



agriculture, rural development,
land & environmental affairs

MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA

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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-48
NEAS ref no. : MPP/EIA/0000134/2016

Mr Nicholas Ryan
REAL TIME INVESTMENTS 515 CC
PO Box 25928
East Rand
1462

Fax : 011 740 7394
E-mail : nicholas@chieftainafrika.com

Dear Sir,

APPLICATION FOR ENVIRONMENTAL AUTHORISATION: THE PROPOSED UTILISATION OF A PORTION OF THE REMAINING EXTENT OF PORTION 24 OF THE FARM WONDERFONTEIN 428 JS FOR COMMERCIAL PURPOSES, WITHIN EMAKHAZENI 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 (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 the National Appeal Regulations, 2014. Chapter 8 of the EIA Regulations, 2014.

Your attention is drawn to the 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 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: Adrienne (Adie) Erasmus, Riana Janse van Rensburg
Clean stream Environmental Services cc
Fax no: 013 697 5021
E-mail: adie@cleanstreamsa.co.za



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Environmental Authorisation

Application number: 1/3/1/16/1N-48

Holder of Authorisation: REAL TIME INVESTMENTS 515
CC

NEAS reference number: MPP/EIA/0000134/2016

Location of activity: A PORTION OF THE
REMAINING EXTENT OF
PORTION 24 OF THE FARM
WONDERFONTEIN 428 JS,
WITHIN EMAKHAZENI 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 2014, the Department hereby authorises:

REAL TIME INVESTMENTS 515 CC
PO Box 25928
East Rand
1462

Attention: Mr Nicholas Ryan
Tel no: 011 740 6013
Fax no: 011 740 7394
E-mail: nicholas@chieftainafrika.com

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

The Proposed utilisation of a Portion of the Remaining Extent of Portion 24 of the farm Wonderfontein 428 JS for commercial purposes, within Emakhazeni Local Municipality, Mpumalanga Province at the following co-ordinates; 25° 48' 41.69" S and 29° 53' 20.16" E Activity 24 & 27 of Government Notice R983 of 04 December 2014

The applicant proposes to use the site (once rezoned) for the display and sale of agricultural equipment (e.g tractors, ploughs etc) and other ancillary uses.

The following infrastructure will be developed within the 11.01ha area

- Office and spares store (240m²) with visitors parking;
- Workshop (1000m²);
- Staff parking;
- Vehicle parking adjacent to the N4 national Road-this will consist of a 100mx50m earthen platform.

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 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 This activity must commence within a period of ten (10) 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 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 the National Appeal Regulations, 2014; 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 25th May 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 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 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.
- 3.18 All Employees must undergo the necessary safety training and wear the necessary protective clothing at all times.
- 3.19 During the course of the development, the developer and contractors must comply with all the relevant legislation, including the bylaws of Emakhazeni Local Municipality. Working hours must be confined between 07h00 to 17h00.
- 3.20 The Contractor must ensure that there is access to clean drinking water for all employees on site.
- 3.21 A First Aid Team must be trained and equipped with adequate equipment should a health and safety incident occur.
- 3.22 The Contractor must ensure that there is firefighting equipment on site at all times and that the equipment is readily available, accessible and functioning.
- 3.23 The contractor must not permit work teams to litter on the environment.
- 3.24 Construction workers must be supplied with chemical toilets. No pit latrines are allowed on site.
- 3.25 The Contractor must make sure that noise generating activities are minimized and that all equipments must be kept in good working order.
- 3.26 Construction vehicles are to make use of existing roads and tracks as far as possible.
- 3.27 The Contractor must ensure that the generation of dust is minimized and must implement a dust control programme to maintain a safe working environment.
- 3.28 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.
- 3.29 Storm water management infrastructure must be constructed and must form part of the proposed development.
- 3.30 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.
- 3.31 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

- 3.32 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.
- 3.33 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.

- 3.34 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, REAL TIME INVESTMENTS 515 CC, applied for authorisation to carry out the following activity:

The Proposed utilisation of a Portion of the Remaining Extent of Portion 24 of the farm Wonderfontein 428 JS for commercial purposes, within Emakhazeni Local Municipality, Mpumalanga Province at the following co-ordinates; 25° 48' 41.69" S and 29° 53' 20.16" E Activity 24 & 27 of Government Notice R983 of 04 December 2014.

The applicant proposes to use the site (once rezoned) for the display and sale of agricultural equipment (e.g tractors, ploughs etc) and other ancillary uses.

The following infrastructure will be developed within the 11.01ha area

- Office and spares store (240m²) with visitors parking;
- Workshop (1000m²);
- Staff parking;
- Vehicle parking adjacent to the N4 national Road-this will consist of a 100mx50m earthen platform.

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: Adrienne (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 24th May 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) Access to the site will be through the gravel road located to the north east of the site.
- b) The development has the potential to provide new job opportunities and this opportunity should be maximised as far as possible; locals will be the first to be considered for labour during the construction phase of the project and that will reduce the unemployment rate in the area.
- c) According to the Basic Assessment Report, the proposed development 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) Public participation was conducted and comments from I&APs were addressed.
- b) Water will be obtained from a borehole located on site and electricity will be supplied by Eskom as the project applicant has assured the Department that the account is already in place.
- c) The proposed site contains no environmentally sensitive features.
- d) No significant detrimental environmental impacts are anticipated, should the mitigation measures stipulated in the Basic Assessment 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. Authorization is accordingly granted. 