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Litiko Letekullma, Kutfufukiswa
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Netesimondzawo

Departement van Landbou,
Landelike Ontwikkeling,
Grond en Ongewing Sake

umNyango weZelimo
UkuThuthukiswa kweNdawo zemaKhaya,
iNarha neeNdaba zeBhoduluko

Enquiries : Okwethu-kuhle Fakude
Telephone : 013 692 5806
Reference no. : 1/3/1/16/1N-26
NEAS ref no. : MPP/EIA/0000062/2015

Dr. A Marais
Middelburg Preparatory School
Private Bag X1838
Middelburg
1050

Fax : 013 243 5263
E-mail : midprepschool2013@gmail.com

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION: THE PROPOSED DEVELOPMENT OF A NEW SCHOOL SITE, MIDDELBURG PREPARATORY SCHOOL ON PORTION 362 (A PORTION OF PORTION 27), OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS, WITHIN STEVE TSHWETE 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 fourteen (14) 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 4(2)(a)-(b) 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 8 of the EIA Regulations, 2014.

Your attention is drawn to Chapter 8 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: 20.04.2016

cc: Adrienne (Adie) Erasmus; Riana Janse van Rensburg
Clean Stream Environmental Services; Coalfields cc
Fax no: 013 697 5021
E-mail: adie@cleanstreams.co.za





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Environmental Authorisation

Application number:	1/3/1/16/1N-26
Holder of Authorisation:	MIDDELBURG PREPARATORY SCHOOL
NEAS reference number:	MPP/EIA/0000062/2015
Location of activity:	ON PORTION 362 (A PORTION OF PORTION 27) OF THE FARM MIDDELBURG TOWN AND TOWNLANDS 287 JS, WITHIN STEVE TSHWETE LOCAL MUNICIPALITY 

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 2014, the Department hereby authorises:

Middelburg Preparatory School
Private Bag X1838
Middelburg
1050

Attention: Dr. A. Marais
Tel no: 013 243 1597
Fax no: 013 243 5263
E-mail: midprepschool2013@gmail.com

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


The Proposed development of a new school site, Middelburg Preparatory School on Portion 362 (a Portion of portion 27) of the farm Middelburg Town and Townlands 287 JS, within Steve Tshwete Local Municipality, Mpumalanga Province at the following co-ordinates: 25° 45' 35.50" S and 29° 28' 13.24" E

Activity 27 of Government Notice R983 and Activity 12 of Government Notice 985 of of 04 December 2014

The proposed development will cater for Grade RR to Grade 7 learners. The said property is located in Springbok Avenue adjacent to Steelcrest High School, Middelburg Ext 4 and the site is 2 hectares in extent and currently vacant.

The new development will consist of:

- a) A parking area;
- b) Entrance to the school;
 - a circle will be provided in front of the school building, and a separate entrance for the children will be provided linking to the internal walkways
- c) Main school building (ground floor level);
 - The main building will consist of the foyer and school hall, and adjacent to the school hall, ablution facilities (gents and ladies), a kitchen and two store rooms will be provided.
- d) Administration section (ground floor level);
 - Access to the administration section will be obtained from the foyer
 - General office/reception, Finance office, Principal's office, Deputy Principal's office, Sick bay, Staff room and ablution facilities (gents & ladies).

Access to the internal school gardens will be provided via the staff room.
- e) Classrooms (ground floor level)
 - From the foyer, the classrooms and the school playground will be accessed.
 - Four (4) Classrooms will be provided in the front ground floor section and a total of eight (8) classrooms in the back ground floor section. 



- Ablution facilities (gents, ladies, disabled) will be provided to the one side in the middle of the school playground area.
- f) Classrooms (lower ground level).
 - Another six (6) classrooms with ablution facilities (gents, ladies, disabled) will be provided on the lower ground floor
 - A science laboratory, library, computer centre, offices (2), store room (2) together with ablution (gents, ladies, disabled) will be provided on the lower ground floor.

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, the authorisation may be suspended and/or withdrawn 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 The period, within which commencement must occur, which period may not exceed 10 years and may not be extended beyond such 10 year period, unless the process to amend the environmental authorization contemplated in regulation 32 is followed.
- 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 authorisation does not negate the holder of the authorization, 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 fourteen (14) 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 2 of the Regulations; and




- c) Advise the interested and affected party to the manner in which the decision can be accessed;
- d) Be published in the newspaper contemplated in Regulation 41(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 23rd September 2015 and submitted as part of the Final Basic Assessment Report is hereby approved and must be implemented and adhered to throughout the lifecycle of the activity.
- 3.14 The applicant must appoint an independent Environmental Control Officer (ECO) that will have the responsibility of monitoring and reporting on compliance with the conditions of this environmental authorisation as well as monitoring and reporting on the implementation of the approved EMPr.
 - 3.14.1 The ECO must be appointed before the commencement of construction and the Department must be notified of such an appointment for communication purposes.
 - 3.14.2 The ECO must oversee and monitor the success of all rehabilitation activities.
 - 3.14.3 During the construction phase, the ECO must submit monthly compliance reports to the Department in writing and copy the applicant with such reports. Where applicable, the ECO may negotiate the required frequency for the submission of reports with the Department, which must be agreed to in writing by the Department. The reports must include a description of all activities on site, problems identified, transgressions noted and remedial action implemented. All reports must reflect the Department's reference number of the project on the cover page.
 - 3.14.4 The ECO must maintain the following on site:
 - A site diary
 - Copies of all reports submitted to the Department
 - A complaints' register of all environmental complaints regarding the proposed project and the remedies applied to such complaints
 - 3.14.5 The ECO must remain employed until all rehabilitation measures as well as site clean-up are completed and the site is handed over to the applicant by the contractor for operation.
- 3.15 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.
- 3.16 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


- 3.17 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.
- 3.18 All contractor teams involved in work on the project must be briefed on their obligations towards environmental controls and methodologies in terms of the EMPr prior to commencement of work.
- 3.19 During the course of the development, the developer and contractors must comply with all the relevant legislation, including the bylaws of Steve Tshwete Local Municipality. Working hours must be confined to between 07h00 and 17h00.
- 3.20 The development must take place at the authorized site and nowhere else. 

- 3.21 All reasonable steps must be taken to avoid any fires.
- 3.22 The Contractor must ensure that there is access to clean drinking water for all employees on site.
- 3.23 Construction workers must be supplied with chemical toilets, no pit latrines are allowed on site.
- 3.24 The Contractor must make sure that noise generating activities are minimized as Steelcrest High School is close by and that all equipment must be kept in good working order.
- 3.25 Construction vehicles must make use of existing roads and tracks as far as possible.
- 3.26 The Contractor must ensure that the generation of dust is minimized and must implement a dust control programme to maintain a safe working environment.
- 3.27 Trampling and disturbances associated with construction activities must be limited to within ten metres of the footprint of the site to ensure minimal disturbance to the natural flora and fauna of the area.
- 3.28 Topsoil must be utilized in rehabilitation efforts as soon as possible.
- 3.29 The contractor must not permit work teams to litter on the environment
- 3.30 The collection point for waste material must be an enclosed structure to eliminate the risk of wind scatter.
- 3.31 Waste must be disposed of at a registered waste disposal site.
- 3.32 The burial of any material on the site is not allowed.
- 3.33 Concrete mixing must take place in a defined area and on top of boarding or sheeting so as to protect the ground.
- 3.34 All steps must be taken to ensure that no oil is spilt and that all waste, such as filters, is removed from the site and disposed of in an environmentally legal manner.
- 3.35 Only indigenous flora must be used for landscaping.
- 3.36 Any complaints received from the public during the construction and operational phases of the activity must be attended to as soon as possible and addressed to the satisfaction of all concerned.

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 SERVICES
DATE: 20.09.2016



Annexure 1: Reasons for the Decision

1. Background

1.2 The applicant, Middelburg Preparatory School, applied for authorisation to carry out the following activity:

The Proposed development of a new school site for Middelburg Preparatory School on Portion 362 (a Portion of Portion 27) of the farm Middelburg Town and Townlands 287 JS, within Steve Tshwete Local Municipality, Mpumalanga Province at the following co-ordinates: 25° 45' 35.50" S and 29° 28' 13.24" E

Activity 27 of Government Notice R983 and Activity 12 of Government Notice 985 of of 08 December 2014

The proposed development will cater for Grade RR to Grade 7 learners. The said property is located in Springbok Avenue adjacent to Steelcrest High School, Middelburg Ext 4 and the site is 2 hectares in extent and currently vacant.

The new development will consist of:

- a) A parking area;
- b) Entrance to the school;
 - a circle will be provided in front of the school building, and a separate entrance for the children will be provided linking to the internal walkways
- c) Main school building (ground floor level);
 - The main building will consist of the foyer and school hall, and adjacent to the school hall, ablution facilities (gents and ladies), a kitchen and two store rooms will be provided.
- d) Administration section (ground floor level);
 - Access to the administration section will be obtained from the foyer
 - General office/reception, Finance office, Principal's office, Deputy Principal's office, Sick bay, Staff room and ablution facilities (gents & ladies).

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- f) Classrooms (lower ground level).
 - Another six (6) classrooms with ablution facilities (gents, ladies, disabled) will be provided on the lower ground floor
 - A science laboratory, library, computer centre, offices (2), store room (2) together with ablution (gents, ladies, disabled) will be provided on the lower ground floor.

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

Clean Stream Environmental Services
 PO Box 647
 Witbank
 1035



Contact person: Adienne (Adie) Erasmus; Riana Janse van Rensburg
Tel: 013 697 5021
Fax: 013 697 5021
Email: adie@cleanstreams.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 Final 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 10th September 2015.

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) The school exists in Middelburg town but there is not enough space for the expansion of the school.
- b) Locals will be the first to be considered for labour during the construction.
- c) The property will be rezoned from "Agricultural" to "Educational".
- d) Access to the site will be from an existing road.
- e) Services will be rendered by Steve Tshwete Local Municipality.

4. Findings

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

- a) No threatened flora and fauna were observed on site during the site visit
- b) No wetlands were observed on site.
- c) There were no observable heritage resources within the perimeter of the proposed site.

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.