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NOTICE OF INTENT TO APPLY FOR RECTIFICATION IN TERMS OF SECTION 24G OF THE
NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT 107 1996)



BACKGROUND

The National Environment Management Act (Act 107 of 1998) makes a provision for activities that require an Environmental Impact Assessment (EIA) before they can be commenced with in terms of section 24D. The EIA is a planning and decision-making tool that is used to identify the environmental consequences of a proposed project, before the development takes place. The purpose of the EIA is to demonstrate to the authorities and the proponent what the potential consequences of their choices will be in environmental, economic and social terms. Public Participation is one of the key activities that must be conducted during an EIA.

In the event an activity is commenced without an EIA being undertaken a section 24F of the Act makes the activity an offence and Section 24 G of the Act provide remediation activities that must be complied with in order to conform to the prescripts of the Act. In executing the remediation process as provided in section 24G a Public Participation is required.

PUBLIC PARTICIPATION PROCESS

Public participation is the involvement of all parties who potentially have an interest in a development or project, or may be affected by it. The objective of the Public Participation Process (PPP) is to meet all legal requirements, to ensure that where possible all Interested and Affected Parties (I&APs) are informed of the proposed project, comments and issues are captured and responded to, a database is compiled containing information of the I&APs and that registered I&APs are communicated with on an on-going basis in an open and honest manner. Public Participation Process is conducted along the guidelines given in terms of Chapter 6 of the National Environmental Management Act, 107 of 1998 (amended) and the Environmental Impact Assessment Regulations of 2017 (GN R 326 of 2017). It forms an integral part of the Environmental Authorization.

PROJECT INFORMATION

This Public Participation Process is conducted in terms of the Section 24(G) Regulations (Government Notice Regulation 698 of 20 July 2017) promulgated in terms of the National Environmental Management Act (Act 107 of 1998) (NEMA), as amended. The section 24G was triggered by the fact that Mr. Phaskani Msiska constructed and operates a lodge facility and associated amenities that sleep more than 15 people per night. The lodge is located ON THE PORTION OF FARM CORK 295, KU, MKHUHLU, BUSHBUCKRIDGE LOCAL MUNICIPALITY, MPUMALANGA PROVINCE. The site has an operational area of 6 hectares. Now Mr. Phaskani Msiska's intend to submit an application for rectification in terms of the Section 24(G) of the NEMA to the Mpumalanga Department of Agriculture, Rural Development Land and Environmental Affairs (MDARDLEA) for an unlawful commencement of activities listed in GN R327 of 2017 and GN R325 promulgated in terms of the National Environmental Management Act (Act 107 of 1998) (NEMWA)NEDA has been appointed as independent consultants to undertake a 24G application

Anyone who is interested or affected by the proposed project has the right to participate and is encouraged to do so. A preliminary account of the process followed is elaborated

in the following section and issues and/or concerns raised are documented and addressed where possible.

Queries regarding this matter must be referred to:

Environmental Consultants:

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Parties wishing to be registered or formally comment on the proposed rectification are requested to forward their comments to NEDA no later than Friday 5 July 2019. A copy of the Draft Application with the Report can be accessed at the Mkhuhlu Library and Mkhuhlu Police Station from Friday the 24 May 2019