes provide details of the offence being investigated and authority conducting the investigation, If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation. | | | |
| Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is not subject to this application and in any province in the Republic? | YES | NO X | UNCERTAIN |
| If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation. | | | |
| Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA in terms of which this application directly relates? | YES | NO x | UNCERTAIN |
| If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation. | | | |

If you have answered yes or uncertain to any of the above questions, you are hereby provided with an opportunity to make representations as to why the Minister, Minister responsible for mineral resources or

MEC, as the case may be, should not defer the application as he or she is entitled to do under section 24G(7).

SECTION C: QUANTUM OF THE SECTION 24G FINE

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant an ex post facto environmental authorisation or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded with an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies, copies of which must be submitted with this completed application form.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefore.

| |
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| PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES |
|--|

| Index: Socio Economic Impact | Place an "X" in the appropriate box |
|---|-------------------------------------|
| Description of variable | |
| The activity is not giving, has not given and will not give rise to any negative socio-economic impacts | X |
| The activity is giving, has given, or could give rise to negative socio- economic impacts, but highly localized | |
| The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts | |
| The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts. | |
| Motivation: | |
| | |

| Index: Biodiversity Impact | Place an "X" in the appropriate box |
|---|-------------------------------------|
| Description of variable | |
| The activity is not giving, has not given and will not give rise to any impacts on biodiversity | |

| | |
|--|---|
| The activity is giving, has given or could give rise to localised biodiversity impacts | X |
| The activity is giving, has given or could give rise to significant biodiversity impacts | |
| The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot -spot' or threaten the existence of a species or sub -species. | |
| Motivation: | |
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|---|-------------------------------------|
| Index Sense of Place Impact and 1 or Heritage Impact | Place an "X" in the appropriate box |
| Description of variable | |
| The activity is in keeping with the surrounding environment and I or does not negatively impact on the affected area's sense of place and /or heritage | X |
| The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage | |
| The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage | |
| The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage. | |
| Motivation: | |
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|--|-------------------------------------|
| Index Pollution Impact | Place an "X" in the appropriate box |
| Description of variable | |
| The activity is not giving, has not given and will not give rise to any pollution | |
| The activity is giving, has given or could give rise to pollution with low impacts, | X |
| The activity is giving, has given or could give rise to pollution with moderate impacts. | |
| The activity is giving, has given or could give rise to pollution with high impacts. | |
| The activity is giving, has given or could give rise to pollution with major impacts. | |
| Motivation: | |

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|---|---------------------|
| PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT | |
| Index: Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management | Place an "X" in the |

| | |
|--|-------------------------------------|
| Act and/ or section 20(b) of the National Environmental Management Waste Act | appropriate box |
| Description of variable | |
| Administrative action was previously taken against the applicant respect the abovementioned provisions. | |
| No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken. | |
| Administrative action was not previously taken against the applicant in respect of the abovementioned provisions. | X |
| Explanation of all previous administrative action taken in respect of the above: | |
| Index: Previous Convictions in terms of section 24F (1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act | Place an "X" in the appropriate box |
| Description of variable | |
| The applicant was previously convicted in terms of either or both of the abovementioned provisions. | |
| No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken. | |
| The applicant has not previously been convicted in terms of either or both of the abovementioned provisions. | X |
| Explanation of all previous convictions in respect of the above: | |
| Index: Number of section 24G applications previously submitted by the applicant | Place an "X" in the appropriate box |
| Description of variable | |
| Number of section 24G applications previously submitted by the applicant | |
| No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time. | |
| No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application. | X |
| Explanation in respect of all previous applications submitted in terms of section 24G: | |

PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES

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|--|-------------------------------------|
| Index: Applicant's legal persona | Place an "X" in the appropriate box |
| Description of variable | |
| The applicant is a natural person. | |
| The applicant is a firm. | X |
| Describe the firm: The Govan Mbeki Local Municipality as the applicant is the organ of state | |

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| Index: Any other relevant information that the applicant would like to be considered. |
| Motivate and explain fully: |

NOTE: An explanation as to why the applicant did not obtain an environmental authorisation and/or waste management licence must be attached to this application.

SECTION D: PRELIMINARY ADVERTISEMENT

When submitting this application form, the applicant must attach proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, and on the applicant's website, if any.

The advertisement must state that the applicant commenced a listed or specified activity or activities or waste management activity or activities without the necessary environmental authorisation and/or waste management license and is now applying for ex post facto approval. It must include the following:

- the date;
- the location;
- the applicable legislative provision contravened; and
- The activity or activities commenced with without the required authorisation.

Interested and affected parties must be provided with the details of where they can register as an Interested and affected party and I or submit their comment. At least 20 days must be provided in which to do so.

This advertisement shall be considered as a preliminary notification and he competent authority may direct the applicant to undertake further public participation and advertising after receipt of this application form.

NOTE: Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. This application must be attached to any documentation or information submitted by am applicant further to section 24G(1).