



environment, forestry & fisheries

Department:
Environment, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

DEA Reference: 14/12/16/3/3/1/1356/AM2

Enquiries: Ms Thulisile Nyalunga

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Ms A van Gensen
Eskom Holdings SOC Limited
PO Box 606
KIMBERLY
8301

Telephone Number: (053) 830 5775
Email Address: vGensenAL@eskom.co.za

PER EMAIL / MAIL

Dear Ms Gensen

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 02 JUNE 2015 FOR THE CONSTRUCTION OF A 20KM 132 KV OVERHEAD POWER LINE FROM THE OLIEU SUBSTATION TO THE KARATS SUBSTATION WITHIN THE KGATELOPELE LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 02 June 2020, the first EA amendment issued on 08 February 2017, your application for amendment of the EA received by this Department on 03 July 2020, and the acknowledgement letter dated 12 July 2020, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, has decided to amend the EA dated 02 June 2020, as amended, as follows:

Amendment to the commencement period on page 5 of the EA:

The commencement period of the EA issued on 02 June 2015, which was due to expire on 02 June 2020, is hereby extended by an additional five years (05) years to 02 June 2025. Condition 6 of the EA dated 02 June 2015, is thus amended as follows:

"6. This activity must commence within a period of ten (10) years from the date of issue of this authorisation (i.e. the authorisation lapses on 02 June 2025). 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."

The Department is aware that the environment changes constantly, as a result it might be significantly different from the one that existed at the time of the issuing of this EA, hence the validity of the EA cannot exceed a maximum period of 10 years. Failure to commence with construction activities within the maximum 10 year period, your EA will be deemed to have lapsed and a new application for Environmental Authorisation will have to be lodged.

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The reason for the amendment is as follows:

The project has not commenced due to delays in land buying negotiations and financial constraints at Eskom SOC Ltd. The amendment will not lead to the occurrence of any negative environmental impacts, other than those already assessed in the Environmental Impact Assessment.

General

This letter must be read in conjunction with the EA dated 02 June 2015, as amended.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision, as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@environment.gov.za;

By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria,
0083; or

By post: Private Bag X447,
Pretoria,
0001;



Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environment, Forestry and Fisheries

Date: 12/05/2020

CC:	Lubabalo Ndzimande	Eskom SOC LTD	E-mail: NdzlmaL@eskom.co.za
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