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Litiko Letekulima, Kutfutukiswa
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Netesimondzawo

Departement van Landbou,
Landelike Ontwikkefing,
Grond en Ongewing Sake

umNyango weZelimo
UkuThuthukiswa kweNdawo zemaKhaya,
iNarha neeNdaba zeBhoduluko

Enquiries : Selape Lentswana
Telephone : (013) 692 6300/5848
Reference no. : 17/2/3/N-290
NEAS No. : MPP/EIA/0000700/2013

Pieter Visser Trust
PO Box 603
Melkbosstrand
7441

Attention: Hugo Schlechter
Tel : 021 553 0553
Fax : 021 553 0079
Email : jeannie@pietervissertrust.com

Dear Sir,

APPLICATION FOR ENVIRONMENTAL AUTHORISATION: ACTIVITIES LISTED IN GOVERNMENT NOTICES R544 AND R546 ASSOCIATED WITH THE DEVELOPMENT OF A TRANSPORT FACILITY ON A PORTION OF PORTION 33 OF THE FARM VAALBANK 289 JS, 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 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 2
Nelspruit, 1200

Should you decide to appeal, you must serve a copy of your appeal on all registered interested and affected parties and any organ of state with interest in the matter, as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours faithfully,



DR. A. DE LANGE

ACTING CHIEF DIRECTOR: ENVIRONMENTAL SERVICES

DATE: 27/3/15

cc: Adie Erasmus
Clean Stream Environmental Services
Fax: 013 697 5021
Email: Adie@cleanstreamsa.co.za





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Environmental Authorisation

Application number:	17/2/3/N-290
Holder of Authorisation:	Pieter Visser Trust
NEAS reference number:	MPP/EIA/0000700/2013
Location of activity:	A Portion of Portion 33 of the farm Vaalbank 289 JS, Steve Tshwete Local Municipality, Mpumalanga Province

1. Decision

The Department is satisfied on the basis of 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:

Pieter Visser Trust
PO Box 603
Melkbosstrand
7441

Attention: Hugo Schlechter
Tel : 021 553 0553
Fax : 021 553 0079
Email : jeannie@pietervissertrust.com

To undertake the following activities listed in Government Notices R544 and R546 of 18 June 2010 associated with the development of a trucking transport facility and operational control and repair centre, comprising access control, truck parking, an office block, a wash bay, and a refueling bay comprising fuel storage tanks with a total combined capacity of 69m³, but where the development footprint will be limited to 14ha on a site measuring 26.04ha, on a Portion of Portion 33 of the farm Vaalbank 289 JS, Steve Tshwete Local Municipality, Mpumalanga Province at the co-ordinates 25°49'24.32"S 29°28'56.87"E (hereafter referred to as "the activity"):

Activity Number	Activity Description
GN R544 Activity 23(ii)	The transformation of undeveloped, vacant or derelict land to – residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares; - except where such transformation takes place for linear activities.
GN R546 Activity 10	The construction 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 30 but not exceeding 80 m ³ .
GN R546 Activity 13	The clearance of an area of 1 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.

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. 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.
- 3.9. 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 a new application for environmental authorisation must be made in order for the activity to be undertaken, unless the holder of this environmental authorisation has lodged a valid application to amend the validity period of this authorisation before this authorisation lapses, in which case, this authorisation will remain valid. However, the activity, including site preparation, may not commence prior to the amendment application being decided.
- 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).
- 3.11. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity, including, *inter alia*, the National Forests Act, 1998 (Act 84 of 1998), the National Environmental Management: Waste Act, 2008 and the National Water Act, 1998 (Act No. 36 of 1998) or any provisions of all relevant SABS and SANS standards.

Appeal of authorisation

- 3.12. 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.
- 3.13. 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;
 - c) Advise the interested and affected party to the manner in which the decision can be accessed;
 - d) Be published in the newspapers contemplated in Regulation 54(2)(c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management and monitoring of the activity

- 3.14. The Environmental Management Programme (EMPr) dated 17 November 2014 as included in the basic assessment report is hereby approved, and must be implemented and adhered to throughout the lifecycle of the activity.
- 3.15. The appointed contractor/s must be contractually bound to these conditions as well as the provisions of the EMPr.



- 3.16. Before site clearing and construction activities may commence, plant species of conservation importance (endemic, protected, Red Data) must be identified and marked, and may not be disturbed.
- 3.17. The incorporation of any threatened species within the development footprint is prohibited.
- 3.18. The disturbance of nests or breeding activities of birds, reptiles, or any other wildlife, is strictly prohibited.
- 3.19. 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:
- 3.19.1. The ECO must be appointed before the commencement of construction and the Department must be notified of such an appointment for communication purposes.
- 3.19.2. The ECO must oversee the identification and protection of plant species of conservation importance.
- 3.19.3. The ECO must, prior to any site clearing activities, oversee the identification and marking of trees that may not be removed.
- 3.19.4. The ECO must monitor contractors' entry into sensitive habitat.
- 3.19.5. The ECO must monitor the restriction of construction to designated areas.
- 3.19.6. The ECO must oversee the surveying and demarcation of watercourses and wetland that are prohibited from being impeded or developed.
- 3.19.7. The ECO must oversee the implementation of an alien plant control program.
- 3.19.8. The ECO must oversee and monitor the success of all rehabilitation activities.
- 3.19.9. 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.
- 3.19.10. The ECO must maintain the following on site:
- A site diary
 - Copies of all reports submitted to the Department
 - A complaints register of all public complaints and the remedies applied to such complaints
- 3.19.11. 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.
- 3.20. The holder of the authorisation must submit an environmental compliance audit report to the Department within 30 days of completion of the construction phase. The environmental audit report 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.
- 3.21. The Department retains the right to monitor and/ or inspect the proposed project throughout its lifecycle.

Commissioning and operation of the activity

- 3.22. 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.
- 3.23. The perimeter of the construction site must be defined and demarcation of material lay down areas must precede all activities on site.

- 3.24. Fencing may not cause erosion and may not impede the flow of any watercourse or natural drainage. Fencing must be monitored throughout the construction and operation phase, and any signs of erosion caused by it must be remedied immediately.
- 3.25. Construction personnel must be made aware of the sensitivity of the area and their movements must be limited to the construction areas only and must be enforced in terms of the contracts of appointment.
- 3.26. The development may not impede any drainage line or wetland area.
- 3.27. No activity such as construction camps, temporary housing, temporary ablution, stockpiling of topsoil, storing of equipment and material, disturbance of natural habitat, temporary or unauthorised access, haul roads, excavation of foundations, or any other use, may take place below the 1:100 year flood line, or within a horizontal distance of 50m (whichever is greater) of a watercourse or wetland.
- 3.28. The construction of roads through or across any watercourse or wetland is prohibited.
- 3.29. The current flow regime of watercourses may not be altered.
- 3.30. The clearing of vegetation must be minimised and phased to reduce the risk of significant runoff of sediments into watercourses. Where large areas of vegetation are cleared, strips of intact vegetation must be left to bind soils and reduce the risk of erosion dongas developing.
- 3.31. Topsoil must be stockpiled at a height not exceeding 1.5m at a pre-designated location for use during rehabilitation and landscaping.
- 3.32. An alien plant control program must be implemented at the inception of the construction phase. Alien vegetation must be eradicated from wetland and riparian areas, and indigenous vegetation must be planted in wetland and riparian areas where alien vegetation is removed.
- 3.33. The disturbance of breeding habits of birds and wildlife is strictly prohibited.
- 3.34. Stringent measures must be applied to suppress dust emanating from the construction site.
- 3.35. Storm water management must adhere to the following:
 - 3.35.1. No surface storm water generated as a result of the development may be channeled directly into any wetland or watercourse, or directly into any wetland or riparian zone. All surface runoff generated during both construction and operation phases must be managed prior to entering any natural drainage system, wetland or riparian zone so as not to impact on the natural hydrology and morphology of the watercourse.
 - 3.35.2. All mechanisms for dissipating water energy must be implemented at the inception of the construction phase.
 - 3.35.3. The increase in downstream peak flows must be mitigated by retaining storm water until after peak flows.
 - 3.35.4. The rate of storm water runoff must be reduced by using mechanisms such as the construction of earth berms, grassed swales and armourflex lined channels and the construction of energy breakers at storm water outlet structures.
 - 3.35.5. Where erosion at the base of swales or channels and at outlets from piped systems is likely to occur, inverts must be armoured to obviate scour, and where appropriate, swales must be grassed or lined.
 - 3.35.6. Sediment trapping facilities must be employed during the construction phase.
- 3.36. Increased runoff due to vegetation clearance and/or soil compaction and/or any hardened surfaces must be managed, and steps must be taken to ensure that storm water does not lead to bank instability and excessive levels of silt entering the watercourse or wetland.
- 3.37. Scouring, erosion or sedimentation of all watercourses and wetlands must be prevented, and the stability of watercourses may not be detrimentally affected.
- 3.38. The quality of water downstream may not deteriorate as a result of construction activities.
- 3.39. Soils that become compacted through the activities of the development must be loosened to an appropriate depth to allow seed germination.

- 3.40. Where ablution facilities for construction personnel are required, dry chemical toilet facilities or e-loos must be provided on site at a ratio of 1:10 for construction staff. Ablution facilities may not be located within 50m from any watercourse or wetland or riparian zone, and may not cause pollution.
- 3.41. Chemical toilets must be maintained and cleaned regularly and effluent must be disposed of off-site into an approved municipal sewage system.
- 3.42. Pump dispensers and pumps must be fitted with leak detectors and emergency shut-off valves. Each dispensing pump or dispenser must be so located that when the hose is fully extended in the direction of any ramp leading down to the basement, no fuel can flow from the nozzle down to the ramp.
- 3.43. The area around the dispensers / pumps, where spillage may occur during the refueling operation, must be so graded that any effluent run-off will not flow to any street, or into any watercourse or storm water system without first passing through a gravity separator. If this effluent cannot be separated from fuels by the gravity separator, then it must exit to a foul sewer or treatment system.
- 3.44. The storage and handling of fuel, lubricants and other chemicals must be in especially demarcated impervious and bunded areas.
- 3.45. 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.
- 3.46. Construction vehicles and equipment must be checked and maintained regularly to ensure that there is no environmental contamination as a result of oil, fuel or hydraulic fluid leakages.
- 3.47. Pollution due to improper storage of construction materials or any hazardous substances is prohibited.
- 3.48. It is the responsibility of the holder of the authorisation to rectify any source of pollution from their undertaking and to take appropriate measures to prevent any pollution of surface as well as underground water.
- 3.49. All disturbed areas must be fully rehabilitated and protected from erosion. Rehabilitation measures must be aimed at the prevention of soil erosion and the re-establishment of indigenous vegetation.
- 3.50. No construction material or any other waste material may be dumped into any watercourse or surrounding area.
- 3.51. All general waste generated on the site must be disposed of in a registered landfill site or as directed by any other relevant authority.
- 3.52. All hazardous waste must be disposed of at an official registered site, or be removed by registered hazardous waste contractors.
- 3.53. Construction personnel must be sensitized to the requirements of the South African Heritage Resources Act. Should any material of cultural or archaeological significance be encountered during construction, all activities must cease immediately and the South African Heritage Resources Agency (SAHRA) must be informed accordingly.
- 3.54. 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.
- 3.55. 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

- 3.56. 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.
- 3.57. 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.
- 3.58. 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:



DR. A. DE LANGE

ACTING CHIEF DIRECTOR: ENVIRONMENTAL SERVICES

DATE: 07/13/15



Annexure 1: Reasons for the Decision

1. Background

- 1.1 The applicant, The Pieter Visser Trust, applied for authorisation to carry out the following activities listed in Government Notices R544 and R546 of 18 June 2010 associated with the development of a trucking transport facility and operational control and repair centre, comprising access control, truck parking, an office block, a wash bay, and a refueling bay comprising fuel storage tanks with a total combined capacity of 69m³, but where the development footprint will be limited to 14ha on a site measuring 26.04ha, on a Portion of Portion 33 of the farm Vaalbank 289 JS, Steve Tshwete Local Municipality, Mpumalanga Province at the co-ordinates 25°49'24.32"S 29°28'56.87"E:

Activity Number	Activity Description
GN R544 Activity 23(ii)	The transformation of undeveloped, vacant or derelict land to – residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares; - except where such transformation takes place for linear activities.
GN R546 Activity 10	The construction 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 30 but not exceeding 80 m ³ .
GN R546 Activity 13	The clearance of an area of 1 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.

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

Clean Stream Environmental Services
P O Box 647
Witbank
1035

Contact person : Adie Erasmus
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:

- The information contained in the Basic Assessment Report and the EMPr.
- The comments and views of the interested and affected parties.
- 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 site visit undertaken by Lentswana Selape on 30 January 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:

- The Basic Assessment Report states that the site forms part of the Vaalbank Private Nature Reserve which was proclaimed in 1961, however it is not managed or operated as a nature reserve.

- b) The remaining portion outside the development footprint will remain outside the development footprint to protect the threatened plant species and wetlands identified on site. As such the proposed layout plan was made to exclude the sensitive areas to protect them.
- c) The north eastern corner of the site was previously utilized for a lintel manufacturing plant and the western portion of the site was previously used for a coal stocking and loading area and these activities may have resulted in the alteration of the natural environment.
- d) The bulk water purification, water supply, sewage removal, waste removal and sewage treatment services are to be provided by the Steve Tshwete Local Municipality.
- e) According to the basic assessment report the development proposed is considered to be environmentally and economically sustainable.

4. Findings

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

- a) There were no signs of culturally significant elements including archaeological sites observed during the site visit.
- b) The recommendations made by the specialists in the specialist investigations will be adhered to.
- c) The development contributes positively towards conservation of threatened species.
- d) 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 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 to acceptable levels. The application is accordingly granted.

