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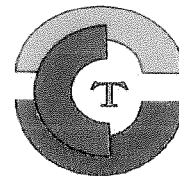
TEKPLAN

(Reg. No. 2000/019116/23)

P.O. Box 50590, Moreleta Village, 0097

Tel: 082 335 9553 Fax: 086 218 3267

tecoplan@mweb.co.za



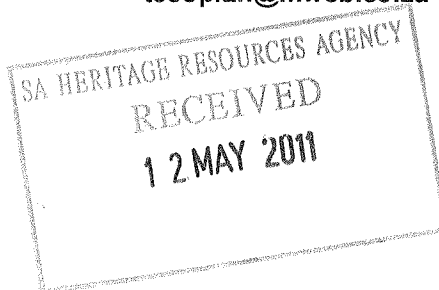
The Manager
South African Heritage Resources Agency
P.O. Box 4637
Cape Town
8000

Attention: Ms. Andrea Hickman

Our ref.: TE1B6

9 May 2011

Madam



APPLICATION FOR AUTHORIZATION IN TERMS OF SECTION 24(5) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998).

PROPOSED GAME LODGE TELEVISION LOCATION ON PORTIONS 3, 10 & 11 OF THE FARM WAGENPADSPRUIT 354 JQ & THE REMAINDER OF PORTION 8 OF THE FARM NAAUWPOORT 355 JQ, NORTH-WEST PROVINCE

1. The Department of Economic Development, Environment, Conservation and Tourism (North-West Province) granted authorisation for the above project on 6 May 2011. A copy of the Environmental Authorization (including reasons for the decision) is attached to this letter.
2. The appeal procedure is set out in Annexure 2 of the enclosed Environmental Authorization. Should you wish to appeal any aspect of the decision, you must, inter alia, lodge a notice of intention to appeal with the MEC of the forementioned department, within 20 days from the date of the Environmental Authorization.

3. The details of the MEC are as follows:

The Member of the Executive Council
Department of Economic Development, Environment, Conservation and Tourism
Private Bag X15
MMABATHO
2735
Tel: 018 387 7995-7
Fax: 086 666 0148

4. The contact details of the applicant are:

NMS Communications (Pty) Ltd
P.O. Box 1437
Ferndale
2160
Tel: 011 289 5470
Fax: 011 789 6606
E-mail: Lourenco.Rodrigues@nmscom.net

Contact Person: Mr. Lourenco Rodrigues

5. The appeal must be lodged by the appellant and the appeal documentation must be submitted within 30 days after the lapsing of the 20 days allowed for the submission of the notice of intention to appeal. A statement setting out the grounds of appeal must accompany an appeal.

Thank you.

Yours faithfully

DANIE COMBRINK



the DEDECT

Department:
Economic Development, Environment, Conservation and Tourism
North West Provincial Government
Republic of South Africa

80 Church Street
Private Bag X 82298,
Rustenburg, 0300
Republic of South Africa

CHIEF DIRECTORATE: ENVIRONMENTAL SERVICES

**DIRECTORATE: ENVIRONMENTAL QUALITY AND
PROTECTION**

Tel: +27 (14) 597 3597
Fax: +27(14) 592 3553
Enquiries: Robert Nemanashi
E-mail: RNemanashi@nwpg.gov.za

Reference Number: NWP/EIA/129/2009

Attention: **Mr. Lourenco Rodrigues**
NMS Communications (Pty) Ltd
P.O Box 1437
FERNDALE
2160

Tel No.: (011) 289 5470
Fax No.: (011) 789 6606
E-mail: Lourenco.Rodrigues@nmscom.net

PER FACSIMILE AND POST

Dear Sir

ENVIRONMENTAL AUTHORISATION FOR THE ESTABLISHMENT OF A GAME LODGE TELEVISION LOCATION (WAGENSPODSPRUIT) ON PORTIONS 3, 10 AND 11 OF THE FARM WAGENSPODSPRUIT 354 JQ AND REMAINING EXTENT OF PORTION 8 OF THE FARM NAAUWPOORT 355 JQ, LISTED ACTIVITIES 1(m) AND 16(b) IN GOVERNMENT NOTICE NUMBER R.386, RUSTENBURG LOCAL MUNICIPALITY, NORTH WEST PROVINCE (NWP/EIA/129/2009)

Your application for Environmental Authorisation, in terms of Section 24(2) (a) of the National Environmental Management Act, 1998 as amended (Act No. 107 of 1998) in respect of -

Government Notice No. R. 386 of 21 April 2006 for:

- 1) The construction of facilities or infrastructure, including associated structures or infrastructure, for any purpose in the one in ten year flood line of a river or stream, or within 32 metres from the bank of a river or stream where the flood line is unknown, excluding purposes associated with existing residential use, but including –
 - (i) Canals;
 - (ii) Channels;
 - (iii) Bridges
 - (iv) Dams; and
 - (v) Weirs, [listed activity 1(m)]

- 2) The transformation of undeveloped, vacant or derelict land to residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare [listed activity 16(b)].

In terms of the Regulations of Chapter 5 of NEMA, 1998, refer.

This Department has evaluated the **Basic Assessment Report dated March 2010 and the amended Basic Assessment Report (including the attached Environmental Management Plan)** compiled by Tekplan Environmental, received on 11 March 2010 and 07 May 2010 respectively, and additional information received on 09 December 2010, for the establishment of a game lodge television location on portions 3, 10 and 11 of the farm Wagenspadspruit 354 JQ and remaining extent of portion 8 of the farm Naauwpoort 355 JQ, Rustenburg Local Municipality, North West Province, to verify whether these activities will have significant negative impacts on the environment.

Enclosed please find the Environmental Authorisation and the conditions under which your application is authorised.

Formal appeals regarding the Environmental Authorisation can be directed to the MEC for Department of Economic Development, Environment, Conservation and Tourism, North West Province. Such an appeal must be lodged in terms of Chapter 7 of the 6 June 2010 Regulations.

Yours Faithfully



Mr. Steven Mukhola
Environmental Officer Control Grade B: Development Impact Management
North West Department of Economic Development, Environment, Conservation and Tourism
Date: 04/05/2011

Cc: **Tekplan Environmental**
Contact Person: Mr. Danie Combrink
Tel No.: (015) 291 4177
Cell No.: 082 335 9553
Fax No.: 086 218 3267

Rustenburg Local Municipality
Municipal Manager
Tel No.: (014) 590 3300
Fax No.: (014) 590 3003

Department of Water Affairs
Contact Person: R Botha
Tel No.: (012) 392 1308
Fax No.: (012) 392 1408



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A DEFINITIONS

“activity” means an activity identified in any notice published by the Minister or MEC in terms of Section 24D(1)(a) of the Act as a listed activity or specified activity.

“commence” means the start of any physical activity, including site preparation and any other activity on the site in furtherance of a listed activity or specified activity, but does not include any activity required for purposes of an investigation or feasibility study as long as such investigation or feasibility study does not constitute a listed activity or specified activity.

“construction” means the building, erection or establishment of a facility, structure or infrastructure that is necessary for the undertaking of an activity, but excludes any modification, alteration or expansion of such facility, structure or infrastructure and excluding the reconstruction of the same facility in the same location, with the same capacity and footprint.

“expansion” means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased.

“independent”, in relation to an EAP or a person compiling a specialist report or undertaking a specialised process or appointed as a member of an appeal panel, means

- a) that such EAP or person has no business, financial, personal or other interest in the activity, application or appeal in respect of which that EAP or person is appointed in terms of these Regulations other than fair remuneration for work performed in connection with that activity, application or appeal; or
- b) that there are no circumstances that may compromise the objectivity of the EAP or person in performing such work.

“public participation process” means a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to, specific matters.

“registered interested and affected party”, in relation to an application, means an interested and affected party whose name is recorded in the register opened for that application in terms of Regulation 55.

“registered EAP” means an environmental assessment practitioner registered with an appointed registration authority contemplated in Section 24H of the Act.

“the Act” means the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended.

“the Department” means the Department of Economic Development, Environment, Conservation and Tourism.

“state Department” means any Department or administration in the national or provincial sphere of government exercising functions that involve the management of the environment.

“the Regulations” means the Environmental Impact Assessment Regulations, 2006 and 2010.



B. Environmental Authorisation

Authorisation register number: NWP/EIA/129/2010

Last amended: First issue

Holder of authorisation: NMS COMMUNICATIONS (PTY) LTD

Location of activity: North West Province: Rustenburg Local Municipality

1. 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 activity specified below.

2. Activities authorised

By virtue of the powers delegated by the MEC in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations 2010, the Environmental Officer Control Grade B: Development Impact Management of the Department of Economic Development, Environment, Conservation and Tourism authorises:-

NMS Communications (Pty) Ltd

Mr. Lourenco Rodrigues

P.O Box 1437

FERNDALE

2160

Tel No.: (011) 289 5470

Fax No.: (011) 789 6606

E-mail: Lourenco.Rodrigues@nmscom.net

to undertake the following activities:

- To establish a game lodge television location comprised of 3 (three) main components (i.e. Area 1, Area 2 and Area 3).

Area 1 (Main Entrance) will consist of the following components

Description	Units	Size(m ²)
Guard house	1	26
Crew accommodation	1	1106
Staff quarters	1	174
Heritage house (existing)	1	233
Parking (90 bays)	1	1125
Total		2664




Area 2 (Supporting Facilities) will consist of the following components

Description	Units	Size(m ²)
Offices	1	410
Actors preparation	1	408
Canteen	1	281
Crew facilities	1	407
Managers accommodation	1	238
Existing staff accommodation	1	25
Generator container	1	66
Mast	1	9
Guard house	1	26
Parking (24 bays)	1	656
Total	9	2526

Area 3 (Game Lodge) will consist of the following components

Description	Units	Size(m ²)
Chalet Unit 01	1	406
Chalet Unit 02	1	67
Chalet Unit 03	1	67
Chalet Unit 04	1	68
Chalet Unit 05	1	123
Chalet Unit 06	1	60
Chalet Unit 07	1	60
Chalet Unit 08	1	60
Chalet Unit 09	1	60
Chalet Unit 10	1	387
Entrance Pavillion	1	450
Covered Boma	1	192
Parking (8 bays)	1	100
Total		2100

The total area for the development will be 32400 m² (3.2 ha) including roads with specifications 5.58km length and 4.5m width and cover an area of 25110 m².

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

Site Location:

Alternative S1	Latitude	Longitude
Starting point of activity	25° 53' 41"	
Middle point of activity		
End point of activity		27° 20' 55"

The proposed development site is located on portions 3, 10 and 11 of the farm Wagenspadspruit 354 JQ and remaining extent of portion 8 of the farm Naauwpoort 355 JQ, which falls within the jurisdiction of Rustenburg Local Municipality, North West Province, hereafter referred to as "the property".




3 Conditions**3.1 Scope of Environmental Authorisation**

- 3.1.1 The preferred alternative site (S1) is approved.
- 3.1.2 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 Environmental Authorisation.
- 3.1.3 The holder of the Environmental Authorisation must be 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 Environmental Authorisation.
- 3.1.4 The activity authorised may only be carried out at the property as described in Point 2 under site location.
- 3.1.5 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 Environmental Authorisation to apply for further Environmental Authorisation in terms of the Regulations.
- 3.1.6 This activity must commence within a period of **three (3) years** from the date of issue. If commencement of the activity does not occur within that period, the Environmental Authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
- 3.1.7 If the proponent anticipates that commencement of the activity would not occur within **three (3) year** period, he/she **must** apply and **show good cause** for an extension of the Environmental Authorisation prior to its expiry date.
- 3.1.8 This Environmental Authorisation does not negate the holder of the Environmental Authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.
- 3.1.9 Relevant legislation that must be complied with by the holder of this Environmental Authorisation includes, *inter alia*:
- a) Archaeological remains, artificial features and structures older than **sixty (60) years** are protected by National Heritage Resources Act, 1999 (Act No. 25 of 1999). Should any archaeological artefacts be exposed during excavation for the purpose of construction, construction in the vicinity of the finding must be stopped immediately. A registered Heritage Specialist must be called to the site for inspection. Under no circumstances shall any heritage material be destroyed or removed from the site and the relevant Heritage Resources Agency must be informed about the finding. Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from the South African Heritage Resources Agency and/or any of their delegated provincial agencies.
 - b) All provisions of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).



- c) All provisions of the National Water Act, 1998 (Act No. 36 of 1998).
- d) All provisions of Hazardous Substance Act, 1973 (Act No. 15 of 1973).
- e) All provisions of National Veldt and Forest Fires Act, 1998 (Act No. 101 of 1998).
- f) All provisions of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);
- g) All provisions of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003);
- h) The development must adhere to the municipal by-laws.

3.1.10 The holder of an Environmental Authorisation has the responsibility to notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

4 Appeal of Environmental Authorisation

- 4.1 The holder of the Environmental Authorisation must notify every **registered** interested and affected party, in writing and within **twelve (12) days**, of receiving an Environmental Authorisation from the Department.
- 4.2 The notification referred to in 4.1 must –
 - 4.2.1 Inform interested and affected of the decision, reason for decision and where the decision can be accessed.
 - 4.2.2 Advise the interested and affected party that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
 - 4.2.3 Specify the date on which the Environmental Authorisation was issued.
 - 4.2.4 Be published in the newspapers contemplated in terms of Regulation 54(2)(c) and (d), which are newspapers that were used for the placing of advertisements as part of the public participation process.
 - 4.2.5 Inform the registered interested and affected party of the appeal procedure provided for in Chapter 7 of the Regulations (Government Notice No. R. 543 of 18 June 2010) (see Annexure 2).
- 4.3 An appeal against the decision must be lodged in terms of Chapter 7 of Government Notice No. R. 543 of 18 June 2010 in terms of NEMA, 1998, as amended, from the date of this Environmental Authorisation, with:

The Member of the Executive Council

Department of Economic Development, Environment, Conservation and Tourism

Private Bag X 15

MMABATHO

2735

Tel No.: (018) 387 7995-7

Fax No.: 086 666 0148



5. Management of the activities

- 5.1 The Environmental Management Plan (EMP) submitted as part of application for Environmental Authorisation (attached as Appendix G of the amended Basic Assessment Report dated March 2010) is hereby approved.
- 5.2 The recommendations and mitigation measures recorded in the Basic Assessment Report and amended Basic Assessment Report dated March 2010 and 07 May 2010 must be adhered to and incorporated as part of the EMP where applicable.
- 5.3 Any proposed amendments to the EMP (as a result of this Environmental Authorisation or otherwise) must be submitted in writing to the Environmental Compliance Enforcement and Authorisations Section of this Department for approval prior to the amendment being implemented. The proposed amendments will be decided upon by the Department within a period of **thirty (30) days** of receiving the submission.
- 5.4 The provisions of the EMP are an extension of the conditions of the Environmental Authorisation and therefore non-compliance with the EMP would constitute non-compliance with the Environmental Authorisation.
- 5.5 The EMP must form part of the contractor's tender documentation for all contractors working on the project and must be endorsed contractually.

6. Monitoring

- 6.1 The applicant must appoint a suitably experienced Environmental Control Officer (ECO) for the duration of the construction phase who 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 EMP.
- 6.2 The name and contact details of the ECO must be communicated to the Environmental Compliance Enforcement and Authorisations Section of this Department, upon appointment of the ECO.
- 6.3 The ECO shall be appointed before commencement of any land clearing or construction activities on site.
- 6.4 The ECO must act as liaison with this Department's Monitoring Section and other relevant authorities, and must ensure communications with key stakeholders with respect to monitoring of compliance with conditions of authorisation and the EMP.
- 6.5 The ECO shall keep record of all activities on site, monitoring programmes, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 6.6 The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
- 6.7 It is the responsibility of the holder of this Environmental Authorisation to ensure that an ongoing management and monitoring of the impacts of the activity on the environment throughout the life cycle of the activity is put into practice.



7. Recording and reporting to the Department

- 7.1 Records relating to monitoring auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.
- 7.2 Records relating to disposal of waste at a licensed landfill site must be kept at the site and made available for inspection by the competent authority.

8. Commencement of the activity/Notification to authority

- 8.1 **Fourteen (14) days** written notice must be given to this Department's: Environmental Compliance, Enforcement and Authorisations Section that the activity will commence. Commencement for the purposes of this condition includes site preparation.
- 8.2 Should the applicant be notified by the MEC of a suspension of the Environmental Authorisation pending appeal procedures, activity must not commence, unless authorised by the MEC in writing.

9. Operation of the activities

- 9.1 All solid waste produced by the development during the operational phase, must be suitably stored on site, and removed on a regular basis to a licensed landfill site.

10. Site closure and decommissioning of the activities

- 10.1 Should the activity ever cease or become redundant, the applicant shall 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.
- 10.2 Should the authorised activity be abandoned or decommissioned, a closure management plan must be compiled and submitted to this Department for approval.
- 10.3 The disturbed areas must be rehabilitated to a natural state, and landscaping of the disturbed areas must be in accordance with the regulations pertaining to the control of weeds and invasive species, as published under Section 29 of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983) and must make extensive use of locally appropriate indigenous vegetation.

11. Specific conditions

- 11.1 The building plans for the proposed development must be submitted to the Rustenburg Local Municipality and must be approved prior to the commencement of construction on site.
- 11.2 The development must be substantially in accordance with the Layout Plans prepared by GLH Associates Architects dated 14 December 2009.
- 11.3 The applicant must adhere to the proposed mitigation measures and recommendations contained in the Basic Assessment Report dated March 2010 compiled by Tekplan Environmental Consultant.
- 11.4 The conditions listed in the General Authorisation dated 16 April 2011 by the Department of Water Affairs must be adhered to.



- 11.5 The applicant must obtain a waste license from the National Department of Environmental Affairs prior to the construction of the proposed Sewage Treatment Plant (STP) on site.
- 11.6 The proposed development site must be suitably demarcated prior to the construction commencing and construction must be restricted to the demarcated area to minimise damage to the vegetation.
- 11.7 All plant species of conservation importance (if any) must be removed from the demarcated area prior to construction commencing and must either be relocated outside of the construction area or donated to the South African National Biodiversity Institute.
- 11.8 Any removal of endangered or protected plant species must be done in consultation with the Department of Agriculture, Forestry and Fisheries, and the Department of Economic Development, Environment, Conservation and Tourism: Biodiversity Section, and permission or approval for the removal must be obtained prior to the removal of trees.
- 11.9 All recommendations of the Ecological Report (ER) undertaken by AGES South Africa (Pty) Ltd [report dated December 2009] must be implemented.
- 11.10 Drawing designs of the access bridge must be submitted to the Department of Water Affairs for approval prior to commencement of the construction, to ensure that bridge structures conform to their standards and specifications.
- 11.11 The applicant must ensure that construction and operation of the access bridge across the Wapadspruit stream does not impede the stream flow and that constant stream flow is maintained during and after the construction of the bridge to sustain the life of the stream.
- 11.12 The proposed traffic calming measures at the intersection of the access road and the road P16-1 (R24) must be done in consultation with the North-West Department of Public Works, Roads and Transport and approval/permission must be obtained from them prior to the commencement of construction.
- 11.13 Suitably designed and engineered drainage structures must be constructed on all roads, to avoid the concentration of run-off in such a manner so as to prevent erosion and to avoid environmental degradation.
- 11.14 All the recommendations of the Traffic Impact Assessment (TIA) undertaken by UWP Consulting (Pty) Ltd [report dated January 2010], including safety, traffic calming measures and provision of alternative access recommendations, must be implemented.
- 11.15 The Stormwater Management System must be kept separate from the sewage reticulation and treatment system.
- 11.16 All the recommendations of the Geotechnical Investigation undertaken by WSM Leshika (Pty) Ltd [report dated 29 January 2010] must be adhered to.
- 11.17 Topsoil must be removed and stockpiled for rehabilitation purposes prior to construction; and such topsoil must be protected against water and wind erosion.
- 11.18 All excavated trenches to be developed in preparation for the construction and pipelines installation must be filled up/rehabilitated within a reasonable time to minimize soil erosion, and to avoid danger to human and animal life.

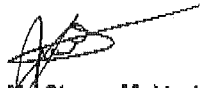


- 11.19 All recommendations of the Heritage Impact Assessment (HIA) study undertaken by Gaigher & Associates (January 2010) including preservation and relocation of stone walled, graves and historical buildings recommendations must be adhered to.
- 11.20 Any alteration, removal or relocation of stone walled, graves and historical buildings must be done in consultation with the South African Heritage Resources Agency (SAHRA), and approval or permission must be obtained from SAHRA prior to the commencement of such alteration, removal or relocation.
- 11.21 Should exhumation of graves be required during the commencement of the development, this must be undertaken by a forensic archaeologist in consultation with SAHRA and in accordance with the Human Tissues Act, 1983 (Act No. 65 of 1983) and the Ordinance on Exhumations, 1980 (Ordinance No. 12 of 1980). Permission of exhumations must be solicited from the descendants of the deceased.
- 11.22 Should any other archaeological artifacts not identified by the HIA report be exposed during earth moving activities, construction in the vicinity of the finding must be stopped and the South African Heritage Resource Agency must be notified immediately **[within forty eight (48) hours]**. Under no circumstances shall any artifacts be destroyed. Such an archaeological site must be marked and fenced off
- 11.23 All areas likely to be disturbed must be rehabilitated immediately after the construction and landscaping of the disturbed areas must be in accordance with the regulations pertaining to the control of weeds and invasive species, as published under Section 29 of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983) and must make extensive use of locally appropriate indigenous vegetation.
- 11.24 The applicant must ensure that the development site is cleared of invasive alien plants and an alien plant eradication programme must be developed and implemented to prevent re-infestation.
- 11.25 Appropriate soil erosion control measures must be developed and implemented to prevent, minimise or manage the erosion during construction, operational and decommissioning phase of the development.
- 11.26 All solid waste produced by the development during the construction and operational phase, must be suitably stored on site, and removed on a regular basis to a licensed landfill site.
- 11.27 Direct and overspill lighting for the development must be managed by shielding, subduing or directing light towards the development. The roofs of the buildings must be green to blend with the environment
- 11.28 Dust suppression measures must be implemented at all times during construction to prevent the spreading of nuisance dust.
- 11.29 Chemical toilets must be provided to the workers during the construction phase. They must be serviced regularly to ensure proper operation, and must be emptied at the municipal sewage treatment plant to prevent any possible pollution. No "long drop" toilets will be allowed. Open space or surrounding bush must not be used as toilets under any circumstances.
- 11.30 During the construction phase, operation of machinery and equipment, must be within normal working hours (summer 07h00-17h00 and winter 07h30-17h00) to prevent unwanted high noise levels.



12. General

- 12.1 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 12.2 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 12.3 The holder of the authorisation must notify the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance. Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 12.4 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 applicant or his 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 applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Environmental Authorisation Approved By**Mr. Steven Mukhola****Environmental Officer Control Grade B: Development Impact Management****North West Department of Economic Development, Environment, Conservation and Tourism**

Date: 06/05/2011



ANNEXURE 1: REASONS FOR ENVIRONMENTAL AUTHORISATION**1. Background**

The Applicant, **NMS Communications (Pty) Ltd** applied for authorisation to carry out the following activities:

- to the proposed establishment of a game lodge television location on portions 3, 10 and 11 of the farm Wegenspadspuit 354 JQ and remaining extent of portion 8 of the farm Naauwpoort 355 JQ, Rustenburg Local Municipality, North West Province

The applicant appointed **Tekplan Environmental Consultant** to undertake Basic Assessment process as required by Regulation 17 of the 2006 EIA Regulations.

2. 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 Basic Assessment Report dated March 2010 compiled by Tekplan Environmental Consultant;
- b) Comments received from the Rustenburg Local Municipality; National Department of Agriculture, Forestry and Fisheries; the South African Heritage Resources Agency; Department of Water Affairs; Department of Public Works, Roads and Transport, including comments received from interested and affected parties as included in the Basic Assessment Report dated March 2010;
- c) All mitigation measures and recommendations as proposed in the Basic Assessment Report dated March 2010 and the Environmental Management Plan;
- d) The information contained in the specialist studies contained within the Basic Assessment Report dated March 2010 as Appendix D;
- 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) as amended; and
- f) The findings of a site visit conducted by Mr. Robert Nemanashi of this Department with Mr. Desmond Mabaso of Rustenburg Local Municipality and Mr. Danie Combrink of Tekplan Environmental Consultant on 23 March 2010.

3. 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) Details provided of the qualifications of the Environmental Assessment Practitioner (EAP) indicate that the EAP is competent to carry out the environmental impact assessment procedures.
- b) The Basic Assessment Report (BAR) compiled by Tekplan Environmental Consultant dated March 2010 identified all legislation and guidelines that have been considered in the preparation of the BAR dated January 2010.



- c) The BAR included a description of the environment that may be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity.
- d) The findings of the Ecological Assessment study undertaken by AGES South Africa (Pty) Ltd dated December 2009 and its recommended mitigation measures.
- e) The specialist studies and the methodology used in assessing the potential impacts identified in the BAR have been adequately indicated.
- f) The applicant has met the requirements of the Basic Assessment process as per the EIA regulations, 2006.
- g) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA regulations, 2010 for public involvement. The proposed development was advertised in the Rustenburg Herald newspaper on 06 November 2009 as part of the public participation process, and no objections were raised.
- h) The need and desirability of the activity.
- i) The potential impacts on the environment by the proposed Game Television Lodge.

4. Findings

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

- a) Ecological Assessment study undertaken by AGES South Africa (Pty) Ltd dated December 2009 found that the development of the lodge, staff accommodation and visitor centre will mostly have low impact on vegetation, faunal habitants and general ecology of the footprint areas and associated roads. This is as a result of a large section of the development being planned on already impacted areas of old cultivated fields and current residential area on the property. In this regard, the proposed development is not anticipated to result in substantial biodiversity impacts should the mitigation measure stipulated in the Ecological Assessment study, be implemented.
- b) The proposed development is supported by the Rustenburg Local Municipality, and the Planning and Human Settlement directorate of the municipality have approved the rezoning and establishment of the proposed development on the property.
- c) The Hydrogeological Assessment study undertaken by WSM Leshika Consulting (Pty) Ltd concluded that sufficient groundwater is available to support the water demand of the proposed development.
- d) After mitigation, the overall significance of the visual impact of site alternative (S1) is regarded as low to moderate.
- e) The identification and assessment of impacts are detailed in the Basic Assessment Report dated March 2010 and sufficient assessment of the key identified issues and impacts have been completed.
- f) The procedure followed for impact assessment is adequate for the decision-making process.
- g) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.



- h) All legal and procedural requirements of the Environmental Impact Assessment (EIA) process have been met.
- i) The information contained in the Basic Assessment Report dated March 2010 compiled by Tekplan Environmental Consultant dated March 2010 is deemed accurate and credible.
- j) The EMP measures for the construction, operation and decommission phases of the development were proposed and included in the BAR dated March 2010 and will be implemented to manage the identified environmental impacts during the construction process.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the proposed activity will not conflict with the general objectives of Integrated Environmental Management laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. **The application is accordingly granted.**



ANNEXURE 2: APPEAL PROCEDURES**APPEAL PROCEDURE IN TERMS OF CHAPTER 7 OF GN. NO. R. 543 OF 18 JUNE 2010 TO BE FOLLOWED BY THE APPLICANT, AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION****Application of this Chapter**

- 58.** (1) This Chapter applies to decisions that—
- (a) are subject to an appeal to the MEC in terms of Section 43 (1), (2) or (3) of the Act; and
 - (b) were taken by an organ of state acting under delegation in terms of Section 42 or 42A of the Act in the exercise of a power or duty vested by the Act or these Regulations in a competent authority.

Notices of intention to appeal

60. (1) A person affected by a decision referred to in Regulation 60 (1) who wishes to appeal against the decision, must submit a notice of intention to appeal with the MEC, or delegated organ of state, as the case may be, within **20 days** after the date of the decision.

(2) If the appellant is an applicant, the appellant must provide each person and organ of state which was a registered interested and affected party in relation to the applicant's application, within **10 days** of having submitted the notice contemplated in subregulation (1), with-

- (a) a copy of the notice referred to in subregulation (1); and
- (b) a notice indicating that the appeal submission will be made available on the day of lodging it with the MEC and where and for what period the appeal submission will be available for inspection by such person or organ of state.

(3) If the appellant is a person other than an applicant, the appellant must provide the applicant within **10 days** of having lodged the notice contemplated in subregulation (1) with-

- (a) a copy of the notice referred to in subregulation (1); and
- (b) a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.

(4) The MEC or delegated organ of state, may, as the case may be, in writing, on good cause extend the period within which a notice of intention to appeal must be submitted.

Submission of appeals

61. (1) An appeal lodged must be submitted to the appeal authority as indicated in Section 43 of the Act.

(2) An appeal must be-

- (a) submitted in writing; and
- (b) accompanied by-
 - (i) a statement setting out the grounds of appeal;
 - (ii) supporting documentation which is referred to in the appeal and which is not in the possession of the Minister, MEC or designated organ of state;
 - (iii) a statement by the appellant that Regulation 60 (2) or (3) has been complied with together with copies of the notices referred to in that regulation; and
 - (iv) the prescribed appeal fee, if any.

(3) The appellant must take into account any guidelines applicable to appeals as contemplated in Section 24J of the Act.



Time within which appeals must be lodged

64. (1) An appeal as contemplated in Regulation 61(1), must be submitted within 30 days after the lapsing of the 20 days contemplated in Regulation 60(1).

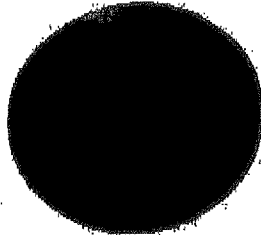
(2) The MEC or designated organ of state, as the case may be, may, in writing, on good cause extend the period within which an appeal must be submitted.



For Noting

9/21 268/0003

Related to HIA re: S. Gaughan,
Jan. 2010. Sahara comment on
HIA dated 31.05. 2010.



**SOUTH AFRICAN HERITAGE
RESOURCES AGENCY**

Cnr Tillard & Warren Street Eastleigh Mansions Office No 8 MAFIKENG 2745
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Tel: (018) 381 2032 / 5970 Fax: (018) 381 6953

OUR REF.....

YOUR REF.....

DATE: 6-6-11.....

FACSIMILE TRANSMISSION - FAKSIMILE VERSENDING

TO/VAN: COMETTE.....

CC:.....

FAX NO. / FAKS NOMMER: 021 452 1509.....

FROM/VAN: SABHAZ.....

MESSAGE/BOODSKAP: TEKPLAN EM Farm NAAUWPOOR.....

PLEASE ASSIST.....

Thanking You

Have a nice day

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TEKPLAN



(Reg. No. 2000/019116/23)

P.O. Box 50590, Moreleta Village, 0097

Tel: 082 335 9553 Fax: 086 218 3267

tecoplan@mweb.co.za

The Manager (North West Province)
South African Heritage Resources Agency
P.O. Box 3054
MMABATHO
2735

To whom it may concern:

Our ref.: TE186

9 May 2011

Madam

APPLICATION FOR AUTHORIZATION IN TERMS OF SECTION 24(5) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998).

PROPOSED GAME LODGE TELEVISION LOCATION ON PORTIONS 3, 10 & 11 OF THE FARM WAGENPAASFRUIT 364 JQ & THE REMAINDER OF PORTION 8 OF THE FARM NAAUWPOORT 355 JQ, NORTH-WEST PROVINCE

1. The Department of Economic Development, Environment, Conservation and Tourism (North-West Province) granted authorisation for the above project on 6 May 2011. A copy of the Environmental Authorization (including reasons for the decision) is attached to this letter.
2. The appeal procedure is set out in Annexure 2 of the enclosed Environmental Authorization. Should you wish to appeal any aspect of the decision, you must, inter alia, lodge a notice of intention to appeal with the MEC of the forementioned department, within 20 days from the date of the Environmental Authorization.

3. The details of the MEC are as follows:

The Member of the Executive Council
Department of Economic Development, Environment, Conservation and Tourism
Private Bag X15
MMABATHO
2735
Tel: 018 387 7995-7
Fax: 086 666 0148

4. The contact details of the applicant are:

NMS Communications (Pty) Ltd
P.O. Box 1437
Ferndale
2160
Tel: 011 289 5470
Fax: 011 789 6606
E-mail: Lourenco.Rodrigues@nmscom.net

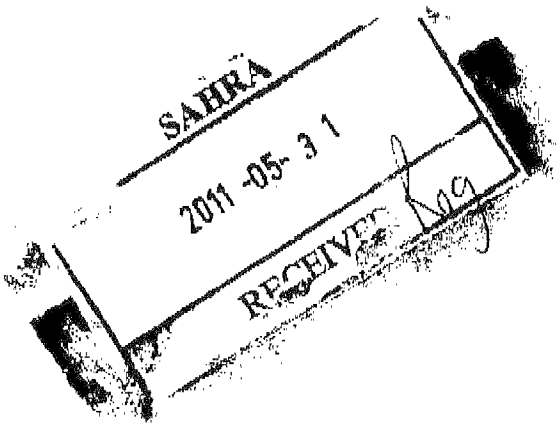
Contact Person: Mr. Lourenco Rodrigues

5. The appeal must be lodged by the appellant and the appeal documentation must be submitted within 30 days after the lapsing of the 20 days allowed for the submission of the notice of intention to appeal. A statement setting out the grounds of appeal must accompany an appeal.

Thank you.

Yours faithfully

DANIE COMBRINK





the DEDECT

Department:
Economic Development, Environment, Conservation and Tourism
North West Provincial Government
Republic of South Africa

80 Church Street
Private Bag X 82298,
Rustenburg, 0300
Republic of South Africa

CHIEF DIRECTORATE: ENVIRONMENTAL SERVICES
DIRECTORATE: ENVIRONMENTAL QUALITY AND
PROTECTION

Tel: +27 (14) 597 3597
Fax: +27(14) 592 3553
Enquiries: Robert Nemanashi
E-mail: RNemanashi@cwds.gov.za

Reference Number: NWP/EIA/129/2009

Attention: Mr. Lourenco Rodrigues
NMS Communications (Pty) Ltd
P.O Box 1437
FERNDALE
2160

Tel No.: (011) 289 5470
Fax No.: (011) 789 6605
E-mail: Lourenco.Rodrigues@nmscom.net

PER FACSIMILE AND POST

Dear Sir

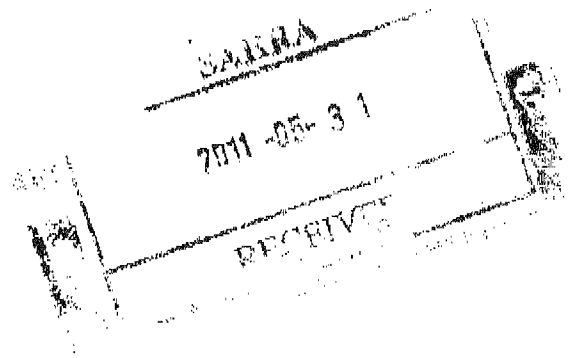
ENVIRONMENTAL AUTHORISATION FOR THE ESTABLISHMENT OF A GAME LODGE TELEVISION LOCATION (WAGENSPADSPRUIT) ON PORTIONS 3, 10 AND 11 OF THE FARM WAGENSPADSPRUIT 354 JQ AND REMAINING EXTENT OF PORTION 8 OF THE FARM NAAUWPOORT 355 JQ, LISTED ACTIVITIES 1(m) AND 16(b) IN GOVERNMENT NOTICE NUMBER R.386, RUSTENBURG LOCAL MUNICIPALITY, NORTH WEST PROVINCE (NWP/EIA/129/2009)

Your application for Environmental Authorisation, in terms of Section 24(2) (a) of the National Environmental Management Act, 1998 as amended (Act No. 107 of 1998) in respect of -

Government Notice No. R. 386 of 21 April 2006 for:

1) The construction of facilities or infrastructure, including associated structures or infrastructure, for any purpose in the one in ten year flood line of a river or stream, or within 32 metres from the bank of a river or stream where the flood line is unknown, excluding purposes associated with existing residential use, but including -

- (i) Canals;
- (ii) Channels;
- (iii) Bridges
- (iv) Dams; and
- (v) Weirs, [listed activity 1(m)]



6. May. 2011 9:20

Veterinary Services

No. 6170 P. 2/18

- 2) The transformation of undeveloped, vacant or derelict land to residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare [listed activity 16(b)].

In terms of the Regulations of Chapter 5 of NEMA, 1998, refer.

This Department has evaluated the **Basic Assessment Report dated March 2010 and the amended Basic Assessment Report (including the attached Environmental Management Plan)** compiled by Tekplan Environmental, received on 11 March 2010 and 07 May 2010 respectively, and additional information received on 09 December 2010, for the establishment of a game lodge television location on portions 3, 10 and 11 of the farm Wagenspadspruit 354 JQ and remaining extent of portion 8 of the farm Naauwpoort 355 JQ, Rustenburg Local Municipality, North West Province, to verify whether these activities will have significant negative impacts on the environment.

Enclosed please find the Environmental Authorisation and the conditions under which your application is authorised.

Formal appeals regarding the Environmental Authorisation can be directed to the MEC for Department of Economic Development, Environment, Conservation and Tourism, North West Province. Such an appeal must be lodged in terms of Chapter 7 of the 6 June 2010 Regulations.

Yours Faithfully



Mr. Steven Mukhola
Environmental Officer Control Grade B: Development Impact Management
North West Department of Economic Development, Environment, Conservation and Tourism
Date: 04/05/2011

Cc: Tekplan Environmental
Contact Person: Mr. Dante Combrink
Tel No.: (015) 291 4177
Cell No.: 082 335 9553
Fax No.: 086 218 3267

Rustenburg Local Municipality
Municipal Manager
Tel No.: (014) 590 3300
Fax No.: (014) 590 3003

Department of Water Affairs
Contact Person: R Botha
Tel No.: (012) 392 1308
Fax No.: (012) 392 1408



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Ref No.: NWP/EIA/23/2008
 Game Lodge Television Location at
 Wagerijepdspruit 354 JQ

Department of Economic Development
 Environment, Conservation and Tourism

Page 3 of 18



A DEFINITIONS

"activity" means an activity identified in any notice published by the Minister or MEC in terms of Section 24D(1)(a) of the Act as a listed activity or specified activity.

"commence" means the start of any physical activity, including site preparation and any other activity on the site in furtherance of a listed activity or specified activity, but does not include any activity required for purposes of an investigation or feasibility study as long as such investigation or feasibility study does not constitute a listed activity or specified activity.

"construction" means the building, erection or establishment of a facility, structure or infrastructure that is necessary for the undertaking of an activity, but excludes any modification, alteration or expansion of such facility, structure or infrastructure and excluding the reconstruction of the same facility in the same location, with the same capacity and footprint.

"expansion" means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased.

"independent", in relation to an EAP or a person compiling a specialist report or undertaking a specialised process or appointed as a member of an appeal panel, means

- a) that such EAP or person has no business, financial, personal or other interest in the activity, application or appeal in respect of which that EAP or person is appointed in terms of these Regulations other than fair remuneration for work performed in connection with that activity, application or appeal; or
- b) that there are no circumstances that may compromise the objectivity of the EAP or person in performing such work.

"public participation process" means a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to, specific matters.

"registered interested and affected party", in relation to an application, means an interested and affected party whose name is recorded in the register opened for that application in terms of Regulation 55.

"registered EAP" means an environmental assessment practitioner registered with an appointed registration authority contemplated in Section 24H of the Act.

"the Act" means the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended.

"the Department" means the Department of Economic Development, Environment, Conservation and Tourism.

"state Department" means any Department or administration in the national or provincial sphere of government exercising functions that involve the management of the environment.

"the Regulations" means the Environmental Impact Assessment Regulations, 2006 and 2010.



B. Environmental Authorisation

Authorisation register number: NWP/EIA/129/2010
Last amended: First issue
Holder of authorisation: NMS COMMUNICATIONS (PTY) LTD
Location of activity: North West Province: Rustenburg Local Municipality

1. 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 activity specified below.

2. Activities authorised

By virtue of the powers delegated by the MEC in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations 2010, the Environmental Officer Control Grade B: Development Impact Management of the Department of Economic Development, Environment, Conservation and Tourism authorises:-

NMS Communications (Pty) Ltd

Mr. Lourenco Rodrigues
P.O Box 1437
FERNDALE
2160

Tel No.: (011) 289 6470
Fax No.: (011) 789 6606
E-mail: Lourenco.Rodrigues@nmscom.net

to undertake the following activities:

- To establish a game lodge television location comprised of 3 (three) main components (i.e. Area 1, Area 2 and Area 3).

Area 1 (Main Entrance) will consist of the following components

Description	Units	Size(m ²)
Guard house	1	26
Crew accommodation	1	1106
Staff quarters	1	174
Heritage house (existing)	1	233
Parking (90 bays)	1	1125
Total		2664




Area 2 (Supporting Facilities) will consist of the following components

Description	Units	Size(m ²)
Offices	1	410
Actors preparation	1	408
Canteen	1	281
Crew facilities	1	407
Managers accommodation	1	238
Existing staff accommodation	1	25
Generator container	1	66
Mast	1	9
Guard house	1	26
Parking (24 bays)	1	856
Total	9	2526

Area 3 (Game Lodge) will consist of the following components

Description	Units	Size(m ²)
Chalet Unit 01	1	406
Chalet Unit 02	1	67
Chalet Unit 03	1	67
Chalet Unit 04	1	68
Chalet Unit 05	1	123
Chalet Unit 06	1	60
Chalet Unit 07	1	60
Chalet Unit 08	1	60
Chalet Unit 09	1	60
Chalet Unit 10	1	387
Entrance Pavillion	1	450
Covered Boma	1	192
Parking (8 bays)	1	100
Total		2100

The total area for the development will be 32400 m² (3.2 ha) including roads with specifications 5.58km length and 4.5m width and cover an area of 25110 m².

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

Site Location:

Alternative/S1	Latitude	Longitude
Starting point of activity	26° 53' 41"	
Middle point of activity		
End point of activity		27° 20' 55"

The proposed development site is located on portions 3, 10 and 11 of the farm Wagenspadspuit 354 JQ and remaining extent of portion 8 of the farm Naauwpoort 355 JQ, which falls within the jurisdiction of Rustenburg Local Municipality, North West Province, hereafter referred to as "the property".



3 **Conditions**

3.1 **Scope of Environmental Authorisation**

- 3.1.1 The preferred alternative site (S1) is approved.
- 3.1.2 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 Environmental Authorisation.
- 3.1.3 The holder of the Environmental Authorisation must be 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 Environmental Authorisation.
- 3.1.4 The activity authorised may only be carried out at the property as described in Point 2 under site location.
- 3.1.5 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 Environmental Authorisation to apply for further Environmental Authorisation in terms of the Regulations.
- 3.1.6 This activity must commence within a period of three (3) years from the date of issue. If commencement of the activity does not occur within that period, the Environmental Authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
- 3.1.7 If the proponent anticipates that commencement of the activity would not occur within three (3) year period, he/she must apply and show good cause for an extension of the Environmental Authorisation prior to its expiry date.
- 3.1.8 This Environmental Authorisation does not negate the holder of the Environmental Authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.
- 3.1.9 Relevant legislation that must be complied with by the holder of this Environmental Authorisation includes, *inter alia*:
- a) Archaeological remains, artificial features and structures older than sixty (60) years are protected by National Heritage Resources Act, 1999 (Act No. 25 of 1999). Should any archaeological artefacts be exposed during excavation for the purpose of construction, construction in the vicinity of the finding must be stopped immediately. A registered Heritage Specialist must be called to the site for inspection. Under no circumstances shall any heritage material be destroyed or removed from the site and the relevant Heritage Resources Agency must be informed about the finding. Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from the South African Heritage Resources Agency and/or any of their delegated provincial agencies.
- b) All provisions of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).



- c) All provisions of the National Water Act, 1998 (Act No. 36 of 1998).
- d) All provisions of Hazardous Substance Act, 1973 (Act No. 15 of 1973).
- e) All provisions of National Veldt and Forest Fires Act, 1998 (Act No. 101 of 1998).
- f) All provisions of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);
- g) All provisions of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003);
- h) The development must adhere to the municipal by-laws.

3.1.10 The holder of an Environmental Authorisation has the responsibility to notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

4 Appeal of Environmental Authorisation

- 4.1 The holder of the Environmental Authorisation must notify every registered interested and affected party, in writing and within twelve (12) days, of receiving an Environmental Authorisation from the Department.
- 4.2 The notification referred to in 4.1 must –
 - 4.2.1 Inform interested and affected of the decision, reason for decision and where the decision can be accessed.
 - 4.2.2 Advise the interested and affected party that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
 - 4.2.3 Specify the date on which the Environmental Authorisation was issued.
 - 4.2.4 Be published in the newspapers contemplated in terms of Regulation 54(2)(c) and (d), which are newspapers that were used for the placing of advertisements as part of the public participation process.
 - 4.2.5 Inform the registered interested and affected party of the appeal procedure provided for in Chapter 7 of the Regulations (Government Notice No. R. 543 of 18 June 2010) (see Annexure 2).
- 4.3 An appeal against the decision must be lodged in terms of Chapter 7 of Government Notice No. R. 543 of 18 June 2010 in terms of NEMA, 1998, as amended, from the date of this Environmental Authorisation, with:

The Member of the Executive Council
Department of Economic Development, Environment, Conservation and Tourism
Private Bag X 15
MMABATHO
2736
Tel No.: (018) 387 7995-7
Fax No.: 086 666 0148



5. Management of the activities

- 5.1 The Environmental Management Plan (EMP) submitted as part of application for Environmental Authorisation (attached as Appendix G of the amended Basic Assessment Report dated March 2010) is hereby approved.
- 5.2 The recommendations and mitigation measures recorded in the Basic Assessment Report and amended Basic Assessment Report dated March 2010 and 07 May 2010 must be adhered to and incorporated as part of the EMP where applicable.
- 5.3 Any proposed amendments to the EMP (as a result of this Environmental Authorisation or otherwise) must be submitted in writing to the Environmental Compliance Enforcement and Authorisations Section of this Department for approval prior to the amendment being implemented. The proposed amendments will be decided upon by the Department within a period of thirty (30) days of receiving the submission.
- 5.4 The provisions of the EMP are an extension of the conditions of the Environmental Authorisation and therefore non-compliance with the EMP would constitute non-compliance with the Environmental Authorisation.
- 5.5 The EMP must form part of the contractor's tender documentation for all contractors working on the project and must be endorsed contractually.

6. Monitoring

- 6.1 The applicant must appoint a suitably experienced Environmental Control Officer (ECO) for the duration of the construction phase who 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 EMP.
- 6.2 The name and contact details of the ECO must be communicated to the Environmental Compliance Enforcement and Authorisations Section of this Department, upon appointment of the ECO.
- 6.3 The ECO shall be appointed before commencement of any land clearing or construction activities on site.
- 6.4 The ECO must act as liaison with this Department's Monitoring Section and other relevant authorities, and must ensure communications with key stakeholders with respect to monitoring of compliance with conditions of authorisation and the EMP.
- 6.5 The ECO shall keep record of all activities on site, monitoring programmes, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 6.6 The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
- 6.7 It is the responsibility of the holder of this Environmental Authorisation to ensure that an ongoing management and monitoring of the impacts of the activity on the environment throughout the life cycle of the activity is put into practice.



7. Recording and reporting to the Department

- 7.1 Records relating to monitoring auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.
- 7.2 Records relating to disposal of waste at a licensed landfill site must be kept at the site and made available for inspection by the competent authority.

8. Commencement of the activity/Notification to authority

- 8.1 Fourteen (14) days written notice must be given to this Department's: Environmental Compliance, Enforcement and Authorisations Section that the activity will commence. Commencement for the purposes of this condition includes site preparation.
- 8.2 Should the applicant be notified by the MEC of a suspension of the Environmental Authorisation pending appeal procedures, activity must not commence, unless authorised by the MEC in writing.

9. Operation of the activities

- 9.1 All solid waste produced by the development during the operational phase, must be suitably stored on site, and removed on a regular basis to a licensed landfill site.

10. Site closure and decommissioning of the activities

- 10.1 Should the activity ever cease or become redundant, the applicant shall 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.
- 10.2 Should the authorised activity be abandoned or decommissioned, a closure management plan must be compiled and submitted to this Department for approval.
- 10.3 The disturbed areas must be rehabilitated to a natural state, and landscaping of the disturbed areas must be in accordance with the regulations pertaining to the control of weeds and invasive species, as published under Section 29 of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983) and must make extensive use of locally appropriate indigenous vegetation.

11. Specific conditions

- 11.1 The building plans for the proposed development must be submitted to the Rustenburg Local Municipality and must be approved prior to the commencement of construction on site.
- 11.2 The development must be substantially in accordance with the Layout Plans prepared by GLH Associates Architects dated 14 December 2009.
- 11.3 The applicant must adhere to the proposed mitigation measures and recommendations contained in the Basic Assessment Report dated March 2010 compiled by Tekplan Environmental Consultant.
- 11.4 The conditions listed in the General Authorisation dated 16 April 2011 by the Department of Water Affairs must be adhered to.

