



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
UkuT huthukiswa kweeNdawo
zemaKhaya.

Enquires: ST Marebane
Reference: 1/3/1/16/4 G-06
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Thom Le Roux
GTF Trust
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2350

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Dear Sir,

AMENDMENT OF AN ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED ERMELO RESIDENTIAL TOWNSHIP ON PORTION 13 AND 188 OF THE FARM NOOITGEDACHT EXTENSION 39, ERMELO WITHIN THE JURISDICTION OF MSUKALIGWA LOCAL MUNICIPALITY: MPUMALANGA PROVINCE.

Your application on the above matter refers:

1. The Department has, in terms of the powers vested in it by regulation 33 of the Environmental Impact Assessment Regulations, 2014, decided to amend the Environmental Authorisation.
2. The nature of amendment
The amendment entails the paraphrasing of the title of the original environmental authorization to include the shopping centre on extension 40 (erf 16244) Ermelo.

The title must thus read as follows:

The establishment of residential township and shopping complex on portions 13 and 188 of the farm Nootgedacht extension 39 and 40 respectively, within the jurisdiction of Msukaligwa Local Municipality, Mpumalanga Province.

3. The factors considered in granting the amendment are:

a) The Public Participation Process.

Various issues and objections were raised during public participation process. Summary of the key issues is outlined below. These issues were raised by LEAP

- The original environmental authorisation does make reference to extension 40.
- Ambiguity relating to erf numbers;
- No maps were provided;
- Proof that the applicant holds water use license;
- Period not sufficient;




- The occurrence of the wetlands on site;
- Potential disturbance of ecological functionality on site.

b) The conclusions and recommendations of the Hydropology Based Wetland Assessment and Management Report conducted by J.H. van der Waals of South African Soil Surveyors Organisation dated 27 October 2015 incorporated in the additional information received in December 2015.

4. **Extended conditions for the development**

- 4.1 storm water management must consider:
- Speed of storm water entering the system from the development.
 - Must address possible pollution associated with the site.
 - Hydrocarbon and litter must be managed on site and completely prevented from entering the wetland areas.
- 4.2 Use endemic indigenous plants for landscaping.
- 4.3 Include signage to increase awareness of the wetland.
- 4.4 Provide litter pins correctly labelled.
- 4.5 Wetland must be cut off from the development with proper fencing.
- 4.6 The wetland areas must be delineated prior to the commencement of the outstanding activities.
- 4.7 The layout plan must be amended to allow a 30m buffer from the wetland areas.
- 4.8 Both the amended layout plan and the delineation documents must be submitted to the Department and any other relevant body at least **60 days** prior to commencement of the activities.
- 4.9 The buffer zones or open space must be preserved for ecological functioning.

5. **The Department's decision is informed by the following facts:**

- a) Contrary to the contention that extension 40 was not part of the original application and therefore not assessed for suitability, documentary evidence prevails to the effect that the site was assessed for the development. Appendix 1 of the Basic Assessment Report (BAR) prepared for the original application incorporates layout maps and information related to Nootgedacht extension 40.
- b) Maps were included in the BAR for the original application.
- c) Water Use Licence is required because the development is expected to encroach upon the wetland areas. This Department is not the competent authority in respect of this activity, further clarity should be sought from the relevant department.
- d) A 30 day review period was afforded to the Interested and Affected Parties. Proof was submitted. An additional e-mail from the Environmental assessment Practitioner substantively indicates that this period was allowed.
- e) The amendment application does not result in new listed activities being triggered.
- f) The anticipated impacts can be mitigated if all the measures in the Environmental Management Programme are implemented.
- g) The activity will still be located on the same footprint as assessed during the environmental impact assessment process.
- h) The proposed site is currently vacant, undeveloped and used as an illegal dumping site therefore the shopping centre will ensure sustainable development of the site. 

- i) The amendment was substantial in relation to the scope of the previous Environmental Authorisation.
6. The Environmental Management Programme (EMPr) incorporated in the Supplementary Document Report dated August 2015 must be adhered to.
7. All the other conditions as stipulated in the original environmental authorisation are still in force.
8. You are instructed in terms of regulation 10(2) of the Regulations to notify all registered interested and affected parties, in writing and within 12 days of the date of this letter, of the Department's decision to amend the Environmental Authorisation as well as the provisions regarding the making of appeals that are provided for in the regulations.
9. Your attention is drawn to Chapter 7 of the Regulations which regulates appeal procedures. Appeals may be lodged by means of one of the following methods:

By facsimile: (013) 766 6067/8

By post: Private Bag x 11219
Nelspruit
1200

By hand: Building 6, No 7 Government Boulevard,
Riverside Park
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1200

Yours sincerely



Mr. S.S. Maluleka
Chief Director: Environmental Affairs

Date: 10-05-2016

cc: Yolandi Schoeman
Baoberry
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