



agriculture, environmental affairs,
rural development and land reform

Department:
agriculture, environmental affairs,
rural development and land reform .
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

SASKO Building
90 Long Street
Private Bag X6102
Kimberley
8300

Tel. 053-8077300
Fax: 053-8077328

Enquiries :
Dipatlisiso : Ms N Mokonopi
Imibuzo :
Navrae :
Reference : NC/BA/07/JTG/GA-S/KUR1/2022
Tshupelo :
Isalathiso :
Verwysing :

Date :
Leshupelo:
Umhla : 27th May 2022
Datum :

TSWALU KALAHARI RESERVE (PTY) LTD

Gus van Dyk
P.O. Box 1081
KURUMAN
8460

Email: gus.vandyk@tswalukalahari.com

Dear Sir/Madam

THE GRANTING OF AN ENVIRONMENTAL AUTHORISATION FOR: ACTIVITY NO. 27 OF GN. R 324 OF APRIL 2017(AS AMENDED), ACTIVITY NO. 5 & ACTIVITY NO. 12 OF GN. R 327 OF APRIL 2017(AS AMENDED): THE PROPOSED DEVELOPMENT OF A NEW TENTED CAMP (TSWALU CAMP 3) ON THE FARM BRUWER 294 AND THE EXPANSION OF THE ACCOMMODATION ON THE FARM WITBERG 295 TSWALU KALAHARI RESERVE: JOE MOROLONG LOCAL MUNICIPALITY, JOHN TAOLO GAETSEWE DISTRICT, NORTHERN CAPE.

By virtue of power conferred to me by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2014: **ACTIVITY NO. 27 OF GN. R 324 OF APRIL 2017(AS AMENDED), ACTIVITY NO. 5 & ACTIVITY NO. 12 OF GN. R 327 OF APRIL 2017(AS AMENDED): THE PROPOSED DEVELOPMENT OF A NEW TENTED CAMP (TSWALU CAMP 3) ON THE FARM BRUWER 294 AND THE EXPANSION OF THE ACCOMMODATION ON THE FARM WITBERG 295 TSWALU KALAHARI RESERVE: JOE MOROLONG LOCAL MUNICIPALITY, JOHN TAOLO GAETSEWE DISTRICT, NORTHERN CAPE.**

A detailed description of the activity is given in the **Final Basic Assessment Report dated April 2022**, subject to the conditions listed in the Environmental Authorisation and reasons for the decision are attached herewith. In terms of regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014, you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of receiving of this letter, of the

Permit 10/2022

Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Your attention is drawn to chapter 2 of the National Appeal Regulation which regulates appeal procedures. Should you/ any person affected by this decision wish to appeal, any aspect as prescribed in regulation 4 of the National Appeal Regulations 2014, with the Member of the Executive Council, Ministry of the Department agriculture, environmental affairs, rural development and land reform within 20 days of receiving this letter, by means of one of the following methods:

By facsimile: (053) 8077328
By post: Private Bag X 6102, Kimberley, 8300 or
By hand: 90 Long Street, Kimberley, 8300

Should you decide to appeal, you must serve a copy of your notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours Faithfully



**MR. B FISHER: DIRECTOR
ENVIRONMENTAL QUALITY MANAGEMENT
DEPARTMENT: AGRICULTURE, ENVIRONMENTAL AFFAIRS,
RURAL DEVELOPMENT AND LAND REFORM**

DATE OF DECISION: _____

June 2022

Cc: Steven Henwood
HENWOOD ENVIRONMENTAL SOLUTION (PTY) LTD
shenwood@web.co.za



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rural development and land reform

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Yours Faithfully

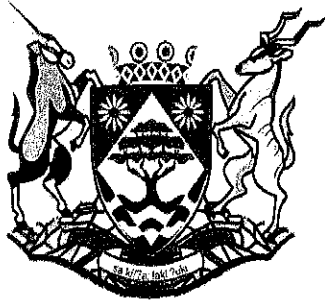


**MR. B FISHER: DIRECTOR
ENVIRONMENTAL QUALITY MANAGEMENT
DEPARTMENT: AGRICULTURE, ENVIRONMENTAL AFFAIRS,
RURAL DEVELOPMENT AND LAND REFORM**

DATE OF DECISION: _____

1 June 2022

Cc: Steven Henwood
HENWOOD ENVIRONMENTAL SOLUTION (PTY) LTD
shenwood@web.co.za



agriculture, environmental affairs,
rural development and land reform

Department:
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NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

ENVIRONMENTAL AUTHORISATION

**in terms of National Environmental Management Act, 1998 (Act No. 107 of 1998) and the
Environmental Impact Assessment Regulations, 2014 (as amended)**

**Authorisation
Register Number:**

PERMIT 10/2022

**Reference
Number:**

NC/BA/07/JTG/GA-S/KUR1/2022

Last Amended:

N/A

**Holder of
Authorisatio:**

Tswalu Kalahari Reserve (PTY) LTD

**Location of
activity:**

**The Farm Bruwer 294, The Farm Witberg 295, Ward 4,
Kuruman, Joe Morolong Local Municipality, John Taolo
Gaetsewe District Municipality, Northern Cape. .**

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;

"Proponent" means a person intending to submit an application for environmental authorisation and is referred to as an applicant once such application for environmental authorisation has been submitted;

"Application" means an application for an -

- (a) environmental authorization in terms of Chapter 4 of the 2014 Environmental Impact Assessment regulations;
- (b) amendment to an environmental authorisation in terms of Chapter 5 of the 2014 Environmental Impact Assessment regulations;
- (c) amendment to an EMPr in terms of Chapter 5 the 2014 Environmental Impact Assessment regulations;
- (d) amendment of a closure plan in terms of Chapter 5 of the 2014 Environmental Impact Assessment regulations;

"Basic Assessment Report" means a report contemplated in regulation 19 of the 2014 Environmental Impact Assessment regulations;

"Environmental Impact Assessment Report" means a report contemplated in regulation 23 of the 2014 Environmental Impact Assessment regulations;

"Plan of Study for Environmental Impact Assessment" means a study contemplated in regulation 22 which forms part of a scoping report and sets out how an environmental impact assessment will be conducted;

"Scoping Report" means a report contemplated in regulation 21 of the 2014 Environmental Impact Assessment regulations;

"EAP" means an Environmental Assessment Practitioner as defined in section 1 of the Act;

"EMPr" means an environmental management programme contemplated in regulations 19 and 23 of the 2014 Environmental Impact Assessment regulations;

"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 42;

"Public Participation Process" means the process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to specific activity;

"Department" means the Northern Cape Department of Environment and Nature Conservation; and

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



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ENVIRONMENTAL AUTHORISATION

**in terms of National Environmental Management Act, 1998 (Act No. 107 of 1998) and the
Environmental Impact Assessment Regulations, 2014 (as amended)**

**Authorisation
Register Number:**

PERMIT 10/2022

**Reference
Number:**

NC/BA/07/JTG/GA-S/KUR1/2022

Last Amended:

N/A

**Holder of
Authorisation
:**

Tswalu Kalahari Reserve (PTY) LTD

**Location of
activity:**

**The Farm Bruwer 294, The Farm Witberg 295, Ward 4,
Kuruman, Joe Morolong Local Municipality, John Taolo
Gaetsewe District Municipality, Northern Cape. .**

DECISION

The Department is satisfied, on the basis of information available to it and subject to compliance with conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity specified below.

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

ACTIVITIES AUTHORISED

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

Tswalu Kalahari Reserve (PTY) LTD

With the following contact details-

Gus van Dyk

Farm Korannaberg 296

8460

P. O Box 1018

Kuruman

8460

Cell: 078 636 78889

Tell: 053 781 9214

Fax: 053 781 9238

Email: gus.vandyk@tswalukalahari.com

to undertake the following activities (hereafter referred to as "the activity")

The Proposed development of a new tented camp (Tswalu Camp 3) on the farm Bruwer 294 and the expansion of the accommodation on the farm Witberg 295 Tswalu Kalahari Reserve: Joe Morolong Local Municipality, John Taolo Gaetsewe District Municipality.

GN R.983 (Listing Notice 1)

Activity 27

The clearance of an area of 1 hectares or more but less than 20 hectares of indigenous vegetation.

GN R.985 (Listing Notice 3)

Activity 5

The development of resorts, lodges, hotel, tourism or hospitality facilities that sleeps more than 15 People.

GN R.985 (Listing Notice 3)

Activity 12

The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan in the Northern Cape, within critical biodiversity areas identified in bioregional plans.

The proposed development of a new tented camp (Tswalu Camp 3) on the farm Bruwer 294 and Expansion of the accommodation on the farm Witberg 295 Tswalu Kalahari Reserve: Ga-Segonyane Local Municipality, John Taolo Gaetsewe District, Northern Cape. With the following coordinates;

The farm Bruwer 294

(Latitude (S) 27° 11' 54.4299" Longitude (E) 22° 30' 9.1069")

(Latitude (S) 27° 11' 58.2934" Longitude (E) 22° 31' 0.0548")

(Latitude (S) 27° 12' 29.7843" Longitude (E) 22° 30' 4.4514")

(Latitude (S) 27° 12' 25.7814" Longitude (E) 22° 30' 39.7663")

(Latitude (S) 27° 12' 7.1612" Longitude (E) 22° 31' 5.5636")

The farm Witberg 295

(Latitude (S) 27° 11' 38.6373" Longitude (E) 22° 27' 58.6207")

(Latitude (S) 27° 11' 39.1094" Longitude (E) 22° 28' 11.1028")

(Latitude (S) 27° 11' 56.5677" Longitude (E) 22° 28' 8.6757")

(Latitude (S) 27° 11' 53.5332" Longitude (E) 22° 28' 16.5123")

Hereafter referred to as "the property".

The granting of this Environmental Authorisation is subject to the conditions set out below.

CONDITIONS

Scope of authorisation:

1. Authorisation of the activity is subject to the conditions contained in this authorisation, which conditions form part of the environmental authorisation and are binding on the holder of the authorisation.
2. The holder of the authorisation **must** be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
3. The activities which are authorized **must** only be carried out at the property indicated above.
4. Any changes to, or deviations from, the project description set out in this 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 authorisation in terms of the regulations.
5. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.

General conditions:

6. A copy of this authorisation must be kept at the property where the activities will be undertaken. The authorisation must be produced to any authorized 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.
7. 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.
8. The holder of the authorisation must notify the Department, in writing and within 24 (Twenty-Four) hours, if condition 16 of this authorisation cannot be or is not adhered to. In all other cases, the holder of the authorisation must notify the Department, in writing, within seven (7) days if any condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
9. 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.
10. This authorization is subject to the approval by the relevant local authorities i.e. in terms of any relevant legislation administered by those local authorities.

11. The activities **must** not commence without the necessary permits/licenses/approvals and/or service agreements, where it is relevant, from or with the relevant regulatory authorities whether national, provincial or local (these include but are not limited to National Department of Forestry and Fisheries, National Department of Agriculture, Land Reform and Rural Development, Department of Housing & Local Government, Department of Water and Sanitation, Department of Mineral Resources, Department of Transport, Roads & Public Works, Department of Sports, Arts & Culture, South African Heritage Resources Agency, South African Civil Aviation Authority).
12. The activities, including site preparation, may not commence before the thirty (30) day appeal period expires or until such time as the Department has considered any appeals that have been lodged.
 - a. **Seven (7) days** written notice must be given to the Department before commencement with the activity.
 - b. Such notice shall make clear reference to the site location details and the reference number given above.
 - c. The said notice must also include proof of compliance with the following condition described herein:
 - i. Condition: 11
13. The applicable conditions of this authorization must form part of all contractors' and sub-contractors' conditions of contract. A performance-based requirement with regard to environmental impact management must be included in all contracts related to any aspect of this authorization.
14. The applicant must carry out regular environmental audits to establish compliance with the conditions of this authorization and contracts.
15. Environmental Management Inspectors employed by the Department shall be given access to the property as described above (see detailed description of the activities) for the purposes of assessing and/or monitoring compliance with the conditions contained in this Environmental Authorization. Where the activity is located on a third party's property the applicant shall be responsible to arrange access for departmental officials.
16. This Department may add to, change and/or amend any of the conditions in this authorization if, in the opinion of the Department, the addition, change of amendment is environmentally justified. In event that such impacts exceed its significance as predicted in the independent consultant's basic assessment report and supporting documentation, the authorization may be withdrawn after proper procedures were followed.
17. In the event of any dispute concerning the significance of a particular impact, the opinion of this department in respect of its significance will prevail.
18. This Department and any national department, provincial department, local authorities or committees appointed in terms of the conditions of this application or any other public authority or organization shall not be held responsible for any damage or losses suffered by the applicant or his successor 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 approval as set out in this document or any other subsequent document emanating from these conditions of approval.

Environmental audit report

41. The holder of the authorization must submit an environmental audit report to the Department within 30 days of completion of the construction phase and within 30 days of completion of rehabilitation activities.
42. The Environmental audit report must:
 - Be compiled by an independent environmental auditor;
 - 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 EMPr.
 - Include measures to be implemented to attend to any non-compliances.
 - Include copies of any approvals granted by other authorities relevant to the department for the reporting period.
 - Highlight any outstanding environmental issues that must be addressed, along with recommendations for ensuring that they are appropriately addressed.
 - Include evidence of adherence to the conditions of this authorisation and the EMPr where relevant such as training records. **Operation of the activity**
43. Seven (7) days written notice must be given to the Department that the activity will commence. 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.
44. Any waste generated during construction and operation phase must be disposed of at a waste disposal site licensed for such waste.
45. No on-site burning or burying of solid waste is permitted.
46. The construction area must be demarcated, no construction or dumping activities should be allowed outside the proposed footprint.
47. The Holder of this Environmental Authorization must ensure construction and operation adheres to the
National Water Act; Part 4 Section 19: Pollution Prevention and Part 5 Section 20 Emergency Incidents.
48. The Holder of this Environmental Authorization must ensure construction and operation adheres to Government Notice No. 36784; No. R. 634: Department of Environment Forestry and Fisheries; National
Environmental Management Waste Act; 2008 (Act No.59 of 2008); Waste Classification and Management Regulations.
49. The Holder of this Environmental Authorisation must ensure that all activities associated with the proposed project take into account Integrated Environmental Management by ensuring that development is socially, environmental and economically sustainable.
50. The holder of this authorization must carry out regular inspections to detect leakages from the fuel tanks.

51. Any spillages of diesel and oil must be reported and cleared up immediately. In the event of oil or diesel spills, the contaminated soil must be placed in a waste skip and disposed-off at a licensed land fill site for such material.
52. The holder of this Environmental Authorization must ensure that soil compaction is limited to the proposed footprint of the activity.
53. Dust control measures must be implemented during clearing phase and must comply with the dust regulations promulgated under the Air Quality Act, 2004 (Act 39 of 2004).
54. Develop and implement a stormwater management plan to prevent erosion and the associated sedimentation of wetlands.
55. If any new evidence of archaeological sites or artefacts, paleontological fossils, graves or other heritage resources is found during development or construction, SAHRA and an archaeologist and/or palaeontologist, depending on the nature of the resources found, must be alerted immediately.
56. Vegetation clearing must be limited to the required footprint.
57. Proper measures to prevent/reduce the risk of erosion and the invasion of alien species must be strictly implemented.
58. The protected trees occurring on site must not be destroyed but they must be incorporated within the development layout plan.
59. The destruction/ or disturbance of individual protected trees must be avoided during the construction of the proposed development. Alternatively, a permit for the removal of any protected species must be applied for and granted by the relevant authority.
60. The necessary flora permits must be applied for and granted by the Northern Cape Department of Environment and Nature Conservation for all plant species protected under the Northern Cape Nature Conservation Act, 2009 (Act No. 9 of 2009) should they be found existing on site.
61. A storm water system must be incorporated into the construction and operation plans of the proposed activity.
62. The spreading of declared weedy and alien invasive plant species must be controlled and monitored at all times.
63. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but must be temporarily stored in a demarcated area.
64. All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities shall be undertaken according to the rehabilitation plan to be included in the final EMPr.
65. Topsoil from all excavations and construction activities must be salvaged and reapplied during reclamation.
66. All mitigation measures detailed in the Environmental Management Programme report must be implemented.
67. Precautionary principles must be followed as people's lives depend on the project.

68. The central waste collection point must be specific- where it will be situated to ensure that no soil or underground water contamination takes place this should be done at least on weekly basis.

Site Closure and Decommissioning:

69. Should the proposed activity ever cease or become redundant, the applicant 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.
70. All areas disturbed by the project must be rehabilitated to their original or better condition.

DURATION AND PERIOD OF VALIDITY

This activity(s) must commence within a period of ten (10) years from the date of issue. If commencement of the activity(s) does not occur within that period and the intention is to extend the validity period of the authorization, an application for amendment to extend the validity period must be launched at least three (3) months prior to the expiry date of the validity period. 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.

APPEAL

An appellant must submit an 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 applicant by the competent authority.

Appeals must be submitted in writing to:

The Member of the Executive Council
Ministry of the department of agriculture, environmental affairs,
rural development and land reform
Private Bag X6102
Kimberley
8300
Fax: (053) 832 1026

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act 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.



MR. B. FISHER

**DIRECTOR: ENVIRONMENTAL QUALITY MANAGEMENT
DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, RURAL DEVELOPMENT AND LAND REFORM**

DATE OF ENVIRONMENTAL AUTHORISATION:

June 2022

ANNEXURE 1: REASONS FOR DECISION

1. Background

The applicant **Tswalu Kalahari Reserve** applied for authorization to carry on the following activity –

The Proposed development of a new tented camp (Tswalu Camp 3) on the farm Bruwer 294 and the expansion of the accommodation on the farm Witberg 295 Tswalu Kalahari Reserve: Joe Morolong Local Municipality, John Taolo Gaetsewe District Municipality.

GN R.983 (Listing Notice 1)

Activity 27

The clearance of an area of 1 hectares or more but less than 20 hectares of indigenous vegetation.

GN R.985 (Listing Notice 3) Activity 5

The development of resorts, lodges, hotel, tourism or hospitality facilities that sleeps more than 15 People.

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(Latitude (S) 27° 11' 56.5677" Longitude (E) 22° 28' 8.6757")

(Latitude (S) 27° 11' 53.5332" Longitude (E) 22° 28' 16.5123")

The applicant appointed **Steven Henwood** to undertake the Basic Assessment Process.

2. Information considered in making the decision.

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

- a) The Environmental Assessment Practitioner (EAP) complied with Regulation 19 of 04 December 2014.
- b) Public participation followed is in line with Regulation 41 of 04 December 2014 and proof was Submitted together with the Basic Assessment Report dated April 2022.
- c) The information contained in the Basic Assessment Report submitted in April 2022 by the Environmental Assessment Practitioner.
- d) The comments received from interested and affected parties as included in the Basic Assessment Report.
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 and 23 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), The Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) and the Northern Cape Conservation Act, 2009 (Act No. 9 of 2009).
- f) A site visit conducted on the February 2022 between Miss Naomi Mokonopi (Agriculture, Environmental Affairs, Rural Development & Land Reform), Peta Bank (Project Manager at Tswalu) and Steven Henwood (EAP)

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) The EAP who prepared the report has the expertise to carry out the Basic Assessment Procedure.
- b) Impacts of the proposed activity on the receiving environment were described in terms of geographical, physical, biological, social, economic, and cultural aspects.
- c) Basic Assessment identified all legislation and guidelines it considered in preparing the report.
- d) The EAP took into account comments from interested and affected parties and incorporated them into making the Basic Assessment Report.
- e) The need and desirability for the proposed activity.

