



environment & tourism

Department:
Environmental Affairs and Tourism
REPUBLIC OF SOUTH AFRICA

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Reference: 12/12/20/858

Enquiries: Mr Lesiba Ngoasheng

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Ms D L Herbst
Eskom Holdings Limited
P O Box 1091
JOHANNESBURG
2000

Fax no: (011) 800 5140

PER FACSIMILE / MAIL

Dear Ms Herbst

**THE PROPOSED DEVELOPMENT OF THE STEELPOORT PUMPED STORAGE SCHEME:
REQUEST FOR AMENDMENT OF ENVIRONMENTAL AUTHORISATION AND
CLARIFICATION ON CONDITIONS OF AUTHORISATION**

Your letter GEM08_L145 dated 04 September 2008 regarding the above-mentioned matter has reference.

Kindly note that your request for the amendment of the environmental authorisation (EA) issued on 24 October 2007 in respect of the project reference 12/12/20/858 has been carefully considered and is hereby accepted. The Department in terms of the powers vested in it by regulation 43 of Environmental Impact Assessment Regulations, 2006 has decided to amend the environmental authorisation dated 24 October 2007 by including the Farm Steynsdrift. Further, condition 1.20.3, which states that: "*No activities of the proposed development must be executed within 100m away from the river banks, streams and/or within 1:100 year flood line*" is withdrawn from the environmental authorisation dated 24 October 2008 to enable the applicant to proceed with the construction activities.

Muhasho wa zwa Vhupo na Vzuendelamashengo • LiTiko le Tesimondzawo netekuVekasha • Isebe lemiCimbi yokusiNgongileyo noKhenketho
Ndzawulo ya Tihaka & Mbangano • Department: Omgewingsake en Toerisme • Lefapha la Tikoloho le Boharhlaudi • Lefapha la Bojanala
Kgoro ya Tikologo le Boeti • Umnyango wezeBhuduluko nokuVekajha • Umnyango Wezemvefo Nokuvakaha

However, conditions 1.20.5, 1.20.7 and 1.20.8 of the environmental authorisation dated 24 October 2007 remain in force as they do not preclude the applicant from proceeding with the authorised activities and are included to ensure that adverse environmental impacts are minimised.

This amendment must be read in conjunction with the environmental authorisation dated 24 October 2007.

Your attention is drawn to Chapter 7 of the regulations which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the Minister, within 10 days of receiving this letter and, must submit the appeal within 30 days of the lodging of the notice of intention to appeal, by means of the same methods as prescribed for interested and affected parties below. Attached please find a simplified copy of the appeals procedure to be followed. Kindly include a copy of this procedure with the letter of notification to interested and affected parties.

In terms of regulation 10(2) you are instructed to:

- (i) Notify all registered interested and affected parties, in writing and within 10 (TEN) calendar days of the date of this letter, of the Department's decision to amend the environmental authorisation.
- (ii) Inform all registered interested and affected parties of the appeal procedure provided for in Chapter 7 of the regulations; and
- (iii) Advise all registered interested and affected parties that should they wish to appeal that they must lodge a notice of intention to appeal with the Minister, within 10 days of receiving notice of the Department's decision and, must submit their appeal within 30 days of the lodging of their notice of intention to appeal, by means of one of the following methods:

By post:

Minister for Environmental Affairs and Tourism

Private Bag X447

PRETORIA,

0001

By facsimile: (012) 310 3688; or

By hand: 2nd floor Fedsure Forum Building, North Tower, cor. Van der Walt and Pretorius Streets, Pretoria

- (iv) Inform every interested and affected party that a prescribed Notice of Intent to Appeal form and Appeal form is obtainable from:
Mr PKM Relief, Appeals Administrator, Tel: 012 310 3705, pretief@deat.gov.za; or
Mr H Grové, Appeals Administrator, Tel: 012 310 3070, hgrove@deat.gov.za; at
the Department.
- (v) Inform all interested and affected parties that should they wish to appeal, the appellant must serve on the applicant a copy of the notice of intention to appeal as well as a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.

The authorised activity / activities may not commence within thirty (30) days of the date of signature of the authorisation. Please further note that the Minister may, on receipt of appeals against the authorisation or conditions thereof, suspend the authorisation pending the outcome of the appeals.

Yours sincerely


Ms Josepho Ngcaba

Acting Director – General

Department of Environmental Affairs and Tourism

Letter signed by: Ms Lize McCourt

Designation: Chief Director: Environmental Impact Management

Date: 13/11/2008