



Building No. 6, No. 7 Government Boulevard, Riverside Park, 1200, Mpumalanga Province

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, Kutfutukiswa
Kwetindzawo Tasemakhaya, Temhlaba
Netesimondzawo

Departement van Landbou,
Landelike Ontwikkeing,
Grond en Ongewing Sake

umNyango weZelimo
UkuThuthukiswa kweNdawo zemaKhaya,
iNarha neeNdaba zeBhoduluko

Enquiries : Okwethu-kuhle Fakude
Telephone : 013 692 5806
Reference no. : 17/2/3N-411
NEAS ref no. : MPP/EIA/0000903/2014

Mr Khatija Shehzad
CFS Petroleum cc
Clewer Service station
41 Ascot Street,
Clewer, Witbank
1036

Fax : 086 570 5659
E-mail : cfspetroleum@gmail.com

Dear Sir,

APPLICATION FOR ENVIRONMENTAL AUTHORISATION: THE PROPOSED CLEWER FILLING STATION ON THE REMAINDER OF PORTION 16 OF THE FARM SCHOONGEZICHT 308 JS, WITHIN EMALAHLENI 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 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of this letter, of the Department's decision in respect of your application. Such notification must comply with the requirements of Regulations 10(2)(a)-(d) and must draw the attention of registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the EIA Regulations, 2010.

Your attention is drawn to Chapter 7 of the Regulations, which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 days of the date of this letter, by means of one of the following methods:

By facsimile: (013) 766 8295

By post: Private Bag x 11219
Nelspruit
1200

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

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: 28.09.2016

cc: Lizelle Gregory
Bokamoso Landscape Architects & Environmental Consultants
Fax no: 086 570 5659
E-mail: lizelleg@mweb.co.za





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Environmental Authorisation

Application number: 17/2/3N-411

Holder of Authorisation: CFS PETROLEUM CC

NEAS reference number: MPP/EIA/0000903/2014

Location of activity: ON THE REMAINDER OF
PORTION 16 OF THE FARM
SCHOONGEZICHT 308 JS,
WITHIN EMALAHLENI 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 activity as specified below. Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

2. Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2010, the Department hereby authorises:

CFS Petroleum cc
41 Ascot Street
Clewer, Witbank
1036

Attention: Khatija Shehzad
Tel no: 076 326 1628
Fax no: 086 570 5659
E-mail: cfspetroleum@gmail.com

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

The Proposed Clewer Filling Station on the Remainder of Portion 16 of the farm Schoongezicht 308 JS, within Emalahleni Local Municipality, Mpumalanga Province at the following co-ordinates: 25° 52' 29.13" S and 29° 07' 48.9" E

Activity 27 of Government Notice R544 of 18 June 1998


The project will entail the following;

- The decommissioning of the current filling station and construction of the new filling station and associated infrastructure on the existing footprint. The new filling station will consist of five pump islands (steel canopy cover) and five underground tanks each with a 23 000 litre capacity, as well as a convenience store 200m² in size.

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

3. Conditions of Authorisation

Scope of authorisation

- 3.1 Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
- 3.2 The holder of the authorisation must ensure compliance with these conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 3.3 The activity which is authorised may only be carried out at the property indicated above.
- 3.4 Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
- 3.5 In the event that the impacts exceed the significance as predicted in the Basic Assessment Report, authorisation may be suspended after proper procedures have been followed. 



- 3.6 In the event of any dispute concerning the significance of a particular impact, the opinion of the Department in respect of its significance will prevail.
- 3.7 The Department may change or amend any of the conditions of this authorisation if, in the opinion of the Department, it is environmentally justified.
- 3.8 This activity must commence within a period of three (3) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
- 3.9 The holder of this authorisation is responsible for compliance with the provisions for Duty of Care and Remediation of Environmental Damage contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- 3.10 This authorization does not negate the holder of the authorisation, responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

Appeal of authorisation

- 3.11 The holder of the authorisation must notify every registered interested and affected party, in writing and within twelve (12) days of the date of this decision, of the outcome of the application.
- 3.12 The notification referred to above, must –
 - a) Specify the date on which the authorisation was issued;
 - b) Inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Regulations; and
 - c) Advise the interested and affected party of the manner in which the decision can be accessed;
 - d) Be published in the newspaper contemplated in Regulation 54(2)(c) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management and monitoring of the activity

- 3.13 The Environmental Management Programme (EMPr) dated 14th June 2016 and submitted as part of the Basic Assessment Report is hereby approved and must be implemented and adhered to throughout the lifecycle of the activity.
- 3.14 The holder of the authorisation must submit an environmental audit report to the Department upon completion of the construction and rehabilitation activities. The environmental audit report must be compiled by an independent environmental auditor and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the conditions of this authorisation as well as the requirements of the EMPr.
- 3.15 The Department retains the right to monitor and/ or inspect the proposed development during both construction and operational phases.


Commissioning and operation of the activity

- 3.16 Fourteen (14) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.
- 3.17 The Contractor must be familiar with and adhere to, any local by-laws and regulations regarding the generation of noise and hours of operation.
- 3.18 The environmental authorization as well as any license or permits must be in place before construction commences and any recommendation contained in these permits, licenses and/or authorization must be incorporated into the project design.
- 3.19 Construction activities must be restricted to between 07H00 and 17H00 Monday to Friday, and 08H00-13H00 during weekends.



- 3.20 Care must be taken pertaining to the placing of signage in the proximity of access points to the proposed filling station.
- 3.21 The movements of all construction personnel and vehicles must be limited to the construction areas and clearly demarcated access roads.
- 3.22 A First Aid Team must be trained and equipped with adequate equipment should a health and safety incident occur.
- 3.23 All Employees must undergo the necessary safety training and wear the necessary protective clothing at all times.
- 3.24 The Contractor must ensure that there is firefighting equipment on site at all times and that equipment is readily available, accessible and functioning.
- 3.25 Bins and/or skips must be provided at convenient intervals for the disposal of waste and must be collected according to the municipality waste service collection schedule.
- 3.26 Temporary ablution facilities i.e. chemical toilets must be provided for construction personnel for the duration of the construction.
- 3.27 Site access points must be clearly marked.
- 3.28 The Contractor is responsible for ensuring that there is access to clean drinking water for all employees on site.
- 3.29 The mixing of cement, asphalt, chemicals or other noxious materials must be undertaken in designated areas on an impermeable layer such as a concrete slab or in a container suitable for this.
- 3.30 Storm water management must be designed to promote infiltration and slow the release of runoff into wetlands and watercourses and all mechanisms for dissipating water energy must be implemented at the inception of the construction phase
- 3.31 Stringent measures must be applied to suppress dust emanating from the construction site.
- 3.32 Leak detection equipment must be installed around the storage tanks and vapour samples must be taken according to a six monthly monitoring programme.
- 3.33 The Constructor must ensure that there is always a supply of absorbent material readily available to absorb/breakdown spills.
- 3.34 All surface areas utilized for the proposed storage tanks and peripheral infrastructure must be appropriately paved to prevent ingress of contaminated water into the ground.
- 3.35 Spillages occurring at the filler point and dispensing area must be contained and cleaned up according to the EMP in order to avoid the contamination of surface water.
- 3.36 If earth moving activities reveal any human skeletal remains, broken pieces of ceramic pottery, large quantities of sub-surface charcoal or any material that can be associated with previous occupation, the operation must be stopped immediately and the South African Heritage Resources Associated (SAHRA) must be notified of the situation.

General

- 3.37 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 3.38 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. 



- 3.39 National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

ENVIRONMENTAL AUTHORISATION APPROVED BY:



MR. S.S. MALULEKA
CHIEF DIRECTOR: ENVIRONMENTAL AFFAIRS
DATE: 28.09.2016



Annexure 1: Reasons for the Decision

1. Background

1.1 The applicant, CFS Petroleum cc, applied for authorisation to carry out the following activity:

The Proposed Clewer Filling Station on the Remainder of Portion 16 of the farm Schoongezicht 308 JS, within Emalaheni Local Municipality, Mpumalanga Province at the following co-ordinates: S 25° 52' 29.13" S and 29° 07' 48.9" E

Activity 27 of Government Notice R544 of 18 June 1998

The project will entail the following;

- The decommissioning of the current filling station and construction of the new filling station and associated infrastructure on the existing footprint. The new filling station will consist of five pump islands (steel canopy cover) and five underground tanks each with a 23 000 litre capacity, as well as a convenience store 200m² in size.

1.2 The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake a basic assessment process:

Bokamoso Landscape Architects & Environmental Consultants
PO Box 11375
Moroelana
0161

Contact person: Ms. Lizelle Gregory

Tel: 012 346 3810

Fax: 086 570 5659

Email: lizelleg@mweb.co.za

2. Information considered in making the decision.

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

- a) The information contained in the Basic Assessment Report and the EMPr.
- b) The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998); and
- c) The findings of the site visit undertaken by Okwethu-kuhle Fakude on 07th September 2016.

3. Key factors considered in making the decision.

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below:

- a) Need and desirability
- b) Public participation was conducted and comments from I&APs were addressed.
- c) The proposed development will promote the optimization of existing services.
- d) Locals will be the first to be considered for labour during the construction phase of the project and that will reduce the unemployment rate of the area.
- e) The proposed development will be in line with the local authority planning.
- f) No significant detrimental environmental impacts are anticipated, should the mitigation measures stipulated in the environmental impact report and conditions of this environmental authorisation be implemented and adhered to.

4. Findings

After consideration of the information and factors listed above, the Department made the following findings: ②



- a) No threatened flora and fauna observed on site during the site visit, the site is already operating and it is fully paved.
- b) Entrance to the site will be through an existing route.
- c) Existing structures and infrastructures were observed on the site during the site visit.
- d) There were no signs of culturally or historically significant elements including archaeological or paleontological sites observed during the site visit.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management as laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated for to acceptable levels. Authorization is accordingly granted. 