



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

Enq: Ms Tebogo kekane, Tel: 015 295 5633 Fax: 015 295 5015 E-Mail: KekaneCT@ledet.gov.za, Ref no: 16/1/6/16a-C1

Victorius Investments 7 (Pty) Ltd
P O Box 791
EMPANGENI
3880

Fax: 035 787 8100

Dear Mr P C Otto

APPLICATION FOR ENVIRONMENTAL AUTHORIZATION FOR TOWNSHIP ESTABLISHMENT ON PLOT 92 IVYDALE AGRICULTURAL HOLDINGS IN POLOKWANE LOCAL MUNICIPALITY: CAPRICORN DISTRICT

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

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2006, you are instructed to notify all registered interested and affected parties, in writing and within 10 (ten) days calendar days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC for Economic Development, Environment and Tourism, Mr O C Chabane within 10 days of receiving this letter, by means of one of the following methods:

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

Should you decide to appeal, you must serve a copy of your notice on intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours faithfully

SENIOR MANAGER
ENVIRONMENTAL IMPACT MANAGEMENT

DATE: 19/03/2007

cc: Khosa Development Specialists Attention: Mr Justice Khosa Fax: 015 297 9396

Cnr of Suid and Dorp Streets, POLOKWANE, 0700, P O Box 55464, POLOKWANE, 0700
Tel: (015) 295 9300 Fax: (015) 295 5015, website: <http://www.Limpopo.gov.za>

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ENVIRONMENTAL AUTHORIZATION

Holder of authorization: Victorious Investments 7 (Pty) Ltd

Location of activity: The proposed site is located on plot 92
Ivydale Agricultural Holdings.

A. DEFINITIONS

1. NEMA- The National Environmental Management Act, 1998 (Act 107 of 1998).
2. Regulations- Environmental Impact Assessment Regulations, R 385 and R 386 of 2006, in terms of Chapter 5 of the National Environmental Management Act, 1998(Act 107 Of 1998).
3. EIA- Environmental Impact Assessment.

B. DECISION

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

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

1. ACTIVITIES AUTHORISED

By virtue of the powers conferred on it by NEMA and the Regulations the Department hereby authorizes-

Victorious Investments with the following contact details -

Mr P C Otto
Victorious Investments 7 (Pty) Ltd
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EMPANGENI
3880

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to undertake the following listed activity herein referred to as listed activity no 16(b) **“the construction of facilities or infrastructure, including associated structures or infrastructure, for the transformation of undeveloped, vacant or derelict land to residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare”**.

The proposed activity entails the establishment of a township on plot 92 Ivydale Agricultural Holdings. Associated with the activity is the following:

- Construction of 24 housing blocks with 8 residential units per housing block; and
- Open space for recreational purposes.

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

C. CONDITIONS

1. SCOPING OF AUTHORIZATION

- 1.1 Authorization of the activity is subject to the conditions contained in this authorization, which conditions form part of the environmental authorization and are binding on the holder of the authorization.
- 1.2 The holder of the authorization shall be responsible for ensuring compliance with the 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 authorization.
- 1.3 The activity which is authorized may only be carried out at the property indicated above.
- 1.4 Any changes to, or deviations from, the project description set out in this authorization 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 authorization to apply for further authorization in terms of the regulations.
- 1.5 This activity must commence within a period of 3 years from the date of the authorization was issued. If commencement of the activity does not occur within that period, the authorization lapses and a new application for environmental authorization must be made in order for the activity to be undertaken.
- 1.6 This authorization does not negate the holder of the authorization's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

2. NOTICE OF AUTHORIZATION

- 2.1 The holder of the authorization must notify every registered interested and affected party, in writing and within 10 (ten) calendar days, of receiving the Department's decision.
- 2.2 The notification referred to in 2.1 must –
 - 2.2.1 Specify the date on which the authorization was issued;

2.2.2 Inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Regulations R 385 of 2006; and

2.2.3 Advise the interested and affected party that a copy of the authorization and reasons for the decision will be furnished on request.

3. MANAGEMENT OF THE ACTIVITY

3.1 The mitigation measures in the Basic Assessment Report submitted on 24 October 2006 must be implemented.

4. RECORDING AND REPORTING TO THE DEPARTMENT

4.1 The applicant must appoint an independent environmental officer to prepare compliance monitoring reports every six (6) months from the date of the authorization. The reports must indicate how the applicant is complying with each condition in the authorization. These reports must be submitted to the Department within fourteen (14) days after the elapse of the six (3) months.

5. CONSTRUCTION OF THE ACTIVITY

5.1 Mixing of cement, concrete, paints, solvents, sealants and adhesive must be done in specified areas on concrete aprons or on protected plastic linings to contain spillage or overflows onto soil to avoid contamination of underground water.

5.2 All waste including builder's rubble, generated during the construction and/or operation of the development must be stored, handled and disposed of at an authorized disposal site.

5.3 Construction activities must be suspended and a representative of the South African Heritage Resources Agency (SAHRA) be contacted immediately in the event of finding or uncovering any subterranean (middens, graves, etc.) find and the identified burial ground must not be disturbed.

5.4 Sanitation must be taken care of by means of chemical toilets during construction and their contents must be disposed of at an authorized wastewater works.

5.5 The best practicable means to prevent dust from becoming dispersed in the atmosphere must be adhered to.

5.6 Protected plant species must not be removed unless the necessary permission is granted. No development is allowed within 1: 100 year flood line.

5.7 Adequate storm water drainage system and culverts must be designed and maintained to adequately control the volume, speed, location of runoff, to avoid soil erosion.

5.8 Disturbance to the environment must be restricted to the absolute minimum and areas disturbed as a result of construction must be rehabilitated as soon as possible. In order to reduce erosion and soil loss during rain events, silt traps should be used during development and proper rehabilitation should be done before the next rainy season.

6. OPERATION OF THE ACTIVITY

- 6.1 All waste generated on site during the operation of the development must be stored, handled and disposed of in an environmentally acceptable manner, as directed by this Department or any other relevant authority. Communal waste storage facilities must be managed according to acceptable standards and must be removed at regular intervals and may only be disposed of only at a licensed facility.

7. SITE CLOSURE AND DECOMMISSIONING

- 7.1 Environmental Management Plan for site closure and decommissioning of the proposed development must be submitted to this Department and the Department must be notified within 30 days prior to the decommissioning.

8. GENERAL

- 8.1 A copy of this authorization must be kept at the property where the activity will be undertaken. The authorization must be produced to any authorized 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 authorization who works or undertakes work at the property.
- 8.2 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 8.3 Non-compliance with a condition of this authorization may result in criminal prosecution or other actions provided for NEMA and the Regulations.



SENIOR MANAGER
ENVIRONMENTAL IMPACT MANAGEMENT

DATE: 19/03/2007

ANNEXURE 1: REASONS FOR DECISION

1. BACKGROUND

The applicant, **Victorius Investments**, applied for authorization to carry on the following activity –

The applicant appointed Mr Justice Khoza of Khoza Development Specialists to undertake scoping and EIA process.

2. INFORMATION CONSIDERED IN MAKING THE DECISION

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

- a) The information contained in the Environmental Impact Assessment Report received on 24 October 2006;
- b) The public participation process as included in the Basic Assessment Report;
- c) Relevant information contained in the Departmental information base including -
 - Sections 17,21,22,23,24 of the Regulations R. 385 of 2006 and
 - The objectives and requirements of relevant legislation, policies and guidelines;
- d) The objectives and requirements of relevant legislation, policies and guidelines; and
- e) The report of the site visit undertaken by Ms Kekane Tebogo of this Department on 25 August 2006.

3. KEY FACTORS AND FINDINGS CONSIDERED IN MAKING THE DECISION

3.1 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) Environmental issues identified and mitigation measures of environmental impacts;
- b) Alternatives identifies; and
- c) Public participation process.

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

- a) The possible impacts on the proposed site were addressed adequately;
- b) The public participation process complies with Chapter 6 of the Regulations R. 385 of 2006; and
- c) Development and location alternatives were investigated.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorization, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of NEMA and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The application is accordingly granted.