



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447- PRETORIA · 0001- Environment House · 473 Steve Biko Road, Arcadia, PRETORIA

DEA Reference: 14/12/16/3/3/1/1936

Enquiries: Ms Thabile Sangweni

Telephone: (012) 399 9409 **E-mail:** TSangweni@environment.gov.za

Ms Antionet van Wyk
South African National Parks
PO Box 787
PRETORIA
0002

Telephone Number: (012) 426 5126
Email Address: Antionet.vanwyk@sanparks.org

PER E-MAIL / MAIL

Dear Ms Van Wyk

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 326/327/324 FOR THE DEVELOPMENT OF THE PHALABORWA WILDLIFE ACTIVITY HUB AND ITS ASSOCIATED INFRASTRUCTURE IN THE KRUGER NATIONAL PARK WITHIN THE BA-PHALABORWA LOCAL MUNICIPALITY IN THE LIMPOPO PROVINCE

With reference to the above application, please be advised that the Department has decided to grant an environmental authorisation to you. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the National Environmental Management Act: the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing within 14 (fourteen) days of the date of this EA, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

Your attention is drawn to Chapter 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appealsdirector@environment.gov.za;

By hand: Environment House
473 Steve Biko Street
Arcadia
Pretoria
0083; or

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the NEMA, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with any activity authorised in the EA until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appealsdirector@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 11/03/2019

cc:	Mr C du Plessis	Enviroworks	Email: christoff@enviroworks.co.za
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environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014

The development of the Phalaborwa Wildlife Activity Hub and its associated infrastructure in the Kruger National Park within the Ba-Phalaborwa Local Municipality in the Limpopo Province

Mopani District Municipality

Authorisation register number:	<i>14/12/16/3/3/1/1936</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>South African National Parks</i>
Location of activity:	<i>Kruger National Park North No. 449 Ba-Phalaborwa Local Municipality Mopani District Municipality Limpopo Province</i>

This environmental 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.

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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 activities specified below.

Non-compliance with a condition of this environmental authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA Regulations.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2014 the Department hereby authorises –

SOUTH AFRICAN NATIONAL PARKS (SANPARKS)

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Ms Antionet van Wyk
South African National Parks
PO Box 787
PRETORIA
0002

Telephone Number: (012) 426 5126
Cell phone Number: (082) 905 4644
Email Address: Antionet.vanwyk@sanparks.org

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 (GN R. 327) and Listing Notice 3 (GN R. 984):

Activity number	Activity description
<p><u>GN R. 327 Activity 12:</u></p> <p><i>"The development of –</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs –</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback exist, within 32m of a watercourse, measured from the edge of a watercourse.</i></p>	<p>Sewage lines and power cables would need to cross through the river.</p>
<p><u>GN R. 327 Activity 19:</u></p> <p><i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal, or moving of soil, sand, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse..."</i></p>	<p>Sewage lines and power cables would need to cross through the river.</p>
<p><u>GN R. 327 Activity 27:</u></p> <p><i>"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation..."</i></p>	<p>The total development footprint will total 18,18 hectares.</p>
<p><u>GN R. 324 Activity 6:</u></p> <p><i>"The development of resorts, lodges, hotels and tourism or hospitality facilities that sleeps 15 people or more</i></p> <p><i>e. <u>In Limpopo</u></i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</i></p> <p><i>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority</i></p>	<p>The backpacker facility as well as the tent camp will provide for accommodation that sleeps more than 15 people.</p>

<p>(dd) Sites or areas identified in terms of an international convention;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(hh) Areas within a watercourse; or within 100 metres from the edge of a watercourse."</p>	
<p><u>GN R. 324 Activity 12:</u></p> <p>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>e. <u>In Limpopo</u></p> <p>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p> <p>iii. On land, where, at the time of the coming into effect of this Notice or thereafter such as land was zoned open space, conservation or had an equivalent zoning."</p>	<p>The total development area will be 18.18 hectares.</p>
<p><u>GN R. 324 Activity 14:</u></p> <p>The development of –</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</p> <p>where such development occurs –</p> <p>(a) within a watercourse;</p>	<p>Should Layout Alternative 2 be considered the Cool down Area (Phase 2), Bird view area (Phase 2), tent camp and backpackers will be situated within 32 metres of a watercourse.</p>

<p>(c) <i>if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse</i></p> <p>e. <u><i>In Limpopo</i></u></p> <p>i. <i>Outside urban areas:</i></p> <p>(aa) <i>A protected area identified in terms of NEMPAA, excluding conservancies;</i></p> <p>(dd) <i>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</i></p> <p>(ee) <i>Sites or areas identified in terms of an international convention;</i></p> <p>(ff) <i>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bio-regional plans."</i></p>	
<p><u>GN R. 324 Activity 17:</u></p> <p><i>"The expansion of a resort, lodge, hotel, tourism or hospitality facilities where the development footprint will be expanded and the expanded facility can accommodate an additional 15 people or more</i></p> <p>e. <u><i>In Limpopo</i></u></p> <p>i. <i>Outside urban areas:</i></p> <p>(aa) <i>A protected area identified in terms of NEMPAA, excluding conservancies;</i></p> <p>(cc) <i>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</i></p> <p>(dd) <i>Sites or areas identified in terms of an international convention;</i></p>	<p>The proposed development will be built in phases; however, the BAR includes the final development footprint once all construction is finished.</p>

<p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans."</i></p>	
<p><u>GN R. 324 Activity 23:</u> The expansion of – (ii) <i>infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs –</i> (a) <i>within a watercourse;</i> (c) <i>if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse</i> e. <u>in Limpopo</u> i. <u>Outside Urban Areas:</u> (aa) <i>A protected area identified in terms of NEMPAA, excluding conservancies;</i> (cc) <i>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</i> (dd) <i>Sites or areas identified in terms of an international convention;</i> (ee) <i>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans."</i></p>	<p>The proposed development will be built in phases; however, the BAR includes the final development footprint once all construction is finished.</p>

as described in the Basic Assessment Report (BAR) dated October 2018 at:

SG Codes	TOMT00000000044900000
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- for the development of the Phalaborwa Wildlife Activity Hub and its associated infrastructure in the Kruger National Park within the Ba-Phalaborwa Local Municipality in the Limpopo Province, hereafter referred to as "the property".

The Phalaborwa Wildlife Activity Hub will comprise the following:

- One Activity Hub Main Building (Development Footprint 20 000m²) constituting the following entities:
 - Eight (8) Kiosk Shops;
 - Two (2) Take Away Restaurants;
 - One (1) Ice Cream Shop;
 - One (1) General Shop;
 - An Information Centre;
 - Two (2) Admin Offices;
 - A sit down restaurant;
 - Ablution Facilities;
 - Six (6) Braai Areas;
 - An Amphitheatre; and,
 - A lobby.
- Backpacker Facility Area (Development Footprint 13 050m²) constituting of the following:
 - Six (6) backpacker facilities which can accommodate 72 tourists in total;
 - Six (6) braai area facilities; and,
 - Two (2) kitchen areas to cater for the guests.
- One Bird Viewing Areas (Development Footprint 8 550m² each) constituting of:
 - Ablution facilities;
 - Two (2) viewing containers; and,
 - A drop-off area.
- Two (2) Cool Down Areas (Development Footprint 4 500m²) constituting of:
 - Two (2) water fountains;
 - An Ablution Block;
 - Six (6) Braai's; and,
 - Three (3) Cool Down spray areas.
- A Rhino Orphanage (Development Footprint 23 200m²) entailing:
 - Two (2) waiting areas;
 - An Amphitheatre;
 - Six (6) viewing containers;
 - A Veterinary Clinic Area;
 - An Office and Information Centre; and,
 - Security Room.

- Entrance Gate (Development Footprint 7 225m²) constituting of:
 - A Parking Area (69 Car Bays and 5 Bus Bays) as the facility will be a park and go facility;
 - A Security Office with two (2) security boom gates;
 - An Information Centre;
 - Reception Area;
 - Two (2) admin Offices;
 - Ablution Facilities,
 - Golf Cart Parking,
 - Public Seating, and,
 - A Public Waiting Area.
- Eight (8) Public Areas (Combined Development Footprint 25 106m²) entailing:
 - Braai Areas;
 - Picnic Sites; and,
 - Ablution Facilities.
- Specific Activities Area (Total Development Footprint 21 653m²) and may include (to be finalised):
 - Archery activities;
 - Game drives;
 - Restaurants;
 - Entertainment Areas; and,
 - Spa's.
- Tent Camp (Development Footprint 3 000m²) and includes:
 - Seven tents sleeping two people each.
- Swimming pool (Development Footprint 156m²):
 - The swimming pool will have a radius of five meters (5m) surrounded by two meters (2m) of brick pavement.

Technical details of the proposed facility:

Component	Description/ Dimensions	
Location of the site	Kruger National Park North No. 449	
SG Codes	TOMT00000000044900000	
Preferred Layout Alternative	Layout Alternative 1	
Description	Lat (DDMMSS)	Long (DDMMSS)
Activity Hub	23° 57' 23.31" S	31° 10' 11.77" E
Backpackers	23° 57' 16.65" S	31° 10' 14.43" E

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Entrance Gate Phase 1	23° 56' 48.87" S	31° 09' 56.96" E
Cooldown Area Phase 1	23° 57' 19.13" S	31° 10' 04.59" E
Cooldown Area Phase 2	23° 57' 04.34" S	31° 09' 58.19" E
Public Area Phase 1	23° 57' 07.13" S	31° 10' 04.85" E
Public Area Phase 1 (2)	23° 57' 18.89" S	31° 10' 17.93" E
Public Area Phase 2	23° 57' 44.48" S	31° 10' 31.72" E
Bird Park Phase 1	23° 57' 38.25" S	31° 10' 36.14" E
Specific Activities Area Phase 1	23° 57' 41.32" S	31° 10' 24.07" E
Tent 1	23° 57' 28.91" S	31° 10' 30.50" E
Tent 2	23° 57' 30.11" S	31° 10' 31.49" E
Tent 3	23° 57' 31.21" S	31° 10' 32.63" E
Tent 4	23° 57' 32.80" S	31° 10' 32.94" E
Tent 5	23° 57' 33.77" S	31° 10' 31.64" E
Tent 6	23° 57' 32.53" S	31° 10' 30.87" E
Tent 7	23° 57' 31.22" S	31° 10' 30.23" E
Rhino Orphanage	23° 57' 53.17" S	31° 10' 27.96" E
Heritage Structure	23° 57' 28.94" S	31° 10' 13.66" E

Conditions of this Environmental Authorisation

Scope of authorisation

1. The Phalaborwa Wildlife Activity Hub and its associated infrastructure in the Kruger National Park within the Ba-Phalaborwa Local Municipality in the Limpopo Province as described above is hereby approved.
2. Authorisation of the activity is subject to the conditions contained in this environmental authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this environmental 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 environmental authorisation in terms of the regulations.

6. The holder of an environmental authorisation must apply for an amendment of the environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of five (05) years from the date of issue of this environmental authorisation. 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.
8. Construction must be completed within five (05) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

10. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
11. The notification referred to must –
 - 11.1. specify the date on which the authorisation was issued;
 - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 11.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

12. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any

provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

13. The final layout plan title: Proposed development of the Phalaborwa Wildlife Activity Hub, Kruger National Park, Limpopo Province (Preferred Layout), prepared by Enviroworks dated February 17 is approved.
14. The Environmental Management Programme (EMPr) compiled by Enviroworks that was integrated as part of the BAR dated October 2018, is approved.
15. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
16. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

Frequency and process of updating the EMPr

17. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 24 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the Environmental Authorisation or EMPr.
18. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R982 of 04 December 2014, as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
20. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R982 of 04 December 2014, as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
21. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. In assessing whether to grant such approval or not, the Department will

consider the processes and requirements prescribed in Regulation 37 of GN R982 of 04 December 2014, as amended.

Monitoring

22. The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
 - 22.1. The ECO must be appointed before commencement of any authorised activities.
 - 22.2. Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.
 - 22.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 22.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

23. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this Environmental Authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
24. The holder of the Environmental Authorisation must, for the period during which the Environmental Authorisation and EMPr remain valid, ensure that project compliance with the conditions of the Environmental Authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.
25. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R982 of 04 December 2014, as amended.
26. The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.

27. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014, as amended, 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 Environmental Authorisation conditions as well as the requirements of the approved EMPr.
28. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and Competent Authority in respect of this development.

Notification to authorities

29. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. 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, as well as a reference number.

Operation of the activity

30. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

31. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

Specific conditions

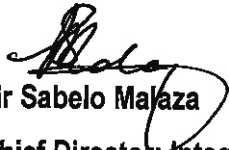
32. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of any indigenous protected and endangered plant and animal species if required.
33. No temporary accommodation or temporary storage facilities must be placed within 100m of any watercourse, including drainage lines and dams.
34. Ablution facilities must be placed outside of the 1:100 year floodline of a watercourse.
35. No exotic plants may be used for rehabilitation purposes. Only indigenous plants occurring within a ten (10) kilometre radius of the development site must be utilised.

36. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
37. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
38. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate.
39. Any solid waste, which will not be recycled, must be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No. 59 of 2008). No waste material may be left on site after construction.
40. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell and charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are found during construction, the South African Heritage Resources Agency (SAHRA) must be alerted immediately, and a professional archaeologist or palaeontologist, must be contacted to inspect the findings.
41. The recommendations of the EAP in the Basic Assessment Report dated October 2018 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.

General

42. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 42.1. at the site of the authorised activity;
 - 42.2. to anyone on request; and
 - 42.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
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 holder of the authorisation or his/her 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 holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 11/03/2019



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The listed activities as applied for in the application form received on 02 August 2018.
- b) The information contained in the BAR dated October 2018.
- c) The comments received from the Limpopo Department of Economic Development, Environment and Tourism, the Department of Environmental Affairs: Protected Areas, the Department of Environmental Affairs: Biodiversity & Conservation and interested and affected parties as included in the BAR dated October 2018.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated October 2018 and as appears below:

Title	Prepared by	Date
Ecological Impact Assessment	Enviro-Niche Consulting	December 2016
Geo-Hydrological Impact Assessment	Eco-Con Environmental	June 2018
Heritage Impact Assessment	L Rossouw	January 2017
Traffic Impact Statement	BVI Consulting Engineers	February 2018
Visual Impact Assessment	Enviroworks	January 2017

2. 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 findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The Phalaborwa Wildlife Activity Hub will serve as a gathering point from where services will extend into the Town of Phalaborwa, raising the economy of the town.
- c) The BAR dated October 2018 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The methodology used in assessing the potential impacts identified in the BAR dated October 2018 and the specialist studies have been adequately indicated.

- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 for public involvement.

3. Findings

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

- a) The identification and assessment of impacts are detailed in the BAR dated October 2018 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) The information contained in the BAR dated October 2018 is deemed to be accurate and credible.
- e) EMP measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.