



**GAMTKWA
KHOISAN COUNCIL**

Reg no. : 066-969- NPO

Registered as a Non Profit Organisation (N.P.O) in terms
of the Nonprofit Organisations Act, no. 71 of 1997

**P.O BOX 196
HANKEY
6350**

**We, the Indigenous Peoples, walk
towards the future in the footprints
of our ancestors” (Kari-Ocha Declaration)**

**Cell. : 072 800 6322
Fax : 042 – 2960 399
21 January 2013**

DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE THYSPUNT TRANSMISSION LINE PROJECT.

COMMENTS WITH REGARD TO THE HERITAGE IMPACT ASSESSMENT AND PUBLIC PARTICIPATION PROCESS FOR THE
THYSPUNT TRANSMISSION LINE PROJECT. THE GAMTKWA KHOISAN COUNCIL IS A MEMBER OF THE THYSPUNT ALLIANCE.

We have studied the Heritage Impact Assessment included in the draft E.I.A and we comment as follows:

1. REGIONAL HERITAGE CONTEXT

SiVEST appointed a specialist at the beginning of the process to do a HIA. After several objections about the quality of the report another specialist was appointed to re-do the survey. Both archaeologists failed to consult with us as required by section 38 of the National Heritage Resources Act due to reasons of their own. We pointed out to the EIA consultants that the second report was also unacceptable since the survey did not identify any archaeological sites as required by SAHRA and that the specialist was not accredited by his professional body ASAPA to do coastal archaeology. The EIA undertook to rectify the matter and appointed a third specialist with coastal experience to consult with us. At that stage we refused to attend the meeting since there was several outstanding requests that the EIA consultants failed to address for more than a year. Please see annexures “A” and “B” to our comments for the legitimate reasons for our refusal. The purpose of the consultation by the third specialist was nothing more than a fact finding exercise that failed because of the way SiVEST conducted the PPP and it also failed to address our main concern namely that the HIA report was compiled by someone who is not accredited to coastal archaeological work. The report therefore excludes important information that is required in terms of SAHRA’s Standard Minimum Guidelines. We do not understand how it is possible that the archaeologists only found a few artefacts at Grasridge but not a single archaeological site over the long distance of the transmission line routes that starts at Thyspunt (that has been described in detail) and runs across an area that is regarded as an archaeological sensitive area. The fact that the specialist admits in his report that he did only visit some landowners due to time and financial restrictions **but not all** provides an explanation. Despite our concerns the same report was submitted to SAHRA and their comments are still not part of the Draft EIA despite the fact that the report was submitted to SiVEST more than a year ago. The appointment of the third specialist was therefore a

thin veiled attempt to address the consultation issue and not the main issue of the quality of the report despite SiVEST's undertaking to address the issue (Please see the Issues and Responses report). The current report is therefore also lacking in the following:

The regional heritage synopsis for the area is poorly described with regard to the colonial period heritage of the KhoiSan people. The history of the area did not receive the necessary attention to provide an accurate picture of the cultural landscape. The Gamkwa is not even mentioned in the report but houses and cemeteries from the colonial period have been photographed as if the KhoiSan people did not even exist during the colonial period.

We therefore insist that:

- further research must be done to describe the presence of the Gamtobakwa people (Gamtkwa is an abbreviation of the original tribal name), or the so called "Gamtousch nation" (as described by early travelers such as Ensign August Beutler in 1752) within the regional heritage context.
- further information must be supplied on what caused the long "occupation" of the area by Khoikhoi people and what factors led to their eventual presence at Missionary Stations in Bethelsdorp, Hankey, and Clarkson.
- the living heritage associated with the KhoiSan people with specific reference to medicinal and other useful plants that occur within the study area be investigated further.

The following statement was issued on 8 August 2005 in Pretoria by the Special Rapporteur of the UN on the Human Rights and Fundamental Freedoms of Indigenous People:

"... All indigenous peoples of South Africa were brutally oppressed by the colonial system and the apartheid regime up to 1994. The Khoi-San were dispossessed of their lands and territories and their communities and cultures were destroyed. The tragic consequences of apartheid cannot be overcome in a few years and the Special Rapporteur is fully conscious of the tremendous efforts that have been made by the democratic government of South Africa to redress the many injustices inherited from the old regime. Through his conversations with Government authorities and Khoi-San people, he is also aware of the challenges faced by these communities and their longstanding demands for land rights, official statutory recognition, respect of their cultural identities and full and equal access to social services.

The Special Rapporteur is encouraged by the government's declared commitment to meet the demands of the indigenous groups in the country and by the ongoing efforts to formulate and implement appropriate legislation and policies to address issues such as land restitution, multilingual and multicultural education, the representation of traditional authorities in public life and the delivery of health and other services... "

Without the above information the regional heritage synopsis is incomplete and misleading. The KhoiSan people did not just "occupy" the area for thousands of years and then disappear from the face of the earth. They lost their land by force and through conflict, and the current government recognizes the genocide that took place in colonial times. We, the descendants of these people are very much alive today and represented by various organizations, a fact that should be recognized in the HIA.

2. PRE-COLONIAL HERITAGE/MITIGATION

The information provided about the archaeology of the area is nothing more than a desktop study and despite the lack of a proper survey it substantiates the fact that the KhoiSan community does have a vested interest and rights with regard to the majority of the cultural heritage situated within the study area. We do not regard mitigation measures

proposed as acceptable since a proper survey was not conducted. The main impact has been described as visual and we want to make it clear that we simply do not want power lines running across our heritage sites since we regard our ancestral remains as sacred.

As far as the removal of Khoikhoi and San artefacts are concerned it will have no benefits for our community if it is removed, and in our view it should be preserved in context for future generations. We are of the opinion that the powerline project cannot be separated from the Thyspunt nuclear project since the cumulative impact of both projects will therefore not be adequately considered. In the Thyspunt nuclear project the specialist concludes that the cost to the National Estate is going to be high, unless properly mitigated (In the case of Thyspunt all indications are that there are severe constraints for proper mitigation). In our view it has not been shown to date how mitigation can be achieved successfully and the cumulative impact on the heritage resources of the area are not acceptable. We also reject the argument of national interest since there are other less sensitive sites available for both projects.

3. LEGISLATION/ INDIGENOUS PEOPLES RIGHTS

It appears that Eskom is under the impression that by meeting South African legal criteria there is no obligation on them to act in terms of the UN's declaration of indigenous peoples rights (of which the South – African Government is a co-signatory), the UNESCO or ICOMOS : Burra Charter guidelines, and the Kari-Ocha and Kimberley declarations . These declarations and guidelines all require “informed consent” before any development can take place on indigenous peoples land.

The following articles of the United Nations Declaration on the Rights of Indigenous Peoples are applicable:

Article 11

Indigenous Peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

Article 25

Indigenous Peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources, and to uphold their responsibilities to future generations in this regard.

Article 29

2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in lands and territories of indigenous peoples without their free, prior and informed consent.

Article 32

2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain free and informed consent prior to the approval of any project affecting their lands or territories or other resources ...

Several other articles are also applicable, and although many of these articles bind the state it does not mean that it does not have implications for Eskom. To ignore the principles contained in this declaration will have far reaching effects in future. The Government is already in the process of implementing these principles and the White Paper on the recognition of Khoi and San structures has already been published. This will provide our communities with far stronger rights in future than provided for in current legislation. We have also participated in the public hearings about the Traditional Affairs Bill and since it can be expected that it will be promulgated within the near future it is necessary for

ESKOM to start acknowledging the fact that our rights needs to be respected. The ANC has also announced that land claims will be re-opened specifically to allow for Khoisan land claims prior to 1913 including cultural heritage sites. Please note that the Gamtkwa Khoisan Council will lodge claims for Thyspunt and several other properties situated within our ancestral land along the proposed route for the powerlines as soon as the land claim process is re-opened.

The Khoi and San people regard all archaeological material and sites linked to their culture as of spiritual significance and sacred. These heritage resources are equally deserving of protection similar to the protection offered to other religious minorities in the country (See the Supreme Court of Appeal decision in: Oudekraal Estates (Pty) Ltd v. City of Cape Town and others)

We therefore want to place on record that we are opposed to the proposed project and that neither Eskom nor the Government have approached us to date to obtain free and informed consent to develop a Nuclear Station and Powerlines on our ancestral land.

4. CONSULTATION

We have indicated that we find the public participation process lacking with regard to the KhoiSan community. It is of even bigger concern that National KhoiSan structures were not consulted as part of this process. This has been pointed out to the consultants at community meetings but no attempt was made to contact them and inform them of the process.

The Department of Provincial and Local Government is in the process of negotiations with the National Khoisan Council (N.K.C) and the National Khoi-San Conference Facilitating Agency (N.K.C.F.A) about various First Nation matters. These two structures are however unaware of this EIA process.

The N.K.C represents all the major Khoi and San groupings in South – Africa, while N.K.C.F.A has a membership of more than 70 indigenous organizations.

The HIA results show that a project of this nature will not only have an impact on the resources of a local KhoiSan community, but that the cost to the national estate may be high. It is therefore also a national issue, requiring consultations with national Khoi and San structures as specified above. The fact that this has not been done to date constitutes a serious flaw in the public participation process. The power line routes also does not affect the Gamtkwa KhoiSan tribe alone, it also runs across the territories of several other groups especially in the Nelson Mandela Metropole. No attempt was made to consult these communities despite the fact that the EIA consultants were aware of their existence.

5. PUBLIC PARTICIPATION PROCESS

The PPP process for this project was a disaster. It was at times difficult to distinguish if this was done on purpose or if the EIA consultants were ill equipped to deal with a project of this nature. Annexures “A” and “B” gives a clear picture of how the consultants approached our community and how difficult they made it for us to participate in the process in a meaningful way. In annexure “A” SiVest indicated on 2 September 2011 that they will do their research and to get back to me. More than a year later we were still waiting for them to get back to us and in the mean time the draft EIAR has been published. Can this be regarded as due process? The minutes of the meeting with the Gamtkwa Khoisan Council that appears in the draft EIAR is still in a draft format more than a year after the meeting similar to several other documents. We were only afforded an opportunity to comment on the minutes after the publication of the draft EIAR. Minutes were lost, meetings weren’t recorded or circulated for comments, and in the cases where we did receive the minutes the EIA team failed to correct the minutes after several requests to do so. This type of negligence along with important information being excluded from the draft EIAR caused the comment period to be extended three times and on the closing date of today we once again received an attendance register on the closing date with the names of people who are not members of the Gamtkwa Khoisan Council (Please see annexure “C”). The EIA team is well aware of this fact since it has been pointed out to them in an e-mail dated 4 August 2011. The minutes of the meeting with the Gamtkwa

Khoisan Council , and by this we mean this organization, omitted several statements that are of importance to this process namely:

- The legal representative for ESKOM pointed out that they respect the rights of the KhoiSan community and their link to the KhoiSan heritage in the area, to which I replied by asking if in ESKOM the one hand knows what the other hand does ? because the consultants in the Thyspunt nuclear project are arguing exactly the opposite by saying there is no link between the archaeological heritage and Gamtkwa Khoisan community.
- Dr. Nealroy Swarts pointed out that ESKOM has got a loan for another project provided by the World Bank and he asked if ESKOM is aware that the World Bank has got a Policy on Indigenous Peoples Rights. He also stated that we will write to the World Bank to inform them of ESKOM's plans in other parts of the country and what disregard they are showing to our cultural rights
- He also strongly objected against this project since it is part and parcel of the Thyspunt nuclear project and therefore we refused our co-operation to identify cultural sites since we are not prepared to do the specialists work for him.

The third specialist who attempted to consult with us after the above meeting indicated that our reasons for refusing the consultation will be addressed in the Issues and Responses report. This was not done. Annexure "B" specifies our reasons and it still needs to be addressed. Annexure "D" includes our most recent correspondence with DEA and SiVest once again illustrating the way the EIA consultants dealt with the PPP. This is another example of the way the process has been approached and it substantiates the fact that we do not regard the PPP process as transparent. The draft EIAR tries to convince the decision making authority that all efforts were made to assist a community such as ourselves to participate in the process, however the facts show that they did everything in their power to frustrate the process and to make it as difficult and confusing as possible to participate. We therefore also object against this project on procedural grounds.

Best Regards

Kobus Reichert
Heritage Representative

From: Nicolene Venter <NicoleneV@sivest.co.za>
To: kobus reichert <kobusreichert@yahoo.com>
Sent: Sept, 2 2011
Subject: RE: EIA: Thyspunt Transmission Lines Project - Draft Feedback Meeting Minutes

Dear Kobus

Thank you for your e-mail. I will do my research and will shortly respond to your e-mail.

Kind regards

NICOLENE VENTER

Snr Public Participation Practitioner

SIVEST Environmental Division

tel (direct) +27 11 798 0635 tel (general) +27 11798 0600 fax +27 11 803 7272 cell 083 377 9112

email nicolenev@sivest.co.za website www.sivest.co.za

Consulting Engineers Project Managers Environmental Consultants Town and Regional Planners

Durban Johannesburg Pietermaritzburg Richards Bay Ladysmith Cape Town Harare (Zimbabwe)

From: kobus reichert [mailto:kobusreichert@yahoo.com]

Sent: 01 September 2011 21:06

To: Nicolene Venter

Subject: Re: EIA: TTLIP - Response

Dear Nicolene,

I refer to your e-mail below dated 21 January 2011. This was your response to my e-mail of the same date requesting that the minutes of the feedback meeting should be amended. This meeting did not take place in February 2011 as indicated by you, but in October 2010. If you look at your own response it is unclear how you can make the statement that: "**we did not received any feedback regarding corrections / updates on the draft Discussion Document from the attendees who attended the Feedback Meeting**" Please check your records once again and provide us with the updated minutes as soon as possible.

As far as the Revised Minutes for the Public Meeting in Humansdorp is concerned, we do not accept the Final Draft Minutes that you have provided us with on 20 May 2011 since the changes we have requested still does not appear in this document. We have pointed this out per e-mail, at the Feedback Meeting in October 2010, and in a follow up e-mail dated 27 July 2011, but to date none of the changes have been affected or any explanations given why you regard your

version as more accurate. We find this situation unacceptable, and we request that you attend to the above matters as soon as possible.

Please provide us with the date of your meeting with Mr. Williams , and provide us with the reason why were not given the same opportunity to meet with the EIA team or your heritage consultant on the same basis as your meeting with him, despite the fact that we have requested such a meeting as registered I&AP.

Best Regards

Kobus Reichert

Heritage Representative:

Gamtkwa KhoiSan Council

Reg no: 066 - 969 NPO

P.O Box 196

Hankey

6350

Cell: 072 800 6322

Tel/Fax: 042 - 2960 399

From: Nicolene Venter <NicoleneV@sivest.co.za>

To: kobus reichert <kobusreichert@yahoo.com>

Sent: Fri, January 21, 2011 11:21:02 AM

Subject: RE: EIA: Thyspunt Transmission Lines Project - Draft Feedback Meeting Minutes

Hi Kobus

Thank you very much for your comments on the draft minutes and I will take it up with Paul da Cruz, our project leader for TTLIP – I can mentioned that he did not review the minutes as he did not attend the meeting but it was reviewed by Liesl. Will respond to your first 2 paragraphs next week if that is fine with you.

I cannot believe that I keep putting off sending you the revised minutes – Kobus, I am working at home today and did not copy our scoping phase folder – can I send it through to you on Monday?

Kind regards

Nicolene

From: Nicolene Venter <NicoleneV@sivest.co.za>

To: Kobus Reichert <kobusreichert@yahoo.com>

Cc: Paul da Cruz <Pauld@sivest.co.za>
Sent: Tuesday, August 30, 2011 12:08 AM
Subject: EIA: TTLIP - Response

Dear Kobus,

Thank you for the information below. A copy of the discussion document will be forwarded to you once we've received feedback from the attendees that the points recorded are a true reflection. The discussion document will form part of the FEIR appendixes as per all meetings held.

Please note that the meeting was not 'recorded' by means of an electronic device.

Kobus, just a follow-up, when can expect a response to the matter regarding the previous minutes.

Kind regards

NICOLENE VENTER

Snr Public Participation Practitioner

SIVEST Environmental Division

tel (direct) +27 11 798 0635 **tel** (general) +27 11798 0600 **fax** +27 11 803 7272 **cell** 083 377 9112

email nicolenev@sivest.co.za **website** www.sivest.co.za

Consulting Engineers Project Managers Environmental Consultants Town and Regional Planners

Durban Johannesburg Pietermaritzburg Richards Bay Ladysmith Cape Town Harare (Zimbabwe)

From: kobus reichert [mailto:kobusreichert@yahoo.com]
Sent: 04 August 2011 12:15
To: Nicolene Venter
Subject: Re: EIA: TTLIP

Dear Nicolene,

Please note that the Gamtkwa KhoiSan Council is a registered organization with it's own constitution and membership. Mr Williams is not a member of the Gamtkwa KhoiSan Council and we also do not recognize him as a leader of the KhoiSan community. He has got no mandate to speak on our behalf and he will certainly not be part of any meeting with our organization that has been a registered I&AP since the beginning of this process. We have also noted that you had a meeting with Mr Williams. Please provide us wit a copy of the recording of this meeting since the recording is now part of the public record, as well as copies of any documentation in your possession on which you base your presumption that: "we believe he is the stakeholder to be consulted and involved in all discussions regarding KhoiSan Heritage aspects."

Best Regards

Kobus Reichert

Heritage Representative:

Gamtkwa KhoiSan Council

Reg no: 066 - 969 NPO

P.O Box 196

Hankey

6350

Cell: 072 800 6322

Tel/Fax: 042 - 2960 399

Best Regards

From: Nicolene Venter <NicoleneV@sivest.co.za>
To: 'Kobus Reichert' <kobusreichert@yahoo.com>; "jvschalkwyk@mweb.co.za" <jvschalkwyk@mweb.co.za>
Cc: Paul da Cruz <Pauld@sivest.co.za>
Sent: Wednesday, August 3, 2011 6:10 AM
Subject: EIA: TTLIP

Dear Kobus

Thank you for forwarding your e-mail addressed to Johnny van Schalkwyk.

It seems that you did not received the attached e-mail that I've send on the 20th of May 2011 re the updated Public Meeting minutes.

With reference to your e-mail below where you state "Unfortunately the minutes that we received for both meetings were not correct and we have asked for certain amendments. To date we have not received the final minutes with the changes that we have requested." please note that we did not received any feedback regarding corrections / updates on the draft Discussion Document from the attendees who attended the Feedback Meeting held in February this year. You are most welcome to send them through and we will update the Discussion Document if the corrections are in accordance to the recording taken at the meeting.

We would like to mention that should any meeting be arranged to discuss heritage issues that Chief Williams also be part of the meeting as we had a meeting with the Chief and members of the Gamtka KhoiSan Council and we believe he is the stakeholder to be consulted and involved in all discussions regarding KhoiSan Heritage aspects.

Hi Johnny: with reference to Kobus' e-mail below informing us that you had not yet responded to his e-mail, can we request you to try again. Paul did inform me that you've tried to reach Kobus but was not successful.

Kind regards

NICOLENE VENTER

Snr Public Participation Practitioner

From

- [kobus reichert](#)

JUL, 27 2011

To

- [Nicolene Venter](#)

Dear Nicolene,

I refer to your e-mail below, as well as your e-mail dated 20 May 2011. I hereby confirm once again that I have not received the revised minutes. It has been outstanding since November 2009. Please go and read your own e-mail to me dated 19 November 2009 and then indicate why it is necessary for me to send you my comments once again. You have received my comments on the minutes and you have indicated on several occasions that you will provide me with the revised minutes.

I have noted that you are blaming one of your colleagues but reading through the correspondence it is also apparent that you did not respond to the two paragraphs of my comments referred to in your e-mail below. In addition to this I have also not received the revised minutes for the second meeting in St Francis Bay. Please note that I will not be attending any "open houses" for this project. It serves no purpose whatsoever and due to your handling of the Public Participation phase to date it is clear that I will be wasting our time. Please include a copy of this e-mail in the EIA report.

Best Regards

Kobus Reichert

Heritage Representative:

Gamtkwa KhoiSan Council

P.O Box 196

Hankey

6350

Cell: 072 800 6322

Tel/Fax: 042 - 2960 399

From: Nicolene Venter <NicoleneV@sivest.co.za>

To: kobus reichert <kobusreichert@yahoo.com>

Sent: Fri, January 21, 2011 11:21:02 AM

Subject: RE: EIA: Thyspunt Transmission Lines Project - Draft Feedback Meeting Minutes

Hi Kobus

Thank you very much for your comments on the draft minutes and I will take it up with Paul da Cruz, our project leader for TTLIP – I can mentioned that he did not review the minutes as he did not attend the meeting but it was reviewed by Liesl. Will respond to your first 2 paragraphs next week if that is fine with you.

I cannot believe that I keep putting off sending you the revised minutes – Kobus, I am working at home today and did not copy our scoping phase folder – can I send it through to you on Monday?

Kind regards

Nicolene

From: Nicolene Venter <NicoleneV@sivest.co.za>

To: "kobusreichert@yahoo.com" <kobusreichert@yahoo.com>

Cc: Paul da Cruz <Pauld@sivest.co.za>

Sent: Friday, May 20, 2011 2:22 PM

Subject: EIA: TTLIP - Feedback regarding your comments on public meeting minutes

Dear Kobus

As replied at the Feedback Meeting, I've updated the Minutes and as I recall the revised minutes was send to you (and remembered afterwards that we would've send it to all those who attended). The task of sending the revised Minutes to all attendees was allocated to one of our colleagues. As it now materialize, I cannot trace the revised copy of the minutes on our server, and the e-mail message that was supposedly send to all the attendees. Our colleague who had execute this task left our Company in April 2010 and I've contacted him regarding this matter and the feedback was that he executed the task successfully.

Kobus, can I ask that you re-send your e-mail (if you still have a copy) with the changes you've submitted and I will take control off the matter. I've attached the "original" draft minutes, should you not be able to trace your e-mail in your "sent items" folder.

Please accept our apology for any inconvenience caused.

Kind regards

NICOLENE VENTER

Snr Public Participation Practitioner

SiVEST Environmental Division

tel (direct) +27 11 798 0635 **tel** (general) +27 11798 0600

Re: Specialist Meeting

From

- [kobus reichert](#)

AUGUST, 29 2012

To

- [Mary Patrick](#)

CC

- [Nicolene Venter](#)
- rebeccat@sivest.co.za
- [Nealroy Swarts](#)
- 2 More...

Dear Mary,

Nicolene Venter of SiVEST phoned me yesterday to inform me that they have lost the minutes of the key focus group meeting with the Gamtkwa Khoisan Council held in January 2012. She suggested that she will forward her notes to me and that I should add anything that I feel that was not addressed. This was their first contact with me in the 8 months after the meeting. I initially agreed to assist in order to accommodate your request for a meeting, but after reviewing all my previous correspondence with SiVEST, I regret to inform you that the Gamtkwa is considering withdrawing from the Public Participation Phase and to address their future comments directly to the Department of Environmental Affairs due the following reasons:

- SiVEST have failed to provide us with the amended minutes for the Humansdorp Public meeting and the Cape St Francis Feed-back meeting despite numerous requests and at various stages alleged that they have either lost our comments or that they have not received any comments while we have proof to the contrary based on their own e-mail responses to us.
- SiVEST have failed to provide us with the minutes of the Jeffreys Bay Public meeting held on 28 September 2011 and to date we did not have an opportunity to review or comment on the minutes
- SiVEST have lost the minutes of the key-focus group meeting with us in January 2012 and they now expect us to rectify the matter.

Although the above issues are not part of your scope of work, we are of the opinion that the consultation process with you does form part of the PPP and as such we requested that the above matters should be rectified prior to our meeting since it makes little sense to repeat comments that we have made during the course of this EIA process to date. This has clearly not been done. We are further of the opinion that SiVest have failed to conduct the PPP with regard to us in an open an transparent way and specifically to assist a disadvantaged community to participate in the process by accurately recording their comments and by failing to address their legitimate requests as part of this process. In the circumstances we are in not in a position to meet with you due to the conduct of the EIA consultant. Please provide us with a copy of your report as soon as it becomes available.

Best Regards

Kobus Reichert

Heritage Representative:
Gamtkwa Khoisan Council
Reg. no: 066-969 NPO
P.O Box 196
Hankey
6350
Cell: 072 800 6322
Tel/Fax: 042 - 2960 399

From: Mary Patrick <maryp@method1.co.za>
To: kobusreichert@yahoo.com
Sent: Friday, August 24, 2012 8:20 AM
Subject: Specilist Meeting

Dear Mr Reichert,

Thank you for speaking with me yesterday. I have raised your concerns about minutes that have not been sent to you for comment and hope that the EIA specialist will make contact with you soon.

As discussed please see my agenda for the proposed meeting next week. Could you indicate if you are willing to meet with me to discuss items on the agenda ?

Many thanks.

Mary Patrick

TITLE SURNAME NAME or INITIALS POSITION / AFFILIATION

Attendance Record

**CONSULTATION MEETING HELD WITH THE GAMTKWA KHOISAN COUNCIL, LOERIE
(alphabetically according to Surname)**

IMPACT PHASE

Ms Joseph Pearl Manager: Eskom Development Foundation

Ms Koert Maria Head Person: Gamtkwa Khoisan Council

Ms Mokgwatlheng Lerato Snr Environmental Manager: Thyspunt

Ms Quinisile Mabel Public Participation Co-Ordinator

Ms Venter Nicolene Stakeholder Engagement Practitioner

Ms Williams Anna Head Person: Gamtkwa Khoisan Council

Hoofman Williams Michael Hoofman: Gamtkwa Khoisan Council

From: kobus reichert [mailto:kobusreichert@yahoo.com]

Sent: 27 November 2012 15:25

To: H Gabashile

Cc: Nicolene Venter; Rebecca Thomas

Subject: Re: Proposed Thyspunt Transmission Lines Integration Project: Revised DEIR - Response regarding e-mail from Mr Kobus Reichert

Dear Gabisele,

It is clear from the correspondence below that SiVest undertook to provide us with the information "as a matter of priority" during the comment period. They have failed to do this and have now provided me with the information a couple of days after the closing date. It is unfair towards us to now state that the comment period on the final EIR will be sufficient to submit our comments. We have not been provided the same opportunity as other I&A parties to submit our comments on the Draft EIR and we request that we be provided with reasonable time to submit our comments on the Draft EIR. We further request that the Department should not accept the Final EIR until we have been given a fair chance to participate in the process on the same level as other I&AP's.

Best Regards

Kobus Reichert
Heritage Representative:
Gamtkwa Khoisan Council
Reg no: 066 - 969 NPO
P.O Box 196
Hankey
6350

From: Nicolene Venter <iafrica@icon.co.za>

To: iafrica@icon.co.za; 'Gabisile Hlongwane' <GabisileH@environment.gov.za>; 'Kobus Reichert' <kobusreichert@yahoo.com>

Cc: 'Milicent Solomons' <MSolomons@environment.gov.za>; 'Wayne Hector' <WHector@environment.gov.za>; 'Lerato Mokgwathheng' <MokgwaLL@eskom.co.za>; 'Rebecca Thomas' <rebeccat@sivest.co.za>

Sent: Tuesday, November 27, 2012 2:56 PM

Subject: Proposed Thyspunt Transmission Lines Integration Project: Revised DEIR - Response regarding e-mail from Mr Kobus Reichert

Dear Gabisile

I had done some research and would like to inform DEA that the documents as requested by Kobus Reichert are included in the Revised DEIR under the following Appendices (in both the Northern and Southern Corridor folders on SiVEST's website):

- Minutes of the Public Meeting held in Pellsrus, Jeffreys Bay

- Appendix 12O – Minutes of Meetings

- Public Meetings

- Issues and Responses Report

- Appendix 12P

Regarding the request for SAHRA's reviewed comments on the Heritage Report:

- We are in the process tracking down any comments received from SAHRA. We did receive detail comments from SAHRA on the Scoping Report and these were included in the Final Scoping Report

Please be informed that the Final Environmental Impact Assessment Report (Final EIR) will be made available for public review and the Team believes that the review period for the Final EIR together with the documents attached for Mr Reichert's attention, would be sufficient to receive Mr Kobus Reichert's comments.

Dear Kobus – Please find attached the following documents as requested:

- Minutes of the Public Meeting held in Pellsrus, Jeffreys Bay

- Please note, they are still in draft format. Once comments have been received it would be included in the Final EIR as the final minutes.

- Issues and Responses Report

An electronic copy of SAHRA's comments will be forwarded to you, once received.

Please do not hesitate to contact us should you

Nicolene Venter

Public Participation & Stakeholder Engagement Practitioner

PO Box 61164, Pierre van Ryneveld

0045

Tel.: +27 12 662 2843

Cellphone: 083 377 9112

E-mail: jafrica@icon.co.za

From: Nicolene Venter [mailto:iafrica@icon.co.za]

Sent: 26 November 2012 14:34

To: 'Gabisile Hlongwane'; 'Nicolene Venter'

Cc: 'Millicent Solomons'; 'Wayne Hector'; 'Lerato Mokgwatlheng'; 'Rebecca Thomas'; 'Kobus Reichert'

Subject: RE: Proposed Thyspunt Transmission Lines Integration Project: Revised DEIR available for public comment

Dear Gabisile

Please be informed that the requested information as below by Kobus Reicher will be forwarded to him this week and will be included in the Final EIR.

Kind regards

Nicolene Venter

Public Participation & Stakeholder Engagement Practitioner

PO Box 61164, Pierre van Ryneveld

0045

Tel.: +27 12 662 2843

Cellphone: 083 377 9112

E-mail: iafrica@icon.co.za

From: Gabisile Hlongwane [mailto:GabisileH@environment.gov.za]

Sent: 23 November 2012 14:51

To: Nicolene Venter

Cc: Millicent Solomons; Wayne Hector; Lerato Mokgwatlheng; Rebecca Thomas; Kobus Reichert

Subject: Re: Proposed Thyspunt Transmission Lines Integration Project: Revised DEIR available for public comment

Dear Nicolene

If the documents requested by Kobus Reichert are not included in the Revised Draft EIR, please make sure to include them and provide I&APs reasonable time to review and submit their comments.

Kind regards

Gabisile

Ms Gabisile Hlongwane
SID Officer
Directorate: Environmental Impact Evaluation

Fedsure Forum Building
4th Floor, Room 423, South Tower

Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Tel: (+27 12) 310 3805
Mobile: (+27) 82 785 1293
Fax: (+27 12) 320 7539
E-mail: GabisileH@environment.gov.za
website: <http://www.environment.gov.za/>

"WE DO IT RIGHT THE FIRST TIME"

>>> kobus reichert <kobusreichert@yahoo.com> 2012/11/22 01:45 PM >>>

Dear Ms Gabashile,

ENVIRONMENTAL IMPACT ASSESSMENT (EIA): PROPOSED THYSPUNT TRANSMISSION
LINES INTEGRATION PROJECT (TTLIP) (DEA REF NOS: 12/12/20/1211;
12/12/20/1212 and
12/12/20/1213)

We refer to the e-mail correspondence below. Today is the closing date for comments on the Revised DEIR for the above project. We have requested documentation from the EIA consultant to enable us to comment on the project. On 15 October 2012 the consultant informed us that they will attend to our request as a matter of priority. We followed the matter up on 9 November 2012 and to date we have not received the documentation. It is not possible to participate in the EIA process in the circumstances and I request that the Department note our formal objection against the project on procedural grounds. We will only be in a position to submit our further objections against the project once we have been provided with the required information.

Best Regards

Kobus Reichert
Heritage Representative:
Gamtkwa Khoisan Council
Reg no: 066 - 969 NPO
P.O Box 196
Hankey
6350

From: kobus reichert <kobusreichert@yahoo.com>
To: Nicolene Venter <iafrica@icon.co.za>
Sent: Thursday, November 22, 2012 9:45 AM
Subject: Re: Proposed Thyspunt Transmission Lines Integration Project:
Revised DEIR available for public comment

Dear Nicolene,

I refer to your e-mail below. Please note that I have not received your formal response to date.

Best Regards
Kobus Reichert
Heritage Representative:
Gamtkwa Khoisan Council
Reg no: 066 - 969 NPO
P.O Box 196
Hankey
6350

From: Nicolene Venter <iafrica@icon.co.za>
To: 'kobus reichert' <kobusreichert@yahoo.com>; 'Rebecca Thomas' <RebeccaT@sivest.co.za>
Cc: 'Nicolene Venter' <NicoleneV@sivest.co.za>
Sent: Tuesday, November 13, 2012 3:22 PM
Subject: RE: Proposed Thyspunt Transmission Lines Integration Project:
Revised DEIR available for public comment

Dear Kobus

Please receive herewith acknowledgement of your e-mails below and we will respond to your requests formally and aim to send it to you by the end of this week.

Kind regards

Nicolene Venter

Public Participation & Stakeholder Engagement Practitioner
PO Box 61164, Pierre van Ryneveld
0045
Tel.: +27 12 662 2843
Cellphone: 083 377 9112
E-mail: iafrica@icon.co.za

From: kobus reichert [mailto:kobusreichert@yahoo.com]
Sent: 13 November 2012 13:21
To: Rebecca Thomas
Cc: Nicolene Venter
Subject: Re: Proposed Thyspunt Transmission Lines Integration Project:
Revised DEIR available for public comment

Dear Rebecca / Nicolene,

Please acknowledge receipt of my e-mail below.

Best Regards

Kobus Reichert
Heritage Representative:
Gamtkwa Khoisan Council
Reg no: 066 - 969 NPO
P.O Box 196
Hankey
6350
Cell: 072 800 6322
Tel/Fax: 042 - 2960 399

From: kobus reichert <kobusreichert@yahoo.com>
To: Rebecca Thomas <RebeccaT@sivest.co.za>
Cc: Nicolene Venter <NicoleneV@sivest.co.za>
Sent: Friday, November 9, 2012 12:10 PM
Subject: Re: Proposed Thyspunt Transmission Lines Integration Project:
Revised DEIR available for public comment
Dear Rebecca,

I refer to your e-mail below. Please note that I will be unable to submit comments on behalf of the Gamtkwa Khoisan Council if I do not receive the requested documents. This will result along with other issues in a formal objection against the project on procedural grounds.

Best Regards

Kobus Reichert

Heritage Representative:

Gamtkwa Khoisan Council

Reg no: 066 - 969 NPO

P.O Box 196

Hankey

6350

From: Rebecca Thomas <RebeccaT@sivest.co.za>

To: kobus reichert <kobusreichert@yahoo.com>

Cc: Nicolene Venter_External <iafrica@icon.co.za>

Sent: Monday, October 15, 2012 2:55 PM

Subject: RE: Proposed Thyspunt Transmission Lines Integration Project:

Revised DEIR available for public comment

Dear Kobus,

Thank you for your request. I will respond in due course and as a matter of priority.

Kind Regards

REBECCA THOMAS B.Sc Env. Sc.; PDM Business Management

Senior Environmental Scientist

SiVEST Environmental Division

direct +27 11 798 0634 tel +27 11 798 0600 fax +27 11 803 7272

cell +27 82 302 9010

email rebeccat@sivest.co.za website <http://www.sivest.co.za/>

SiVEST is a Level 4 BBBEE Contributor

Consulting Engineers — Project Managers — Environmental Consultants

— Town and Regional Planners

Durban — Johannesburg — Pietermaritzburg — Richards Bay

— Ladysmith — Cape Town — Harare (Zimbabwe)

From: kobus reichert [mailto:kobusreichert@yahoo.com]

Sent: 10 October 2012 01:48 PM

To: Rebecca Thomas

Subject: Re: Proposed Thyspunt Transmission Lines Integration Project:

Revised DEIR available for public comment

Dear Rebecca,

I am unable to open several files if I use the link provided by you. I will therefore appreciate it if you can provide me with the following:

1. The minutes of the public meeting held in Pellsrus, Jeffreys Bay
2. The issues and responses report
3. SAHRA's review comments on the Heritage Report

Thank you for your assistance

Best Regards

Kobus Reichert
Heritage Representative:
Gamtkwa Khoisan Council
Reg no: 066 - 969 NPO
P.O Box 196
Hankey
6350
Cell: 072 800 6322
Tel/Fax: 042 - 2960 399

From: Rebecca Thomas <RebeccaT@sivest.co.za>
To: Nicolene Venter_External <iafrica@icon.co.za>; kobus reichert <kobusreichert@yahoo.com>; Veronique Evans <VeroniqueE@sivest.co.za>

Cc: Nicolene Venter <NicoleneV@sivest.co.za>
Sent: Monday, October 8, 2012 4:41 PM
Subject: RE: Proposed Thyspunt Transmission Lines Integration Project:
Revised DEIR available for public comment
Dear Kobus,

Please try the following link:

<http://www.sivest.co.za/Download.aspx> then scroll down to 9520 Eskom Thyspunt EIA.

Please let us know if you experience any further problems.

Kind Regards

REBECCA THOMAS B.Sc Env. Sc.; PDM Business Management
Senior Environmental Scientist

SiVEST Environmental Division

direct +27 11 798 0634 tel +27 11 798 0600 fax +27 11 803 7272

cell +27 82 302 9010

email rebeccat@sivest.co.za website <http://www.sivest.co.za/>

SiVEST is a Level 4 BBBEE Contributor

Consulting Engineers — Project Managers Environmental Consultants

— Town and Regional Planners

Durban — Johannesburg — Pietermaritzburg — Richards Bay

— Ladysmith — Cape Town — Harare (Zimbabwe)

From: iafrica@icon.co.za [mailto:iafrica@icon.co.za]

Sent: 08 October 2012 04:35 PM

To: kobus reichert; Veronique Evans; Rebecca Thomas

Cc: Nicolene Venter

Subject: Re: Proposed Thyspunt Transmission Lines Integration Project:

Revised DEIR available for public comment

Hi Kobus

Rebecca will forward the link to you shortly.

Hi Rebecca, will you please assist - I do not have the link saved on my BlackBerry.

Kind regards

Nicolene

Sent from my BlackBerry® wireless device

From: kobus reichert <kobusreichert@yahoo.com>

Date: Mon, 8 Oct 2012 07:26:51 -0700

To: Veronique Evans<VeroniqueE@sivest.co.za>

ReplyTo: kobus reichert <kobusreichert@yahoo.com>

Cc: Nicolene Venter<NicoleneV@sivest.co.za>

Subject: Re: Proposed Thyspunt Transmission Lines Integration Project:

Revised DEIR available for public comment

Dear Veronique,

I will appreciate it if you can respond to my e-mail below.

Best Regards

Kobus Reichert
Heritage Representative:
Gamtkwa Khoisan Council
Reg no: 066 - 969 NPO
P.O Box 196
Hankey
6350
Cell: 072 800 6322
Tel/Fax: 042 - 2960 399

From:kobus reichert <kobusreichert@yahoo.com>
To: Veronique Evans <VeroniqueE@sivest.co.za>
Sent: Wednesday, October 3, 2012 8:25 AM
Subject: Re: Proposed Thyspunt Transmission Lines Integration Project:
Revised DEIR available for public comment
Dear Veronique,

I am unable to access the report via the link provided below. I will appreciate it if you can provide me with an alternative link.

Best Regards

Kobus Reichert
Heritage Representative:
Gamtkwa Khoisan Council
Reg no: 066 - 969 NPO
P.O Box 196
Hankey
6350
Cell: 072 800 6322