



## **environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia, · PRETORIA  
Tel (+ 27 12) 399 9372

**DEA Reference:** 14/12/16/3/3/1/1730

**Enquiries:** Mr Vincent Chauke

**Telephone:** (012) 399 9399 **E-mail:** [VChauke@environment.gov.za](mailto:VChauke@environment.gov.za)

Mr Glenn Phillips  
South African National Parks  
Private Bag X402  
**SKUKUZA**  
1350

Telephone Number: (013) 735 4000  
E-mail Address: [Glenn.Phillips@sanparks.org](mailto:Glenn.Phillips@sanparks.org)

### **PER E-MAIL / MAIL**

Dear Mr Phillips

#### **APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983/985 FOR THE SHANGONI GATE DEVELOPMENT SITUATED WITHIN THE KRUGER NATIONAL PARK, GREATER GIYANI LOCAL MUNICIPALITY AND LIM 345 LOCAL MUNICIPALITY IN THE LIMPOPO PROVINCE**

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

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

Your attention is drawn to Chapter 2 of Government Notice No. R.993, which prescribes the appeal procedure to be followed. Kindly include a copy of this document with the letter of notification to interested and affected parties.

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:**

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

**By email:** [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za);

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

**By post:** Private Bag X447,  
Pretoria,  
0001;

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, 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 the activity 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](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za).

Yours faithfully



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

**Date:** 05/09/2019

cc:	Mr Thabang Seleke	Envirovolution Consulting	Email: <a href="mailto:thabang@envirovolution.co.za">thabang@envirovolution.co.za</a>
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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 Shangoni Gate development situated within the Kruger National Park, Greater Giyani Local Municipality and LIM 345 Local Municipality in the Limpopo Province

Mopani District Municipality and Vhembe District Municipality

<b>Authorisation register number:</b>	<i>14/12/16/3/3/1/1730</i>
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	<i>South African National Parks (SANParks)</i>
<b>Location of activity:</b>	<i>Kruger National Park North No. 449 – MT; Portion 449; Greater Giyani Local Municipality and LIM 345 Local Municipality; Mopani District Municipality and Vhembe District Municipality; Limpopo Province</i>

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.

## 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, as amended, the Department hereby authorises –

### **SOUTH AFRICAN NATIONAL PARKS (SANParks)**

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

with the following contact details –

Mr Glenn Phillips  
South African National Parks  
Private Bag X402  
**SKUKUZA**  
1350

Telephone Number: (013) 735 4000  
Fax Number: (013) 753 4045  
E-mail Address: [Glenn.Phillips@sanparks.org](mailto:Glenn.Phillips@sanparks.org)

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1 and Listing Notice 3 (GN R. 983, and 985), as amended:

Activity number	Activity description
<p><u>GN R 983 Item 9:</u></p> <p><i>"The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</i></p> <p><i>(i) with an internal diameter of 0,36 metres or more; and</i></p> <p><i>(ii) with a peak throughput of 120 litres per second or more;</i></p> <p><i>excluding where—</i></p> <p><i>(a) Such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</i></p> <p><i>(b) Where such development will occur within an urban area."</i></p>	<p>The project will entail some water reticulation pipes from existing boreholes longer than 1 000m with internal diameters larger than 0.36 metres and some will have a peak throughput of 120 litres per second or more.</p>
<p><u>GN R. 983 Item 10:</u></p> <p><i>"The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes –</i></p> <p><i>(i) with an internal diameter of 0,36 metres or more; and</i></p> <p><i>(ii) with a peak throughput of 120 litres per second or more;</i></p> <p><i>excluding where—</i></p> <p><i>(a) such infrastructure is for the bulk transportation of sewage, effluent, process water, waste water,</i></p>	<p>Some sewerage reticulation pipes to and from septic tanks will be longer than 1 000m in length with internal diameters larger than 0.36 metres and some will have a peak throughput of 120 litres per second or more.</p>

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<p><i>return water, industrial discharge or slimes inside a road reserve or railway line reserve; or</i>  <i>(b) Where such development will occur within an urban area.”</i></p>	
<p><u>GN R. 983 Item 12:</u>  <i>“The development of—</i>  <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i>   <i>where such development occurs—</i>  <i>a) within a watercourse; and</i>  <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</i>   <i>excluding—</i>  <i>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i>  <i>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</i>  <i>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</i>  <i>(dd) where such development occurs within an urban area;</i>  <i>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</i>  <i>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the</i></p>	<p>All the bridges and river crossings combined, and other drainage lines to be developed for the proposed project will exceed 100m<sup>2</sup> in size; will have a total footprint of more than 100m<sup>2</sup> and also will be located within a watercourse and within 32 metres of a watercourse, measured from the edge of a watercourse.</p> <p>Additionally, the proposed Shangoni Gate building facilities will also be more than 100m<sup>2</sup> in size within a watercourse and within 32 metres of a watercourse, measured from the edge of a watercourse.</p>

<p><i>commencement of development and where indigenous vegetation will not be cleared."</i></p>	
<p><u>GN R. 983 Item 19:</u>  <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, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i>   <i>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</i>  <i>(a) will occur behind a development setback;</i>  <i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i>  <i>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i>  <i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i>  <i>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies."</i></p>	<p>The project will have a development footprint of approximately 3245m<sup>2</sup> and more than 300 square metres of indigenous vegetation will be cleared.</p>
<p><u>GN R. 983 Item 24:</u>  <i>"The development of a road—</i>  <i>(ii) With a reserve wider than 13, 5 meters, or where no reserve exists where the road is wider than 8 metres."</i></p>	<p>The proposed road to be developed and upgraded for the proposed Shangoni Gate will be wider than 8 metres with a reserve wider than 13, 5 metres.</p>

<p><u>GN R. 983 Item 25:</u></p> <p><i>"The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of more than 2 000 cubic metres but less than 15 000 cubic metres."</i></p>	<p>Reed beds associated to septic tanks will be established within the proposed development for the treatment of effluent, wastewater and/or sewage with a daily throughput capacity of more than 2 000 cubic metres but less than 15 000 cubic metres.</p>
<p><u>GN R. 983 Item 27:</u></p> <p><i>"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</i></p> <p><i>(i) The undertaking of a linear activity; or</i></p> <p><i>(ii) Maintenance purposes undertaken in accordance with a maintenance management plan."</i></p>	<p>The proposed project will require the clearance of an area of more than 1ha of indigenous vegetation but less than 20 hectares of indigenous vegetation.</p>
<p><u>GN R. 983 Item 30:</u></p> <p><i>"Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)."</i></p>	<p>The proposed project is identified in terms of section 53 (1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).</p>
<p><u>GN R. 985 Item 4:</u></p> <p><i>"The development of a road wider than 4 metres with a reserve less than 13, 5 metres.</i></p> <p><b>e. Limpopo</b></p> <p><i>i. Outside urban areas:</i></p> <p><i>(aa) A protected area identified in terms of NEMPAA, excluding disturbed areas."</i></p>	<p>The road upgrade alignment will be wider than 4 metres and will have a reserve less than 13, 5 metres inside a protected area identified in terms of NEMPAA, the Kruger National Park.</p>
<p><u>GN R. 985 Item 6:</u></p> <p><i>"The development of <u>tourism or hospitality facilities</u> that sleeps 15 people or more.</i></p> <p><b>(e) In Limpopo</b></p> <p><i>i. Outside urban areas, in:</i></p> <p><i>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</i></p>	<p>The proposed Shangoni Gate development will entail the establishment of 12 rustic tented camps and 12 camping sites where guests can sleep overnight in a protected area identified in terms of NEMPAA and within 100 metres from the edge of a watercourse.</p>

<p><i>(hh) Areas within a watercourse; or within 100 metres from the edge of a watercourse."</i></p>	
<p><u>GN R. 985 Item 12:</u>  <i>"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.</i></p> <p><b>(e) In Limpopo</b></p> <p><i>iii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning."</i></p>	<p>Clearance of more than 300 square metres or more of indigenous vegetation will be required for the entire Shangoni gate development and maintenance related activities in accordance to a maintenance management plan that is in line with the Kruger National Park Management Plan within the Kruger National Park which is classified as a protected area.</p>
<p><u>GN R. 985 Item 14:</u>  <i>"The development of—</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 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 has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p><i>excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</i></p> <p><b>e. Limpopo</b></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>All bridges to be constructed over the Shingwedzi River, Tshanga Tributary and other drainage lines will exceed 10 square metres in size. Furthermore, some buildings associated with the proposed development will also exceed 10 square metres and will be within and 32m of a watercourse in the Kruger National Park.</p>

<p><b>GN R. 985 Item 18:</b>  <i>"The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</i>  <b>e. Limpopo</b>  <i>i. Outside urban areas:</i>                  (aa) A protected area identified in terms of NEMPAA, excluding conservancies;                  (hh) Areas within a watercourse; or within 100 metres from the edge of a watercourse."</p>	<p>The gravel road to be upgraded will be widened by more than 4 metres and/or will be lengthened by more than one kilometre within a protected area (the Kruger National Park), within a watercourse and within 100 metres from the edge of a watercourse.</p>
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as described in the Basic Assessment Report (BAR) dated July 2017 at:

**Farm name and number:** Kruger National Park North No. 449 – MT.

**Portion:** 449.

**21 SG Codes:**

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**Gate:**

Preferred alternative	Latitude	Longitude
Gate position	23° 08' 40.045" S	30° 55' 52.968" E
	23° 08' 40.046" S	30° 55' 56.483" E
	23° 08' 43.297" S	30° 55' 56.485" E
	23° 08' 43.299" S	30° 55' 52.970" E

**Reception facility:**

Preferred alternative	Latitude	Longitude
Reception	23° 08' 32.173" S	30° 56' 12.090" E
	23° 08' 32.174" S	30° 56' 15.605" E
	23° 08' 35.425" S	30° 56' 15.607" E
	23° 08' 35.427" S	30° 56' 12.091" E

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**Picnic:**

Preferred alternative	Latitude	Longitude
Picnic site	23° 10' 40.067" S	31° 02' 20.674" E
	23° 10' 40.066" S	31° 02' 24.190" E
	23° 10' 43.316" S	31° 02' 24.194" E
	23° 10' 43.320" S	31° 02' 20.678" E

**Camping site:**

Preferred alternative	Latitude	Longitude
Camping site	23° 11' 45.766" S	31°02' 08.054" E
	23° 11' 45.765" S	31°02' 11.570" E
	23° 11' 49.016" S	31°02' 11.574" E
	23° 11' 49.020" S	31°02' 08.058" E

**Tented Camps:**

Preferred alternative	Latitude	Longitude
Tented Camps	23° 11' 32.366" S	31° 01' 32.827" E
	23° 11' 32.365" S	31° 01' 36.343" E
	23° 11' 35.616" S	31° 01' 36.347" E
	23° 11' 35.620" S	31° 01' 32.831" E

**Tarred access road and its associated bridges (gravel road to be upgraded):**

Activity	Latitude	Longitude
Starting point of the activity	23° 08' 40.20"S	30° 55' 53.60"E
Middle point of the activity	23° 10' 07.85"S	31° 07' 33.47"E
End point of the activity	23° 10' 46.09"S	31° 19' 20.98"E

**Loop road along Shingwedzi River Loop:**

Activity	Latitude	Longitude
Starting point of the activity	23° 10' 21.52"S	31° 01' 22.83"E
Middle point of the activity	23° 11' 47.36"S	31° 02' 09.96"E
End point of the activity	23° 10' 27.81"S	31° 02' 12.81"E

- for the Shangoni Gate development situated within the Kruger National Park, Greater Giyani Local Municipality and LIM 345 Local Municipality in the Limpopo Province, hereafter referred to as "the property".

The project will comprise the following:

- Shangoni visitor's entrance gate.
- Reception facility.
- Tarred access road and its associated bridge crossing.
- Picnic site.
- Tented camp.
- Camping site.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The preferred alternatives for the Gate entrance position, bridge crossings (Shingwedzi River and Tshanga Tributary), reception facility, picnic area, tented camp site, camp site, new tarred access road and its associated bridges and the loop road along the Shingwedzi River loop for the proposed Shangoni Gate development situated within the Kruger National Park, Greater Giyani Local Municipality and LIM 345 Local Municipality in the Limpopo Province is hereby approved as per the geographic coordinates.
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 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. provide the reasons of the competent authority for the decision.
12. The holder of the authorisation must publish a notice –
  - 12.1. informing interested and affected parties of the decision;
  - 12.2. informing interested and affected parties where the decision can be accessed; and
  - 12.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in terms of the National Appeal Regulations, 2014.

#### **Commencement of the activity**

13. 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**

14. The Environmental Management Programme (EMPr) submitted as part of the application for environmental authorisation is hereby approved.
15. The EMPr must be implemented and strictly enforced during all phases of the project.
16. The EMPr must be seen as a dynamic document and must be included in all contract documentation for all phases of the development.
17. The provisions of the EMPr are an extension to the conditions of the environmental authorisation and therefore non-compliance with the EMPr shall constitute non-compliance with the environmental authorisation.

### **Frequency and process of updating the EMPr**

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 28 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.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982, 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.
21. 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 R. 982, 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.
22. 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 R. 982, as amended.

## Monitoring

23. 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.
  - 23.1. The ECO must be appointed before commencement of any authorised activities.
  - 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
  - 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 23.4. 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

24. 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.
25. 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.
26. 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 R. 982, as amended.
27. The holder of the authorisation must, in addition, submit 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.
28. 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.

29. 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**

30. 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**

31. 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**

32. 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**

33. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation (DWS).
34. The holder of the environmental authorisation must ensure all units are developed outside the 100 year flood line.
35. The holder of the environmental authorisation must ensure that a minimum buffer of 100 m from the edge of the ephemeral river boundaries and 50 m from the edge of the episodic river boundaries is maintained.
36. Units must be spaced in such a way that the open spaces in the bush within the approved site are fully utilized in order to minimise damage, disturb, cut or destroy of any trees which could act as a visual buffer between units. This must be done in conjunction with the ecological specialist.
37. The holder of this environmental authorisation must restrict the construction activities to the footprint area.

38. The holder of this environmental authorisation must take note that no temporary site camps will be allowed outside the footprint of the development area as the establishment of such structures might trigger a listed activity as defined in the Environmental Impact Assessment Regulations, 2014, as amended.
  39. Construction activities must be restricted to demarcated areas in order to restrict impacts on sensitive environmental features (e.g. Shingwedzi River).
  40. Relevant permits must be obtained from relevant authorities for any removal or destruction of Threatened or Protected Species (TOPs).
  41. Before the clearing of the site, the appropriate permits must be obtained from the Department of Agriculture, Forestry and Fisheries (DAFF) for the removal of plants listed in the National Forest Act and from the relevant provincial department for the destruction of species protected in terms of the specific provincial legislation. Copies of the permits must be kept by the ECO.
  42. During construction, the holder of the authorisation must ensure that light is limited and discouraged on site after hours to minimise visual impacts.
  43. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities shall be undertaken according to the rehabilitation plan indicated in the final EMPr.
  44. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
  45. No exotic plants must be used for rehabilitation purposes; only indigenous plants of the area must be utilised.
  46. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).
  47. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but must be temporarily stored in a demarcated area.
  48. Contractors and construction workers must be clearly informed of the 'no-go' areas. The 'no-go' areas must be clearly demarcated and must be avoided.
  49. Disturbed areas must be rehabilitated as soon as possible after construction with locally indigenous plants to enhance the conservation of existing natural vegetation on site.
  50. Watercourses outside the approved footprint of the Shingwedzi River and Tshanga Tributary must be treated as 'no-go' areas and demarcated as such. No vehicles, machinery, personnel, construction material, fuel, oil, bitumen or waste must be allowed into these areas without the express permission of and supervision of the ECO, except for rehabilitation work in these areas.
  51. The holder of the authorisation must ensure that the aquatic species within the Shingwedzi River and Tshanga Tributary are not affected by the development.
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52. No discharge of effluents or polluted water must be allowed into the Shingwedzi River and Tshanga Tributary.
53. The ECO must conduct a routine monitoring of the site for any spillages and water pollution / contamination that can have potential impacts on fauna and flora.
54. Workers must be made aware of the importance of not polluting the Shingwedzi River and Tshanga Tributary and of not undertaking activities that could result in such pollution, and this awareness must be promoted throughout the construction phase.
55. Workers must be made aware of the importance of not destroying or damaging the vegetation along Shingwedzi River and Tshanga Tributary and this awareness must be promoted throughout the construction phase.
56. Existing road infrastructure must be used for providing access to the site.
57. Signs must be placed along construction road to identify speed limits, travel restrictions, and other standard traffic control information.
58. All construction vehicles must adhere to a low speed limit to avoid collisions with vulnerable species such as snakes and tortoises within the Park.
59. Animals crossing the road must always be given a right of way.
60. Hunting is not permitted within the Kruger National Park.
61. No unlicensed fishing shall be permitted on site, Viz; Shingwedzi River and Tshanga Tributary.
62. The holder of the environmental authorisation must ensure that all equipment and machinery are well maintained and equipped with silencers.
63. No unsupervised open fires for cooking or heating must be allowed on site and within the Park.
64. Appropriate dust suppression techniques must be implemented on all exposed surfaces to minimise and control airborne dust. Such measures must include amongst others wet suppression, chemical stabilisation, the use of a wind fence, covering surfaces with straw chippings and re-vegetation of open areas.
65. Hazardous waste such as bitumen, oils, oily rags, paint tins etc. must be disposed of at an approved waste landfill site licensed to accept such waste.
66. No dumping or temporary storage of any materials may take place outside designated and demarcated laydown areas, and these must all be located within areas of low environmental sensitivity.
67. Hazardous substances must not be stored where there could be accidental leakage into the surface or Shingwedzi River and Tshanga Tributary.
68. Leakage of fuel must be avoided at all times and if spillage occurs, it must be remedied immediately.
69. Spill kits must be made available on-site for the clean-up of spills.

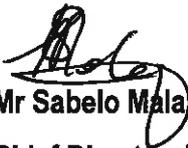
70. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options where appropriate. Where solid waste is disposed of, such disposal shall only occur at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).
71. On site chemical ablution facilities must be available for the use of construction workers at the times during the construction period.
72. The ablution facilities must be removed from the site when the construction phase is completed as well as associated waste to be disposed of at a registered waste site.
73. The ablution facilities must be placed far enough away from the Shingwedzi River and Tshanga Tributary to prevent any pollution of the streams.
74. If concentrations of archaeological heritage material, fossils and human remains are uncovered during construction, all work must cease immediately and be reported to the South African Heritage Resources Agency (SAHRA), or a qualified archaeologist must be informed of such discovery so that a systematic and professional investigation / excavation can be undertaken.
75. Construction managers/foremen must be informed before construction starts of the possible types of heritage sites and cultural material that may be encountered and the procedures to follow when they find sites.
76. The holder of this environmental authorisation must draw up a maintenance management plan which is in line with the approved management plan of the Park for maintenance purposes. The maintenance management plan must be submitted for approval by this Department prior to commencement of construction of any activities on site.

## **General**

77. The recommendations of the EAP in the final BAR dated July 2017 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.
78. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
  - 78.1. at the site of the authorised activity;
  - 78.2. to anyone on request; and

- 78.3. Where the holder of the environmental authorisation has a website, on such publicly accessible website.
79. 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: 05/09/2019



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 amended application form received on 12 July 2017.
- b) The information contained in the final BAR dated July 2017.
- c) The comments received from the National Department of Environmental Affairs: Directorate responsible for Protected Areas Planning, Legislation, Compliance and Monitoring, Greater Giyani Local Municipality, LIM 345 Local Municipality, SAHRA and various registered Interested and Affected Parties as included in the final BAR dated July 2017.
- d) Mitigation measures as proposed in the final BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the final BAR dated July 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 need for the proposed project aims to:
  - Provide the neighbouring areas and communities an easier access to the Kruger National Park.
  - The proposed development will provide much needed employment and business opportunities to the surrounding communities.
  - This development will to stimulate socio-economic development among communities in the region.
- c) The benefits of the project to the area as presented in the final BAR.
- d) The final BAR dated July 2017 identified all legislation and guidelines that have been considered in the preparation of the final BAR dated July 2017.
- e) The methodology used in assessing the potential impacts identified in the final BAR dated July 2017 and the specialist studies have been adequately indicated.

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

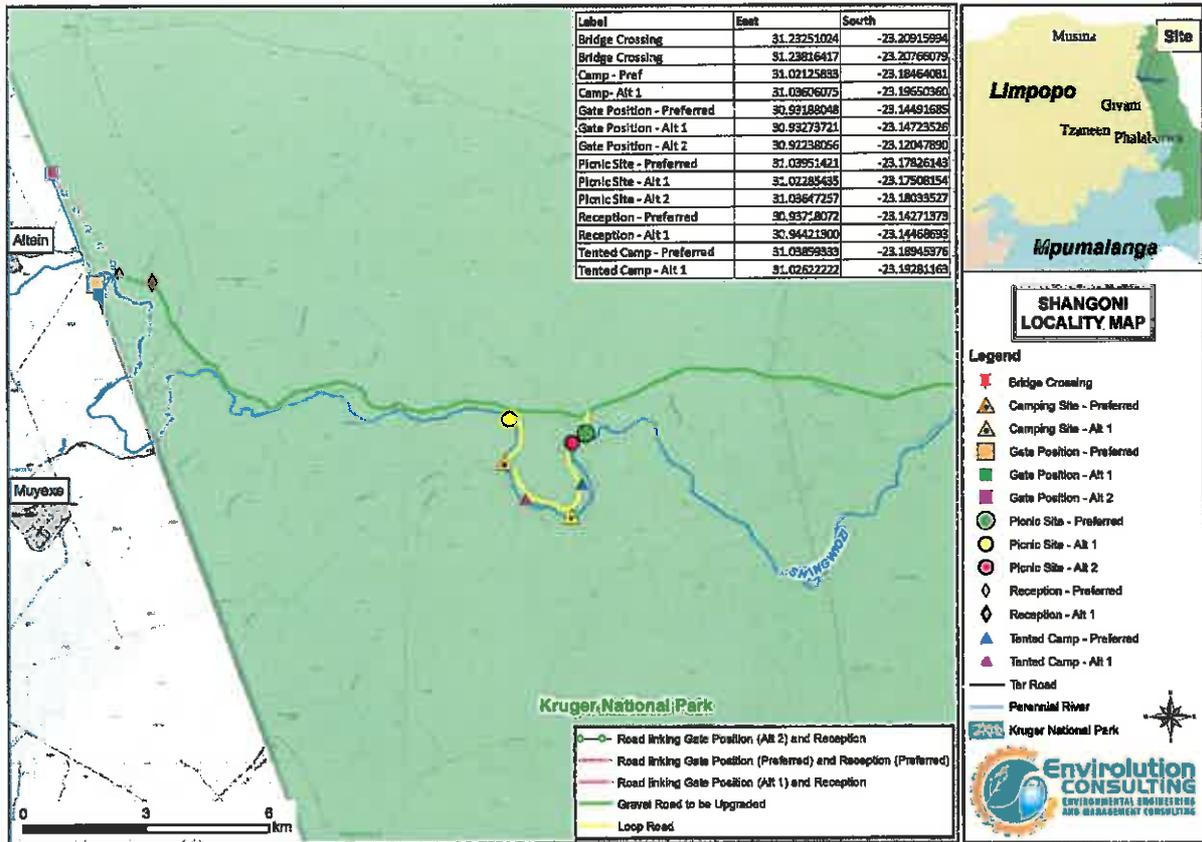
### **3. Findings**

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 final BAR dated July 2017 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 information contained in the final BAR dated July 2017 is deemed to be accurate and credible.
- d) The findings of the site inspection held on 30 March 2017.
- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) EMPr measures for the pre-construction, construction, operation and rehabilitation phases of the development were proposed and included in the final 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.

## Annexure 2: Locality map



# Shangoni 1: 100 year Floodline

