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Litiko Letekulima, Kufufukiswa
Kwetindzawo Tasemakhaya, Temhlaba
Nesimondzawo

Departement van Landbou,
Landelike Ontwikkeling,
Grond en Ongewing Sake

umNyango weZelimo
UkuT huthukiswa kweNdawo
zemaKhaya,

Enquiries : Sindisiwe Mbuyane
Telephone : (017) 811 4830
Reference : 1/3/1/16/1 G-47
NEAS No. : MPP/EIA/0000219/2016

Sky Village Properties cc
C / O Vaalrivier and Residents Swart Road
Secunda
2302

Attention : Mr. Chris Christodoulou
E-mail : chris@durbs.com

Dear Sir,

**ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED STANDERTON EXTENSION 9
SITUATED ON TWO PORTIONS OF THE REMAINDER OF PORTION 2 OF THE FARM
GROOTVERLANGEN 409 IS, STANDERTON WITHIN THE JURISDICTION OF LEKWA
LOCAL MUNICIPALITY: MPUMALANGA PROVINCE.**

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

In terms of regulation 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 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 National Appeal Regulations, 2014.

Your attention is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014, which regulate 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 receiving this letter, by means of one of the following methods:

By facsimile: (013) 766 6067/8

By post: Private Bag x 11219
Nelspruit
1200

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

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,



Mr. S.S. Maluleka
Chief Director: Environmental Affairs
Date: 28.04.2017

CC: EAP Bokamoso Landscape Architects and Environmental Consultants CC
Ané Agenbacht
Email: info@bokamoso.net



agriculture, rural development,
land & environmental affairs
MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA

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Environmental Authorisation

Authorisation register number: 1/3/1/16/1 G-47

NEAS Number : MPP/EIA/0000219/2016

Holder of Authorisation: Sky Village Properties cc

Location of activity: Two portions of the remainder of portion 2 of the farm Grootverlangen 409 IS, within the jurisdiction of Lekwa Local Municipality: Mpumalanga Province

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 activities 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, the Department hereby authorises:

Sky Village Properties cc
C / O Vaalrivier and Residents Swart Road
Secunda
2302

Contact person: Mr. Chris Christodoulou
Telephone: (071) 634 2062
Email: chris@durbs.com

To undertake the following activities (hereafter referred to as "the activity"): The proposed Standerton X 9 situated on two Portions of the Remainder of Portion 2 of the farm Grootverlangen 409 IS, Standerton within the jurisdiction of Lekwa local municipality. The site coordinates are 26° 56' 46.84" S 29° 14' 4.87"E.

Applicable Activities

GNR 983 Activity Number	Activity Description
9	The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water- (i) with an internal diameter of 0.36 metres or more.
10	The development and related operation of infrastructure exceeding 1000 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.
12	The development of- (vi) bulk storm water outlet structures exceeding 100 metres in size; (x) buildings exceeding 100 square metres in size; (xii) infrastructure of structures with a physical footprint of 100 square metres or more, Where such developments occurs- (a) within a watercourse (c) if no development setback exists, within 32 metres of a watercourse.
19	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from- (i) watercourse but excluding where such infilling, depositing, dredging, excavation, removal or moving- (a) will occur behind a development setback.

27	The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation	
GNR 985 Activity Number	Activity Description	
4	<p>The development of a road wider than 4 metres with a reserve less than 13.5 metres</p> <p>(a) in Mpumalanga</p> <p>i. in an estuary;</p> <p>ii. outside urban areas, in:</p> <p>(aa) a protected area identified in terms of NEMPAA excluding disturbed areas;</p> <p>(ee) critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p>	<p>(a) In Mpumalanga</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA excluding disturbed areas.</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the authority or in bioregional plan.</p>
12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan-</p> <p>(b) in Mpumalanga</p> <p>ii. within critical biodiversity areas identified in bioregional plans.</p>	<p>(b) In Mpumalanga:</p> <p>ii. Within critical biodiversity areas identified in bioregional plans.</p>
14	<p>The development of-</p> <p>(i) canals exceeding 10 square metres in size;</p> <p>(vi) bulk storm water outlet structures exceeding 10 square metres in size</p> <p>(x). buildings exceeding 10 square metres in size.</p> <p>(xii) infrastructure or structures with a physical footprint of 10 square metres or more where such development occurs-</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse measured from the edge of a watercourse.</p> <p>Excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbor.</p>	<p>(a) In Mpumalanga:</p> <p>i. In an estuary;</p> <p>ii. Outside urban areas in:</p> <p>(ff) critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by competent authority or in bioregional plans.</p>

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

3. Conditions of authorisation

Scope of authorisation

- 3.1 Environmental Authorisation of these activities is subject to the conditions contained in this authorisation that are part of the Environmental Authorisation and are legally binding on the holder of the authorisation.
- 3.2 The holder of the Environmental Authorisation must ensure 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 Authorisation.
- 3.3 A copy of this Environmental Authorisation must be made available on site at all times and all relevant staff, contractors and sub-contractors must be familiar with the contents of this authorisation.
- 3.4 These activities that are authorised may only be carried out at the property indicated above.
- 3.5 Any changes to, or deviations from, the project description set out in this Environmental 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 Environmental Authorisation in terms of the regulations.
- 3.6 These activities must commence within a period of five (5) years from the date of issue. If commencement of the activities does not occur within that period, the Environmental Authorisation lapses and a new application for Environmental Authorisation must be made in order for the activities to be undertaken. The Department may change or amend any of the conditions in this authorisation if, in the opinion of the Department is environmentally justified.
- 3.7 The Department may change or amend any of this conditions in this authorisation if, in the opinion of the Department is environmentally justified.
- 3.8 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.
- 3.9 This Environmental Authorisation does not negate the holder of the authorisation, responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- 3.10 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).

Appeal of Authorisation

- 3.12 The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) days, of receiving notice of the Department's decision to authorise the activities.
- 3.13 The notification referred to above must:
 - a) Specify the date on which the authorisation was issued;

- b) Inform the interested and affected parties of the appeal procedure provided in terms of the National Appeals Regulations, 2014; and
- d) Be published in the newspaper contemplated in Regulation 41 (2) (c) and (d) and which newspaper was used for the placing of advertisements as part of public participation process.

Management and Monitoring of the activities

- 3.14 The Environmental Management Programme (EMPr) incorporated in the Final Basic Assessment Report dated February 2017 attached as Appendix D is hereby approved.
- 3.16 The applicant must appoint an Environmental Control Officer (ECO) who will have the responsibility to implement the EMPr approved and ensure compliance with the conditions of this environmental authorisation.
- 3.17 The ECO must maintain the following on site:
 - a) Strict compliance of the development to the conditions of the Environmental Authorisation.
 - b) Discuss and advise the contractor on site in respect of environmental compliance before and during construction of such activities.
 - c) Monitor and implement the approved EMPr.
 - d) Undertake regular inspections of the site in order to monitor compliance with the EMPr.
 - e) Conduct monthly inspections during construction of activities.
 - f) Ensure that environmental audits are undertaken.
 - g) Keep a site diary.
 - h) Keep copies of all reports submitted to the Department.
 - i) Keep a complaints' register of all environmental complaints regarding the proposed project and the remedies applied to such complaints.
- 3.18 The conclusions and recommendations of the Geotechnical Investigation prepared by Soilkraft cc attached as Appendix B1 incorporated in the Final Basic Assessment Report dated February 2017 must be adhered to.
- 3.19 The conclusions and recommendations of the Floodline Study prepared by Tshilidzi Netshitangani from SRK Consulting (South Africa) (Pty) Ltd dated July 2016 attached as Appendix B2 incorporated in the Final Basic Assessment Report dated February 2017 must be adhered to.
- 3.20 The recommendations and mitigation measures of the Fauna and Flora Habitat Assessment prepared by Corné Niemandt of Bokamoso Environmental Consultants: Specialist Division dated July 2016 attached as Appendix B3 incorporated in the Final Basic Assessment Report dated February 2017 must be adhered to.
- 3.21 The conclusions and recommendations of the Service Report prepared by e EDS Engineering Design Services (Pty) Ltd dated August 2016 attached as Appendix B4 incorporated in the Final Basic Assessment Report dated February 2017 must be adhered to.
- 3.22 The conclusions and recommendations of the Traffic Impact Assessment Report prepared by EDS Engineering Design Services (Pty) Ltd dated August 2016 attached as Appendix B5 incorporated in the Final Basic Assessment Report dated February 2017 must be adhered to.
- 3.23 The conclusion of the Electrical Services Report prepared by Plantech Electrical & Mechanical Consulting Engineers dated 2016/06 attached as Appendix B6 incorporated in the Final Basic Assessment Report dated February 2017 must be adhered to.

- 3.24 The summary and recommendations of the Market Study prepared by Demacon Market Studies dated August 2016 attached as Appendix B7 incorporated in the Final Basic Assessment Report dated February 2017 must be adhered to.
- 3.25 The comments from SAHRA dated 16 August 2016 attached as Appendix B10 incorporated in the Final Basic Assessment Report dated February 2017 must be adhered to.
- 3.26 The proposed layout plan attached as Appendix C incorporated in the Final Basic Assessment Report dated February 2017 must be adhered to.
- 3.27 The holder of the authorisation must submit a post-construction environmental audit report to the Department within 30 (thirty) days after completion of the authorised activities.
- 3.28 The Department retains the right to monitor and or inspect the proposed project during both construction and operational phases.

Commissioning and operation of the activities

- 3.29 Fourteen (14) days written notice must be given to the Department that the activities 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 activities will commence.
- 3.30 The conditions stipulated in this Environmental Authorisation and mitigation measures contained in the Environmental Management Programme are legally binding components of any contract and are therefore legally enforceable.
- 3.31 Measures must be taken to ensure the prevention or minimization of erosion during construction. Such measures must take into account the period in which construction takes place.
- 3.32 Dust suppression measures must be implemented during the construction phase.
- 3.33 All hazardous materials must be stored in designated, lined and bunded areas.
- 3.34 All waste generated during the construction of the Standerton X9 must be stored, handled and disposed of at a registered landfill site.
- 3.35 It is the responsibility of the holder of the Environmental Authorisation to rectify any source of pollution from their undertaking and to take appropriate measures to prevent any pollution of surface as well as ground water.
- 3.36 Appropriate measures must be taken to prevent and manage soil erosion during and after construction.
- 3.37 Spillages must be cleaned up as soon as it is practically possible to prevent soil and water pollution.
- 3.38 Pounding of water must be prevented on site in order to prevent pollution of ground water and accident to human beings and animals.
- 3.39 Storm water management plan and mitigation measures must be developed and adhered to prevent and control erosion.

- 3.40 The mixing of cement must take place on impermeable surfaces.
- 3.41 Machinery on site must be kept in proper working condition to avoid oil spills.
- 3.42 The construction camp must be established on an area that has previously been disturbed.
- 3.43 Construction workers and vehicles movement must be limited to the construction area only and must be enforced in terms of the contracts of appointment. Appropriate measures must be implemented to ensure that construction workers will not cause any unnecessary disturbances due to unacceptable behaviour.
- 3.44 Soil stockpiles must not be allowed within 32m of any watercourse or wetland.
- 3.45 Applicable notification signs must be erected to warn the public of the dangers around the construction site.

- 3.46 Construction personnel must be sensitized to the requirements of the South African Heritage Resource Act. Should any material of cultural or archaeological significance be encountered during construction, all activities must stop immediately and the **South African Heritage Resource Agency (SAHRA)** must be informed accordingly.
- 3.47 Any complaints received from employees or anyone within the vicinity of the site during the construction and operational phases of these activities must be attended to as soon as possible and addressed to the satisfaction of all involved.

General

- 3.48 A copy of this Environmental Authorisation must be kept at the property where the activities 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.
- 3.49 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.
- 3.50 The holder of the Environmental Authorisation must notify the Department, in writing and within 24 (twenty four) hours, if conditions of this Environmental Authorisation are not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 3.51 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.

3.52 National government, provincial government, local authorities or committees appointed in terms of the conditions of this Environmental 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:



Mr. S.S. Maluleka
Chief Director: Environmental Affairs
Date: *28.04.2017*

ANNEXURE 1: REASONS FOR THE DECISION

1. Background

The applicant Sky Village Properties CC applied for Environmental Authorisation for the following:

The proposed Standerton Extension 9 situated on two Portions of the Remainder of Portion 2 of the farm Grootverlangen 409 IS, Standerton within the jurisdiction of Lekwa local municipality. The site coordinates are 26° 56' 46.84" S 29° 14' 4.87"E.

Applicable Activities

GNR 983 Activity Number	Activity Description	
9	The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water- (ii) with an internal diameter of 0.36 metres or more.	
10	The development and related operation of infrastructure exceeding 1000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes- (ii) with an internal diameter of 0.36 metres or more.	
12	The development of- (vi) bulk storm water outlet structures exceeding 100 metres in size; (x) buildings exceeding 100 square metres in size; (xii) infrastructure of structures with a physical footprint of 100 square metres or more, Where such developments occurs- (b) within a watercourse (c) if no development setback exists, within 32 metre of a watercourse.	
19	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from- (ii) watercourse but excluding where such infilling, depositing, dredging, excavation, removal or moving- (b) will occur behind a development setback.	
27	The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation	
GNR 985 Activity Number	Activity Description	
4	The development of a road wider than 4 metres with a reserve less than 13.5 metres (b) in Mpumalanga iii. in an estuary; iv. outside urban areas, in: (aa) a protected area	(c) In Mpumalanga iii. In an estuary; iv. Outside urban areas, in: (aa) A protected area identified in terms of NEMPAA excluding disturbed areas. (ee) Critical biodiversity areas as identified in systematic biodiversity

	<p>identified in terms of NEMPAA excluding disturbed areas;</p> <p>(ee) critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</p>	<p>plans adopted by the authority or in bioregional plan.</p>
12	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan-</p> <p>(b) in Mpumalanga</p> <p>ii. within critical biodiversity areas identified in bioregional plans.</p>	<p>(d) In Mpumalanga:</p> <p>ii. Within critical biodiversity areas identified in bioregional plans.</p>
14	<p>The development of-</p> <p>(ii) canals exceeding 10 square metres in size;</p> <p>(vi) bulk storm water outlet structures exceeding 10 square metres in size</p> <p>(x). buildings exceeding 10 square metres in size.</p> <p>(xii) infrastructure or structures with a physical footprint of 10 square metres or more where such development occurs-</p> <p>(b) within a watercourse;</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse measured from the edge of a watercourse.</p> <p>Excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbor.</p>	<p>(b) In Mpumalanga:</p> <p>iii. In an estuary;</p> <p>iv. Outside urban areas in:</p> <p>(ff) critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by competent authority or in bioregional plans.</p>

2. The applicant appointed the following Environmental Assessment Practitioner to undertake the Environmental Assessment process:

Consultant Name: Bokamoso Landscape Architects and Environmental Consultants
Address: P.O. Box 11375
Maroelana
0161



Contact Person: Ané Agenbacht
Telephone: (012) 346 3810
Fax: (086) 570 5659
Email: info@bokamoso.net

3. Information considered in making a decision.

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

- a) The information contained in the Final Basic Assessment Report dated 28 February 2017.
- b) The findings of the site visit conducted by Sindisiwe Mbuyane and Thabile Mahlaku from the Department with Ben Bhukwana from Bokamoso Landscape Architects & Environmental Consultant on 15 March 2017.
- c) 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);

4. 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 that, in the Department's views, were of the most significance is set out below:

- a) Need and desirability;
- b) Ecological value of the site;
- c) The physical environment to be affected; and
- d) Public Participation Process.

5. Findings

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

- a) The proposed activities will contribute towards the local economic development through job creation.
- b) The Environmental Management Programme addresses the potential impacts and provides mitigation measures.
- c) Comments, issues and concerns received from Interested and affected parties were addressed to their satisfactory.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activities 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. 