



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/1/1694

Enquiries: Mr Vincent Chauke

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Mr Mark Witney
Singita Lebombo (Pty) Ltd
PO Box 23367
CLAREMONT
7735

Telephone number: (021) 683 3424
Cell phone number: (083) 661 7050
Email address: Mark.W@singita.com

PER EMAIL / MAIL

Dear Mr Witney

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/985: THE EXPANSION AND REFURBISHMENT OF THE SINGITA SWENI LODGE SITUATED WITHIN THE EHLANZENI DISTRICT MUNICIPALITY IN MPUMALANGA 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), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision in respect of your application as well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.

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;

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

M.S

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 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: 13/02/2017

| | | | |
|-----|---------------------------|---------------------------------|---|
| CC: | Ms Mette Stavnsbo Rossaak | Emross Consulting (Pty) Ltd | Email: mette@emross.co.za |
| | Robyn Luyt | Mpumalanga DARDL & EA | Email: rluyt@mpg.gov.za |
| | Mr Thapelo Shabangu | Ehlanzeni District Municipality | Email: stshabangu@ehlanzeni.gov.za |
| | Ms Tracy-Lee Petersen | SANParks | Email: tracy.petersen@sanparks.org |



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

The expansion and refurbishment of the Singita Sweni Lodge situated within the Mpumalanga Province

Ehlanzeni District Municipality

| | |
|---------------------------------------|---|
| Authorisation register number: | <i>14/12/16/3/3/1/1694</i> |
| Last amended: | <i>First issue</i> |
| Holder of authorisation: | <i>Singita Lebombo (Pty) Ltd</i> |
| Location of activity: | <i>Kruger National Park: Mpumalanga 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.

M.S

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 –

Singita Lebombo (Pty) Ltd

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

with the following contact details –

Mr Mark Witney
Singita Lebombo (Pty) Ltd
PO Box 23367
CLAREMONT
7735

Telephone number: (021) 683 3424
Cell phone number: (083) 661 7050
Fax number: (021) 683 3502
Email address: Mark.W@singita.com

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

| Listed activities | Activity/Project description |
|--|--|
| <p><u>GN R. 985 No. 14</u></p> <p><i>"The development of-</i></p> <p><i>(xii) 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>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p> <p>(a) In Mpumalanga:</p> <p><i>ii. Outside urban areas, in:</i></p> <p><i>(aa) A protected area identified in terms of NEMPAA".</i></p> | <p>The construction of a new swimming pool will be constructed along the front deck of the lodge.</p> |
| <p><u>GN R. 985 No. 17</u></p> <p><i>"The expansion of a resort, lodge, hotel and tourism or hospitality facilities where the development footprint will be expanded.</i></p> <p>(a) In Mpumalanga Province:</p> <p><i>ii. Outside urban areas, in:</i></p> <p><i>(aa) A protected area identified in terms of NEMPAA".</i></p> | <p>The proposal is to expand unit 1 to a family unit to accommodate 4 people. The footprint of the unit will increase by approximately 320m².</p> |

As described in the Basic Assessment Report (BAR) dated 12 December 2016 at:

21 digit Surveyor General Code, farm name and portion number:

| 21 Digit Surveyor General code | Farm name |
|--------------------------------|--------------|
| TOKU00000000019300000 | Merton 193KU |

| Alternative 1 (Preferred) | Latitude (DDMMSS) | Longitude (DDMMSS) |
|-----------------------------------|-------------------|--------------------|
| Exclusive use family unit, unit 1 | 24° 27' 11.21" S | 31° 58' 51.68" E |
| Location of new pool | 24° 27' 14.46" S | 31° 58' 50.34" E |

The location indicated in the locality plan, attached as Annexure 2 of this authorisation.

- For the expansion and refurbishment of the Singita Sweni Lodge situated within the Kruger National Park, Mpumalanga Province, hereafter referred to as "the property".

The proposed project will comprise of the following:

1. Expansion of unit one (1) to a villa.

The villa will comprise of the following:

- An additional two bed unit;
- A communal area with eating area;
- A lounge;
- A deck; and
- A pool.

The total footprint of the villa including the existing unit (unit 1) will be approximately 435m².

2. Relocation of existing swimming pool.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred alternative, for the expansion and refurbishment of the Singita Sweni Lodge situated within the Mpumalanga Province is approved as per the geographic coordinates cited at the table reflected in page 3 above.
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 and no appeal has been lodged against the decision. 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 approved.
15. The EMPr must be implemented and strictly enforced during all phases of the project. It must be seen as a dynamic document and must be included in all contract documentation for all phases of the development when approved.
16. Should the holder of this environmental authorisation propose any changes to the EMPr, the holder of this environmental authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant competent authority.
17. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAR be discovered.

Frequency and process of updating the EMPr

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 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. 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. 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. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. 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.

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 at:
Directorcompliance@environment.gov.za.
 - 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 at Directorcompliance@environment.gov.za.
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 at Directorcompliance@environment.gov.za.
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.
27. 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.
28. The environmental audit reports must be compiled in accordance with appendix 7 of the EIA Regulations, 2014 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. The ECO must be present for the site preparation activities to ensure the correct demarcation of "no-go" areas, facilitate environmental induction with all construction staff during the site preparation.
34. 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 (protected and none-protected) and within the Sweni River.
35. No activities, which require a water use authorisation, must be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation (DWS).
36. Necessary permits for threatened or protected species (ToPS) listed within the study area must be obtained prior commencement of work. Copies of the permits must be kept by the ECO.
37. Formal consultations and approval from the South African National Parks (SANParks) must be obtained prior to the removal of any trees (protected and non-protected).
38. The development footprint must be limited to the areas required for actual construction works. Operational and construction activities must be restricted to demarcated areas to restrict the impact on sensitive environmental features.
39. Vegetation clearing must be limited to the required footprint. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.

40. Areas outside of the footprint, including sensitive areas and buffer areas, must be clearly demarcated using appropriate and visible signage, before construction commences and must be regarded as "no-go" areas.
41. Contractors and construction workers must be clearly informed regarding the "no-go" areas.
42. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs sourced from a reliable source clear of alien seeds. Reclamation activities shall be undertaken according to the EMPr.
43. Anti-erosion measures such as silt fences must be installed in all disturbed areas.
44. No exotic plants may be used for rehabilitation purposes, only indigenous plants, found within a 10km radius of the site, may be utilised.
45. If any heritage resources are identified on site, including graves or human remains, the work on that specific area must stop and the finds must reported to South African Heritage Resources Agency (SAHRA)
46. No discharge of effluents or polluted water must be allowed into the Sweni River or any other watercourses.
47. 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. Any solid waste 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).
48. All construction waste must be disposed outside of the Kruger National Park (KNP). A waste disposal certificate from a registered waste disposal facility must be provided to the SANParks and concession prior to commencement of work at site.
49. No mammalian, birds, reptiles or amphibian species must be disturbed, trapped, hunted or killed during construction.
50. The Sweni River must be considered sensitive and be treated as a "no-go" area.
51. The holder of the environmental authorisation must ensure that additional water to be used for refurbishment remains within the concessions agreed water allocation.

General

52. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 52.1. at the site of the authorised activity;
 - 52.2. to anyone on request; and

- 52.3. on a publicly accessible website, where the holder of the environmental authorisation has such a website.
53. 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: 13/03/2017


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 information contained in the BAR dated December 2016;
- b) The comments received from the Mpumalanga Agriculture, Rural Development, Land & Environmental Affairs and SANParks as included in the BAR dated December 2016;
- c) The SANParks written approval in terms of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003), Section 50 (5).
- d) Mitigation measures as proposed in the BAR dated December 2016 and the EMPr;
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No.107 of 1998).

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 proposed project will contributor to socio-economic development on a local level.
- b) The need and desirability of the proposed project are as following:
 - The Singita Lodges are very highly rated luxury lodges and as such regular refurbishments are necessary to maintain the high end product offered.
 - It is important for the economic sustainability of the concession that the concession agreement is utilised to the fullest. The Singita Lodges caters exclusively to the higher income market, offering game drive safaris. Tourism is the basis of the financial viability of this protected area, and it is in the interest of the Kruger Park to expand the scope of attractions and activities offered to guests.
- c) The BAR dated December 2016 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 December 2016 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 December 2016 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 December 2016 is accurate and credible.
- e) EMPr measures for the pre-construction, construction, rehabilitation and operational 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.

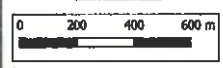
Annexure 2: Locality Plan



Map 1 Locality Map



- Legend**
- Development Site
 - Dams
 - Drainage Lines
 - Roads
 - Contours (20m Intervals)



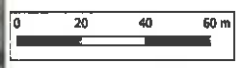
EMROSS Consulting (Pty) Ltd
P.O. Box 507
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Map 3 Layout Plan

- Legend**
- Floodline
 - Dams
 - Drainage Lines
 - Roads
 - Contours (20m Intervals)

Note: Site plan georeferenced in relation to existing developments



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