



Samora Machel Building, 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, Kufutlukiswa
Kwetindzawo Tasemakhaya, Temhlaba
Netesimondzawo

Departement van Landbou,
Landelike Ontwikkeling,
Grond en Ongewing Sake

umNyango weZelimo
UkuThuthukiswa kweNdawo zemaKhaya
iNarha neNdaba zeBhoduluko

Enquiries : Okwethu-kuhle Fakude
Telephone : 013 692 5806
Reference no. : 1/3/1/16/1N-132
NEAS ref no. : MPP/EIA/0000430/2018

Mr Daniel Zeelie
Chapmans View Properties (Pty) Ltd
PO Box 4729
Vanderbijlpark
1911

Tel No: 082 450 5000
Fax No: 086 664 9939
Email: Daniel.zeelie@saveyway-sa.co.za

Dear Sir/Madam,

ENVIRONMENTAL AUTHORISATION: THE PROPOSED KUSILE TRUCK STOP ON PART OF PORTION 83 (A PORTION OF PORTION 20) OF THE FARM EENZAAMHEID 534 JR, WITHIN EMALAHLENI LOCAL MUNICIPALITY, MPUMALANGA PROVINCE.

With reference to the above mentioned 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 (fourteen) 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 National Appeal Regulations, 2014.

Your attention is drawn to National Appeal Regulations 2014, 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 x11219
Nelspruit
1200

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



1/3/1/16/1N-132

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,

MS. P.N. NTULI

ACTING CHIEF DIRECTOR: ENVIRONMENTAL AFFAIRS

DATE: 20/03/2019

cc: Monica Niehof
Prism Environmental Management Services
Fax no: 086 601 4800
Email: monica@prismems.co.za



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Environmental Authorisation

Application number: 1/3/1/16/1N-132

Holder of Authorisation: CHAPMANS VIEW PROPERTIES (PTY)
LTD

NEAS reference number: MPP/EIA/0000430/2018

Location of activity: ON A PART OF PORTION 83 (A
PORTION OF PORTION 20) OF THE
FARM EENZAMHEID 534 JR, WITHIN
EMALAHLENI LOCAL MUNICIPALITY,
MPUMALANGA PROVINCE. *PN*



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 as amended, the Department hereby authorises:

Chapmans View Properties (Pty) Ltd
PO Box 4729
Vanderbijlpark
1911

Attention: Mr Daniel Zeelie
Tel No: 082 450 5000
Fax No: 086 664 9939
Email: Daniel.zeelie@saveyway-sa.co.za

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

The proposed Kusile Truck stop on a part of Portion 83 (a Portion of Portion 20) of the farm Eenzaamheid 534 JR, within Emalahleni Local Municipality, Mpumalanga Province at the following co-ordinates; 25° 53'14.94"S 28° 57'26.23"E.

Activities that will require authorisation are listed in Government Notice R983 of 04 December 2014 and they are presented in the table below:

Government Notice R983 Activity No.	Description	Applicability
Activity 14	The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.	The applicant proposes to develop and operate facilities and infrastructure for the storage and handling of dangerous goods including petroleum and diesel with a combined capacity of 500 cubic metres. The construction of a Diesel and Petroleum outlet facility with ancillary uses and the proposed installation of diesel and petroleum tanks. Tanks of variable sizes (23 000 litres minimum and 80 000 litres maximum) for the storage of fuel with a minimum of 80 000 cubic metres, but not exceeding 500 cubic metres will be installed. Other related infrastructure such as, a convenience store/shop, restrooms, restaurant, recreational area, truck stop, offices will be constructed and will form part of the application. <i>JN</i>



Activity 27	The clearance of an area of 1 ha or more but less than 20 ha of indigenous vegetation.	The study area is approximately 2.5 ha in extent and contains disturbed, but natural vegetation. An area of larger than 1 hectare, but less than 20 hectares of indigenous vegetation will be cleared for the activity.
Activity 28	Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.	The study area is larger than 1 hectare in extent, occurs outside an urban area and has been used for agricultural purposes after 01 April 1998.

The development footprint of the proposed activity is approximately 2.5 hectares in extent.

The activity will entail the following.

The proposed development involves the construction and operation of a Diesel and Petroleum outlet facility with ancillary uses and the proposed installation of underground diesel and petroleum tanks. A minimum of three tanks and a maximum of 5 tanks of variable sizes (23 000 litres minimum and 80 000 litres maximum) for the storage of fuel with a minimum of 80 cubic metres, but not exceeding 500 cubic metres will be installed.

Related infrastructure includes a convenience store/shop, restrooms, restaurants, recreational area, truck stop and offices.

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 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 This activity must commence within a period of five (5) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and

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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 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 –
- Specify the date on which the authorisation was issued;
 - Inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014; and
 - Advise the interested and affected party to the manner in which the decision can be accessed;
 - 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 Plan (EMPr) dated 05th September 2018 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 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 activity 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.
 - 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 deconstruction 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 activity.

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Construction and Operation of the activity

- 3.17 Fourteen (14) days written notice must be given to the Department that the activity will commence. The notice must include a date on which it is anticipated that the activity will commence, and must include the name and contact details of the appointed ECO.
- 3.18 All relevant authorizations must be obtained before construction commences.
- 3.19 Contractor must be committed to employing locally to enhance local skills development opportunities.
- 3.20 A stormwater management plan with Sustainable Urban Drainage Systems (SUDS) principles must be compiled, approved and implemented.
- 3.21 A copy of the EA and EMPr must be available on site at all times and all relevant persons must be familiar with or made aware of the contents of such.
- 3.22 The Contractor must erect site notices at the construction site informing persons of restricted access, the nature and timeframes of the construction activities, and appropriate contact details.
- 3.23 All service requirement of the site must be confirmed with the Local Municipality.
- 3.24 Noise levels must be kept within acceptable limits, and construction crew must abide by National Noise Laws and eMalahleni Local Municipality by-laws regarding noise.
- 3.25 The Contractor must ensure that persons under his control on site are legally authorised and/or competent to undertake such work.
- 3.26 A First Aid Team must be trained and equipped with adequate equipment should a health and safety incident occur.
- 3.27 The Contractor must ensure that there is firefighting equipment on site at all times and that equipment is readily available, accessible and functioning. The equipment must be in accordance with legislative requirements.
- 3.28 Construction workers must be supplied with chemical toilets with no pit latrines, which means that sewage to be generated during construction phase must be disposed of in a controlled manner.
- 3.29 Vegetation clearance/stripping must be restricted to the development footprint.
- 3.30 Areas of indigenous vegetation must be delineated, and rehabilitation measures implemented in areas where the indigenous community is still present but degraded.
- 3.31 Dust suppression measures during the construction phase must be implemented.
- 3.32 Trampling and disturbances associated with construction activities must be limited to within five metres of the footprint of the site to ensure minimal disturbance to the natural flora and fauna of the area.
- 3.33 General waste must be placed in designated mass waste containers located within demarcated areas designed to prevent waste from being blown out by wind and disposed of at a licensed land fill site.
- 3.34 A bunded storage area must be constructed, and chemical storage tanks must be designed in accordance with the appropriate SANS. A leak detection and remediation procedure must be developed for chemical storage areas.
- 3.35 Manhole entry points to storage tanks must be kept securely sealed except when maintenance and testing are being carried out which requires entry to the tanks.
- 3.36 Relevant authorities must be informed of spills and contingency plans must be in place to minimize pollution should a spill occur.
- 3.37 Contaminated storm water must be directed to an oil trap from where it must be made available for collection and appropriate disposal.
- 3.38 Any environmental and related issues received from the public during construction and operation phase of the activity must be attended to as soon as possible and addressed to the satisfaction of all concerned.
- 3.39 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

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previous occupation, the operation must be stopped immediately and the South African Heritage Resources Associated (SAHRA) must be notified of the situation.

- 3.40 The Traffic Impact Study done by Mariteng Management Solutions (Appendix 5.4 of the final EIA Report), and all recommendations of the other specialists' studies must be considered and adhered to.

General

- 3.41 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.
- 3.42 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.
- 3.43 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 deconstruction or operation subsequent to deconstruction 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:

MS. P.N. NTULI

ACTING CHIEF DIRECTOR: ENVIRONMENTAL AFFAIRS

DATE: 20/03/2019



Annexure 1: Reasons for the Decision

1. Background

- 1.1 The applicant, Chapmans View Properties (Pty) Ltd, applied for authorisation to carry out the following activity:

The proposed Kusile Truck stop on a part of Portion 83 (a Portion of Portion 20) of the farm Eenzaamheid 534 JR, within Emalahleni Local Municipality, Mpumalanga Province at the following co-ordinates; 25° 53' 14.94"S 28° 57' 26.23"E.

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Activity 27	The clearance of an area of 1 ha or more but less than 20 ha of indigenous vegetation.	The study area is approximately 2.5 ha in extent and contains disturbed, but natural vegetation. An area of larger than 1 hectare, but less than 20 hectares of indigenous vegetation will be cleared for the activity.
Activity 28	Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.	The study area is larger than 1 hectare in extent, occurs outside an urban area and has been used for agricultural purposes after 01 April 1998. pd



The development footprint of the proposed activity is approximately 2.5 hectares in extent.

The activity will entail the following.

The proposed development involves the construction and operation of a Diesel and Petroleum outlet facility with ancillary uses and the proposed installation of underground diesel and petroleum tanks. A minimum of three tanks and a maximum of 5 tanks of variable sizes (23 000 litres minimum and 80 000 litres maximum) for the storage of fuel with a minimum of 80 cubic metres, but not exceeding 500 cubic metres will be installed.

Related infrastructure includes a convenience store/shop, restrooms, restaurants, recreational area, truck stop and offices.

- 1.2.1 The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake an Environmental Impact process:

Prism Environmental Management Services
PO BOX 1401
WILGEHEUWEL
1736

Contact person: Ms. Monica Niehof
Tel: 072 607 8719
Fax no: 086 601 4800
Email: monica@prismems.co.za

2. Information considered in making the decision.

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

- The information contained in the application form submitted on 05th July 2018
- The information contained in the Final Basic Assessment Report and the EMP_r dated August 2018 and submitted on 05th September 2018
- 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
- The findings of the pre-consultation meeting and site visit undertaken by Ms. Okwethu-kuhle Fakude on 12th December 2018.

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:

- All relevant policies, guidelines and legislations were considered.
- The site is currently impacted upon by existing land uses. Using this site therefore reduces the need for greenfields development elsewhere.
- The proposed development will create employment opportunities during construction and operation and the overall level of employment created is significant and positive.
- The proposed development will increase economic development and also in local employment in the area.
- Public Participation Process was done in accordance with the EIA Regulations, 2014 (as amended).
- Alternatives were considered and discussed.

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4. Findings

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

- a) Access to the proposed site will be through the newly constructed Lone Rock Road (R686).
- b) Stormwater, water and sewage services will be provided on site in a closed-system and no services are required from outside providers (e.g. the Municipality). Should services be required, necessary application procedures must be followed.
- c) According to the Basic Assessment Report, the development proposal is considered to be environmentally and economically sustainable.
- d) The land uses, and development were already in use on the concerned property at the time of purchase of the concerned property and will thus have no negative impact on the surrounding properties.
- e) 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.

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. Authorisation is accordingly granted.

PH