



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: 14/12/16/3/3/2/1132

Enquiries: Constance Musemburi

Telephone: 012-399-9414 **E-mail:** cmusemburi@environment.gov.za

Mr. Christie Engelbrecht
National Department of Health
Private Bag X828
PRETORIA
0001

Tel: (012) 395 8416
E-mail: Christie.engelbrecht@health.gov.za

PER E-MAIL / MAIL

Dear Mr Engelbrecht

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: GN R982/984/985, AS AMENDED: PROPOSED LIMPOPO CENTRAL HOSPITAL IN POLOKWANE, 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, as amended (the EIA 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 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, 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, Act No. 4 of 2013 which stipulate 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 abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 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 prescribes 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: appeals@environment.gov.za;


By hand: Environment House
473 Steve Biko Road
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, Act No. 107 of 1998, as amended, 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 appeals@environment.gov.za.

Yours faithfully



Mr Vusi Skosana

Acting Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 25/03/2020

CC:	Christian van der Hoven	Nemai Consulting (Pty) Ltd.	Tel: 011 781 1730	Email: christianvdh@nemai.co.za
	Mr. L. P. Makhura	LEDET	Tel: 015 297 3839	Email: makhuralp@ledet.gov.za
	B Pitijadi	Polokwane Local Municipality		Email: blessingp@polokwane.gov.za



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

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

Limpopo Central Hospital in Polokwane Local Municipality, Limpopo Province.

Capricorn District Municipality

Authorisation register number:	<i>14/12/16/3/3/2/1132</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>NATIONAL DEPARTMENT OF HEALTH</i>
Location of activity:	<i>LIMPOPO PROVINCE: Within Ward 20 and 22 of Polokwane Local Municipality</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.

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, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

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, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

NATIONAL DEPARTMENT OF HEALTH

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

with the following contact details –

Mr. Christie Engelbrecht

National Department of Health

Private Bag X828

PRETORIA

0001

Tel: (012) 395 8416

E-mail: Christie.engelbrecht@health.gov.za

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to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 2 and Listing Notice 3, as amended (GN R983, R984 and R985, as amended):

Activity number	Activity description
<p><u>GN R 984 Item 15</u></p> <p><i>The clearance of an area of 20 hectares or more of indigenous vegetation, excluding 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 Limpopo Central Hospital site is approximately 21 ha in extent, and therefore exceeds the threshold of more than 20ha of indigenous vegetation which will be cleared.</p>
<p><u>GN R. 985 Item 10:</u></p> <p><i>The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</i></p> <p>e. Limpopo</p> <p><i>i. All areas.</i></p>	<p>Dangerous goods (fuel, oil) will be stored on site for the construction and operational phases of the proposed development. Emergency generators and bulk diesel tanks will be situated at the substation. The total combined capacity of 65m³ will be stored.</p>

as described in the Environmental Impact Assessment Report (EIAR) dated February 2020 at:

Farm Name: Remainder of Erf 6861 of Pietersburg Extension 30.

21 Digit SG code:

T	0	L	S	0	0	1	4	0	0	0	0	6	8	6	1	0	0	0	0	0
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Corner Points for the proposed Limpopo Central Hospital	Latitude	Longitude
1	23°55'7.59"S	29°28'35.68"E
2	23°55'11.22"S	29°28'36.50"E
3	23°55'20.28"S	29°28'43.40"E
4	23°55'10.42"S	29°29'5.76"E
5	23°55'5.07"S	29°29'5.68"E

6	23°55'5.05"S	29°29'2.95"E
7	23°55'3.61"S	29°28'55.50"E
8	23°55'6.98"S	29°28'54.76"E
9	23°55'9.31"S	29°28'44.75"E

- for proposed Limpopo Central Hospital in Polokwane, within Ward 20 and 22 of the Polokwane Local Municipality, in the Limpopo Province, hereafter referred to as "the property".

The proposed development entails the construction of new 488 bed central hospital, Limpopo Central Hospital, on a new site in Polokwane, which will provide tertiary care for the province and will be the major teaching hospital for the University of Limpopo Faculty of Health Sciences and School of Medicine. The proposed project footprint falls within the jurisdiction of the Polokwane Local Municipality within the Capricorn District Municipality, in the Limpopo Province. The proposed Limpopo Central Hospital is situated between Edupark, the Northern Academy Secondary School and the N1 road. The proposed site is located on the remainder of Erf 6861 of Pietersburg Extension 30.

There will be provision for the following at the new facility:

- 488 beds clinical care capacity for a wide range of highly specialised care;
- Mostly arranged in 28 bed wards (comprising some single-bed, double-bed, four bed and six bed units);
- Specific intensive care units (ICU) and high care (HC) layouts;
- Maternal and child health (MCH) (Paediatrics and Obstetrics & Gynaecology) will be consolidated on the site separate to the adult component but sharing clinical and hospital support services;
- A mother's lodge (capacity of 24);
- A pregnant mother's lodge (capacity of 18);
- Transit – waiting (capacity of 12); and
- Day procedure beds (capacity of 12).

There will be support for a complete tertiary clinical care and academic complex core teaching capacity, comprising of a 488 x L3 beds at Limpopo Central Hospital delivering Provincial Tertiary Services (T1) and Central Referral Services (T2) care in most major clinical disciplines.

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Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred Alternative 2 for splitting specialist services and build a new 488-bed academic hospital with the preferred Site Layout 3 for the proposed Limpopo Central Hospital, within Ward 20 and 22 of the Polokwane Local Municipality in the Limpopo Province is approved as per the geographic coordinates cited in the table 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 must 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. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

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Notification of authorisation and right to appeal

9. 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.
10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued;
 - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 10.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

11. The authorised activity must 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, Act No. 107 of 1998, as amended 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

12. The Environmental Management Programme (EMPr) submitted as part of the EIAr is not approved and must be amended to include measures as dictated by the provisions of this environmental authorisation. The EMPr must be made available for comments to registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity. Once approved, the EMPr must be implemented and adhered to. It must be included in all contract documentation for all phases of the development when approved.
13. The EMPr amendment must include the following:
 - 13.1. All recommendations and mitigation measures recorded in the final EIAr dated February 2020.

- 13.2. All mitigation measures as listed in the specialist reports attached to the EIAr dated February 2020.
- 13.3. Findings of the pre-construction walk-through of the final development footprint undertaken in order to locate and identify species of conservation concern that can be trans-located.
- 13.4. A relocation plan which includes input from the relevant authority/department/enforcer to relocate the unlawful occupants.

Frequency and process of updating the EMPr

14. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 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.
15. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
16. 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.
17. 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.
18. 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

19. The holder of the authorisation must appoint an 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.

- 19.1. The ECO must be appointed before commencement of any authorised activities.
- 19.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 19.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 19.4. 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

20. 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.
 21. 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.
 22. 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.
 23. 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.
 24. 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.
 25. 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.
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Notification to authorities

26. 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

27. 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

28. 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

29. A comprehensive Relocation Plan which includes input from the relevant authority/department/enforcer to relocate the unlawful occupants must be compiled as part of the revised EMP, in consultation with the site's inhabitants and the local municipality. The Relocation Plan must be compiled with due regard to the legal position (applicable laws and regulations) as well as the needs of the inhabitants themselves. The Relocation Plan must also report on the socio-economic and ecological implications should the proposed mitigation measure (relocation) not be successful. Gaps, uncertainties and assumptions must be clearly reported on. This must be done before the commencement of construction.
30. 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.
31. If unmarked human burials are uncovered, all work and activities onsite must be stopped and the SAHRA must be alerted immediately as per section 36(6) of the NHRA. A professional archaeologist

- must be contracted to inspect the finds. A Phase 2 rescue excavation operation may be required subject to permits issued by SAHRA.
32. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal.
33. 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).

General

34. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMP, must be made available for inspection and copying-
- 34.1. at the site of the authorised activity;
- 34.2. to anyone on request; and
- 34.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
35. 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: 25/03/2020



Mr Vusi Skosana

**Acting 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 EIAr dated February 2020;
- b) The comments received from Limpopo Department of Health Limpopo, Department of Economic Development, Environment and Tourism (LDEDET), South African Heritage Resources Agency (SAHRA) and interested and affected parties as included in the EIAr dated February 2020;
- c) Mitigation measures as proposed in the EIAr dated February 2020 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix E of the EIAr dated February 2020; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act No.107 of 1998, as amended.

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 and desirability of the proposed development was well explained in the report. The need of the proposed development stems from SIP 12 which is revitalisation of public hospitals and health facilities.
- c) The EIAr dated February 2020 identified all legislation and guidelines that have been considered in the preparation of the EIAr dated February 2020.
- d) The methodology used in assessing the potential impacts identified in the EIAr dated February 2020 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, 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 EIAR dated February 2020 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 EIAR dated February 2020 is accurate and credible.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAR dated February 2020 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, Act No. 107 of 1998, as amended, and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X447 PRETORIA 0001 Environment House · 473 Steve Biko Road, Arcadia· PRETORIA
Tel(+ 27 12) 309 9372

Enquiries: Mr Ishaam Abader Telephone: 012 399 9330 E-mail: labader@environment.gov.za

Mr. Vusi Skosana
Director: Strategic co-ordination planning and support

Dear Mr. V Skosana

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 23rd MARCH 2020 UNTIL 27th MARCH 2020. WHILEST MR. SABELO MALAZA WILL BE ON ANNUAL LEAVE.

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated Environmental Authorizations for the period 23rd March 2020 until 27th March 2020 whilst Mr. Sabelo Malaza will be on annual leave.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorisations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of this legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Mr Ishaam Abader
DDG: Regulatory Compliance & Sector Monitoring
Date:

16/3/2020

ACKNOWLEDGEMENT

✓
I ACCEPT / DO NOT ACCEPT appointment as Acting Chief Director: integrated environmental authorisations

Signed: DSEW

Date: 16/03/2020