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Netesimondzawo

Departement van Landbou,  
Landelike Ontwikkeling,  
Grond en Ongewing Sake

umNyango weZelimo  
UkuThuthukiswa kweeNdawo zemaKhaya,  
iNarha neeNdaba zeBhoduluko

**Enquiries** : Charity Mthimunye  
**Telephone** : 013 692 5806  
**Reference no.** : 1/3/1/16/1N-37  
**NEAS ref no.** : MPP/EIA/0000107/2015

Mr. D. Britz  
P. O. Box 468  
**Eikenhof**  
**1872**

**Fax** : 086 391 9249  
**E-mail** : [dbritz@lintelsuppliers.co.za](mailto:dbritz@lintelsuppliers.co.za)

Dear Sir,

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION: THE DEVELOPMENT OF A LINTEL SUPPLIER BUSINESS ON THE REMAINING EXTENT OF PORTION 76 OF THE FARM KROMDRAAI 292 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 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 (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 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,



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**MR. S.S MALULEKA**  
**CHIEF DIRECTOR: ENVIRONMENTAL SERVICES**  
**DATE: 27.06.2016**

cc: Adie Erasmus  
Clean Stream Environmental Services; Coalfields cc  
Fax no: 013 697 5021  
E-mail: [adie@cleanstreams.co.za](mailto:adie@cleanstreams.co.za)



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## Environmental Authorisation

**Application number:** 1/3/1/16/1N-37

**Holder of Authorisation:** MR. D. BRITS

**NEAS reference number:** MPP/EIA/0000107/2015

**Location of activity:** THE REMAINING EXTENT OF  
PORTION 76 OF THE FARM  
KROMDRAAI 292 JS,  
EMALAHLENI 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:

Mr. D. Britz  
P. O. Box 468  
Eikenhof  
1872

Fax no: 086 391 9249  
Tel: 083 391 9249  
E-mail: [dbritz@lintelsuppliers.co.za](mailto:dbritz@lintelsuppliers.co.za)

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

The proposed development of a lintel supplier business on the remaining extent of Portion 76 of the farm Kromdraai 292 JS, within Emalahleni Local Municipality, Mpumalanga Province at the following co-ordinates: 25° 49' 40.28" S and 29° 16' 32.43" E

### **Activity 27 of Government Notice R983 of 08 December 2014**

The proposed development will have a total footprint area of 2.24 ha and will comprise of the following:

- Administration Office with 5 parking bays
- Sales Office with 3 parking bays
- Pre-mix factory for storage of and mixing of raw materials
- Consumable store for the storage of machinery
- Brick fabrication plant for the production of lintels.
- Production yard
- Concrete floor slab for the stacking of the finished product
- Tool store ( conversion of existing building on site)

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 12<sup>th</sup> January 2016 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 The proposed lintel supply development must cover an area of 2.24 hectares as stated.
- 3.19 All construction activities must be limited to the said site.
- 3.20 Services (water, sewer, electricity, roads, storm water management and waste removal) for the development must be done by the developer to the satisfaction of the eMalahleni Local Municipality.
- 3.21 Potable water must be provided for contractors working on site during the construction phase and the drilled borehole in the north eastern corner of the site must be utilized for the provision of water to the business during the operational phase.
- 3.22 Since there are no municipal services located nearby, two septic tanks with a combined capacity of 57 500 litres must be installed as per the recommendations made by Kotze et al. (2015a).
- 3.23 The applicant must ensure that the contractors remove the building rubble and domestic waste to Leeuwoort Waste Disposal Site.
- 3.24 During the operational phase, domestic waste produced must be emptied on a regular basis and disposed off at Leeuwoort Waste disposal site.
- 3.25 All the reject lintels must be recycled into paving lengths.
- 3.26 Run-off water from the buildings must be dispersed on the ground using a pre-cast concrete shoe or small concrete paved apron and then dispersed onto the grassed area.
- 3.27 All fire-fighting controls must be in place in accordance with the National Building Regulations, the SANS Code of Practice ( related to Community Protection against Fire) and Red Book Standards.
- 3.28 According to Diedericks (2015), after construction the applicant must supply Eskom with a certificate (from a certified energy manager) confirming that the electrical installation complies with energy efficiency specifications as set out in the Generic Energy Efficiency Specification that was accepted.
- 3.29 The rights and conditions of Eskom (Appendix 10) with regards to their power lines must be respected and adhered to at all time.

- 3.30 At least 50% (volume fraction) of the annual average hot water heating requirement must be provided by means of other electrical resistance heating including but not limited to solar heating, heat pumps, heat recovery from other systems.
- 3.31 Ventilation in buildings must be provided in accordance with the requirements of SANS 10400-O.
- 3.32 For the rehabilitation purposes, a seed mix comprising of grass species indigenous to the area must be used. The planting of any alien plant species as part of landscaping is prohibited.

**General**

- 3.33 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.
- 3.34 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.
- 3.35 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: 27.06.2016**

## Annexure 1: Reasons for the Decision

### 1. Background

The applicant, Mr D Brits (Lintel Suppliers cc), applied for authorisation to carry out the following activity:

The proposed development of a lintel supplier business on the remaining extent of portion 76 of the farm Kromdraai 292 JS, within Emalahleni Local Municipality, Mpumalanga Province at the following co-ordinates: 25° 49' 40.28" S and 29° 16' 32.43" E.

Activity 27 of Government Notice R983 of 08 December 2014

The proposed development will have a total footprint area of 2.24 ha and will comprise of the following:

- Administration Office with 5 parking bays
- Sales Office with 3 parking bays
- Pre-mix factory for storage of and mixing of raw materials
- Consumable store for the storage of machinery
- Brick fabrication plant for the production of lintels.
- Production yard
- Concrete floor slab for the stacking of the finished product
- Tool store ( conversion of existing building on site)

- 1.2 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@cleanstreamsa.co.za](mailto:adie@cleanstreamsa.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 Ms. Charity Mthimunye on 01<sup>st</sup> December 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 lintel supplier business will produce and supply lintels to the building industry which will boost the economy of the country.
- b) The proposed development will have a positive impact on the environment as the cement will be stored in a small cone shaped cement storage silo that is fitted with a dust cover.





- c) The proposed development will have a very low total coverage of approximately 9.6 % fitting in with general character and nature of the surrounding area..

#### 4. Findings

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

- a) The site is located in Nyala Road, directly to the east of the Jackaroo Agricultural Holdings.
- b) The proposed site has been rezoned to light industrial site and approved by the Emalahleni Local Municipality based on the findings of the Townplanner.
- c) In accordance with the South African National Standard, the application of the National Building Regulations Part K it is stated that there is a great need for lintels within the development sector.
- d) The proposed development will lead to the rise in property value and will contribute to the mixed land use character of the areas and also it is an extension of the industrial land uses found in the surroundings.

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. 