



environmental affairs

Department: Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447- PRETORIA - 0001 - Fedsure Building - 315 Pretorius Street - PRETORIA
Tel (+ 27 12) 310 3911 - Fax (+ 2712) 322 2682

NEAS Reference: DEAT/EIA/0000572/2011

DEA Reference: 12/12/20/2097

Enquiries: Jay-Jay Mpelane

Telephone: 012-310-3004 Fax: 012-320-7539 E-mail: Jmpelane@environment.gov.za

Mr Hannes van Rensburg
Eskom Distribution
P.O. Box 3499
POLOKWANE
0700

Fax no: 015 295 7550

PER FACSIMILE / MAIL

Dear Mr Rensburg



APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 546: PROPOSED ESKOM BULGE-TOULON 33kV LINE

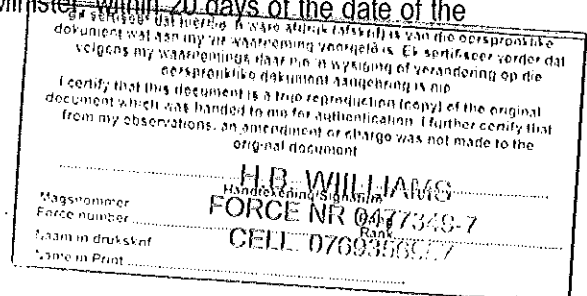
With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation (EA) and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister within 20 days of the date of the EA, by means of one of the following methods:

- By facsimile: 012 320 7561;
- By post: Private Bag X447, Pretoria, 0001; or
- By hand: 2nd Floor, Fedsure Building, North Tower, cnr. Van der Walt and Pretorius Streets, Pretoria.



If the applicant wishes to lodge an appeal, it must also serve a copy of the 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, should you intend to submit an appeal.

Please include the Department (*Attention: Director: Environmental Impact Evaluation*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

Appeals must be submitted in writing to:

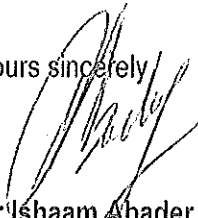
Mr T Zwane, Senior Legal Administration Officer (Appeals) of this Department at the above mentioned addresses or fax number. Mr Zwane can also be contacted at:

Tel: 012-310-3929

Email: tzwane@environment.gov.za

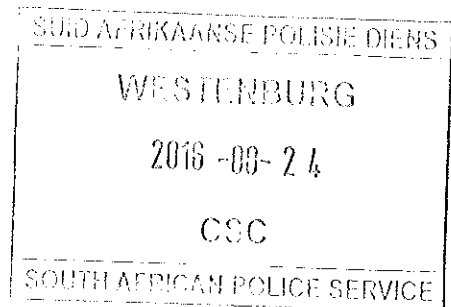
The authorised activities shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely

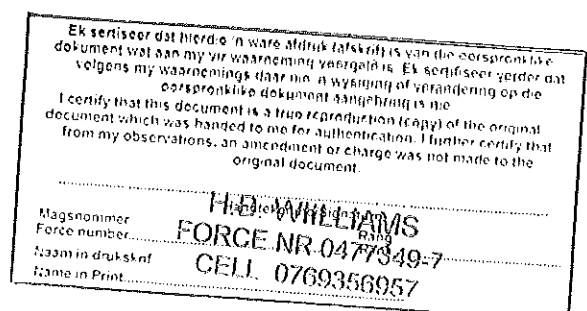


Mr Ishaam Abader
Deputy Director-General: Environmental Quality and Protection
Department of Environmental Affairs

Date: 8/02/2012



CC:	Ms Ria Pretorius	Texture Environmental Consultants	Tel: 012 362 7179	Fax: 086 675 4026
	Mr VM Mongwe	LEDET	Tel: 015 295 4013	Fax: 015 295 4013
	Mr Bob Naidoo	Lephalale Local Municipality	Tel: 014 763 2193/4	Fax: 014 763 5662
	Mr T Zwane	Appeals Authority (DEA)	Tel: 012-310-3929	Fax: 012-320-7561



APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs [DEA])	1. Receive EA from Applicant/Consultant
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

- An appeal against a decision must be lodged with:-
 - the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
 - the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- An appeal lodged with:-
 - the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
 - the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
- An appeal must be:-
 - submitted in writing;
 - accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal; and
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.

WESTERBURG

2016-08-24

SOUTH AFRICAN POLICE SERVICE

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H.B. WILLIAMS
 FORCE NR 0477349-7
 CELL 0769888957

Magistrate
 Force number
 Name district
 Police Force

3





environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of regulation 36 of the Environmental Impact Assessment Regulations, 2010

PROPOSED ESKOM BULGE-TOULON 33KV LINE, LEPHALALE LOCAL MUNICIPALITY,

LIMPOPO PROVINCE

LEPHALALE LOCAL MUNICIPALITY

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H.B. Williams
FORCE NR 0477349-7
0760256057

Magsnommer: _____ Rang: _____
 Force number: _____ Rank: _____
 Naam in druk en/of _____
 Name in Print: _____

Authorisation register number:	12/12/20/2097
NEAS reference number:	DEA/EIA/0000572/2097
Last amended:	First issue
Holder of authorisation:	Land Development, Eskom Distribution
Location of activity:	Limpopo Province: Lephalale Local Municipality, south of Lephalale (Ellisras) and north- east of Vaalwater.

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 2016-08-24
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 SOUTH AFRICAN POLICE SERVICE

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 activity.

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 activities specified below.

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 EIA regulations.

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 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

ESKOM DISTRIBUTION

with the following contact details –

Mr. Hannes van Rensburg

Eskom Distribution

P.O. Box 3499

POLOKWANE

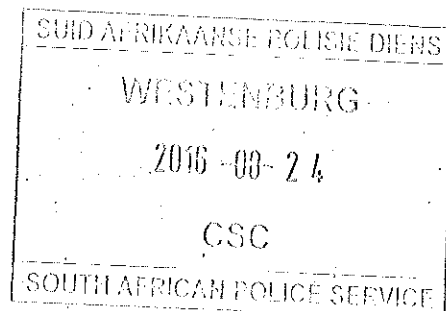
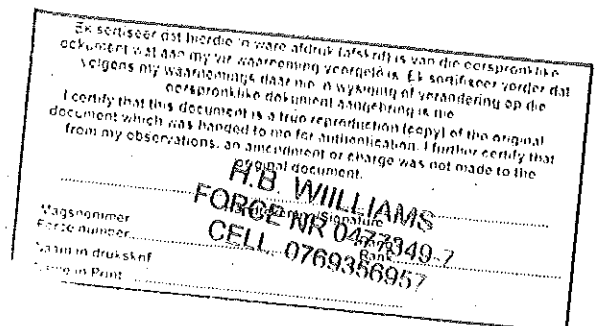
0700

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Cell: (082) 805 3480

E-mail: Hannes.vRensburg@eskom.co.za



to undertake the following activity (hereafter referred to as "the activity") indicated in Listing Notices 3, GN R. 546:

Listed activities	Activity/Project description
GN R. 546: item 4 (ii)	<p>The construction of a road wider than 4 metres with a reserve less than 13.5 metres –</p> <p>(a) In Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and Northern Cape Province:</p> <p>ii. Outside urban areas, in:</p> <p>(gg) areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve</p>

as described in the Basic Assessment Report (BAR) dated September 2011 at:

Alternative S3	Latitude	Longitude
Starting point of activity	23° 59.108' S	27° 40.660' E
Middle point of activity	24° 2.551' S	27° 40.465' E
End point of activity (TM2)	24° 6.981' S	27° 40.293' E

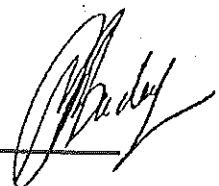
- for the proposed installation of 10 MVA 132/33kV transformers at Bulge River substation, the erection of a 33kV power line of approximately 17kms in length, the clearing of access/construction roads for the new 33kV line and the clearing of a 31 meter wide servitude for the 33kV line, on the farms Bulge River, 198 KQ Portions 2 and 6, Mooifontein 150 KQ Portions 1, 2 and 3, Bulspruit 146 KQ Portion 1, Onverwacht 149 KQ RE, Portion 1, Wolwenfontein 645 LQ Portions 1, 2 and 3, Bullfontein 145 KQ Portions 1, and 2 in the Lephalale Local Municipality, Limpopo Province, hereafter referred to as "the property".

Ek verklaar dat hierdie in ware afbeelding is van die oorspronklike dokument en dat ek dit in die oorspronklike dokument aanbring is.

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F.B. WILLIAMS
 FORCE NR 0477340-7
 CELL: 0769356957

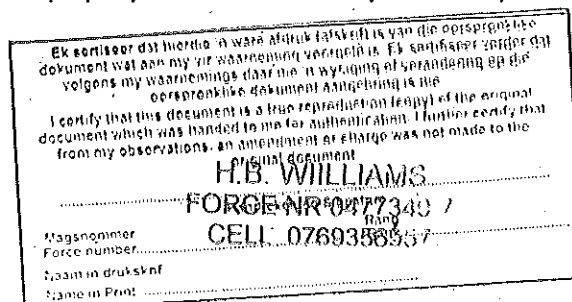
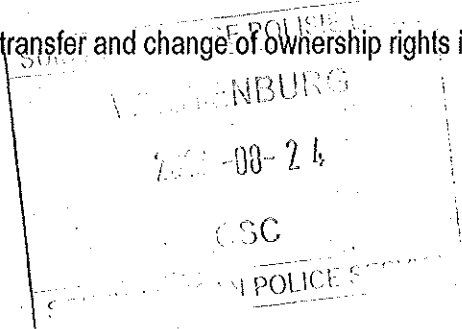
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Conditions of this Environmental Authorisation

Scope of authorisation

1. Site Alternative 3 with the site coordinates mentioned on page 3 of this EA and as described on page 4 of the BAR dated September 2011 is approved.
2. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is 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 authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. 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.
6. This activity must commence within a period of five (5) years from the date of issue of this authorisation. 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.
7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
8. The holder of an environmental authorisation must notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.



- 13.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 13.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

14. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the *Director: Compliance Monitoring* at the Department.
15. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.
16. The environmental audit report must 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.
17. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Commencement of the activity

18. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
19. An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.
20. Should you be notified by the Minister of a suspension of the authorisation pending appeal procedures, you may not commence with the activity until such time that the Minister allows you to commence with such an activity in writing.

SUID AFRIKA WESTERN CAPE 2016-06-24 CSC	<p>Ek verklaar dat hierdie n.w.a. afskrif (skand) is van die oorspronklike dokument wat aan my vir waarneming voorgeleë is. Ek seël hierop verder dat volgens my waarnemings daar nie 'n wykwyking of veranderings op die oorspronklike dokument aangetref is nie.</p> <p>I certify that this document is a true reproduction (copy) of the original document which was handed to me for authentication. I further certify that from my observations, an amendment or change was not made to the</p> <p>H.B. WILLIAMS</p> <p>FORCE NR. 04773437 CELL 0769355937</p> <p>*Tegniese nommer Force number *Naam in drukskrif Name in Print</p>

Notification to authorities

21. Fourteen (14) 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, as well as a reference number. This notification period may coincide with the Notice of Intent to Appeal period, within which construction may not commence.

Operation of the activity

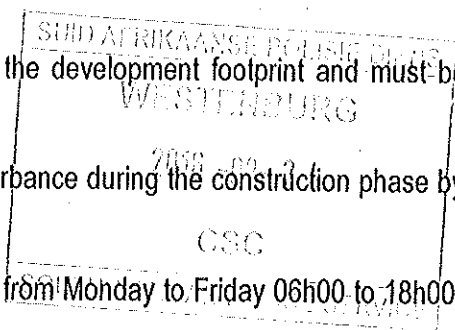
22. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.

Site closure and decommissioning

23. 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.

Specific conditions

24. The construction camp sites must be established within the development footprint and must be properly fenced and secured.
25. Construction personnel must minimise the amount of disturbance during the construction phase by staying within the boundaries of the construction area.
26. Construction activities must be restricted to working hours from Monday to Friday 06h00 to 18h00. Saturday from 06h00 to 16h00.
27. No activities must be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water Affairs.
28. The applicant must obtain a wayleave from the Department of Public Transport Roads and Works prior to the commencement of construction.
29. Anti-collision devices such as bird flappers must be installed where power lines cross avifaunal corridors, as recommended by the avifaunal specialist.



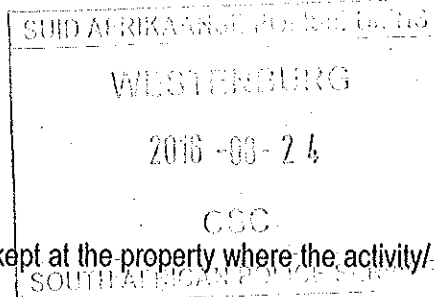
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H.B. WILLIAMS
Magister
Force number: **04773427**
CELL: **0789056937**

30. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices on specific sections of the line once the exact positions of the towers have been surveyed and pegged. Confirmation of avifaunal specials input must be included in the first audit report.
31. A botanist must be appointed to perform a final walkthrough of the alignment to identify sensitive plant species, and assist in identifying the areas that require protection. Confirmation of the walkthrough and the findings and recommendations of the botanist must be included in the first audit report.
32. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous protected and endangered plant and animal species. Copies of the aforementioned permits must be included in the audit report.
33. No exotic vegetation may be used for rehabilitation purposes. Only vegetation indigenous to the area may be utilised.
34. Liaison with land owners/farm managers is to be done prior to construction in order to provide sufficient time for them to plan agricultural activities. If possible, construction should be scheduled to take place within the post-harvest, pre planting season, when fields are lying fallow.
35. Vegetation clearing must be kept to the approved corridor.
36. Construction activities and structures must include appropriate design measures that allow movement of storm water along drainage lines so as not to impede natural surface and subsurface flows.
37. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling and re-use options where appropriate. Any solid waste requiring disposed shall be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008). The disposal certificates must be kept on-site.

General

38. A copy of this authorisation and the approved EMPr must be kept at the property where the activity/ will be undertaken. The authorisation and approved EMPr must be provided 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.
39. The holder of the authorisation must notify both the Director: Environmental Impact Evaluation and the Director: Compliance Monitoring at the Department, in writing, and within 48 (forty eight) hours,



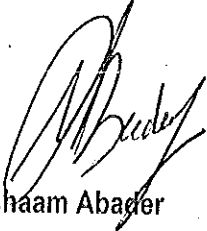
document was sent my the authorising official. It is requested that you do not release my belongings that are in a vehicle of any other person. I certify that this document is a true and correct copy of the original document which was handed to me for authentication. I further certify that

H.B. WILLIAMS
Magister
Force number: FORCE NR 047799/19.7
Cell number: CELL 0769356977

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.

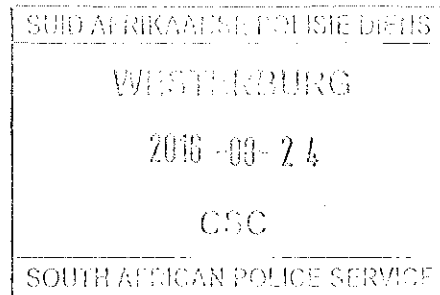
40. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction 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.

Date of environmental authorisation: 8 FEBRUARY 2012



Mr Ishaam Abader

Deputy Director-General: Environmental Quality and Protection
Department of Environmental Affairs



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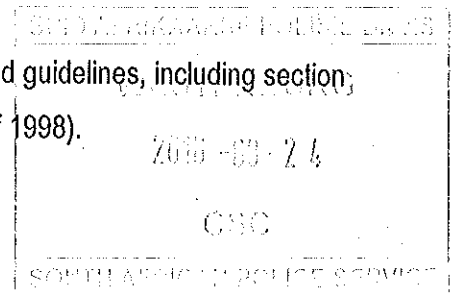
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Annexure 1: Reasons for Decision

1. Information considered in making the decision

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

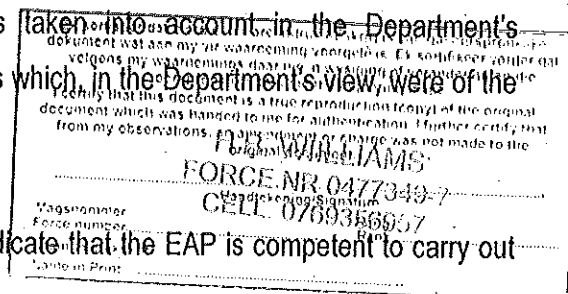
- The information contained in the BAR dated September 2011;
- The comments received from the LEDET, Department of Rural Development and Land Reform, Eskom Transmission, and interested and affected parties as included in the BAR dated September;
- Mitigation measures as proposed in the BAR dated September 2011 and the EMPr;
- The information contained in the specialist studies contained within Appendix D of the BAR dated September 2011.
- The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).



2. Key factors considered in making the decision

All the information presented to the Department was taken into account in the Department's consideration of the application. A summary of the findings which, in the Department's view, were of the most significance are set out below:

- Details provided of the qualifications of the EAP indicate that the EAP is competent to carry out the environmental impact assessment procedures.
- The findings of all the specialist studies conducted and presented in the BAR dated September 2011 identified issues and recommended mitigation measures which were deemed to be acceptable.
- The methodology used in assessing the potential impacts identified in the BAR dated September 2011 and the specialist studies have been adequately indicated.
- The public participation process undertaken was deemed to be sufficient and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2010 for public involvement.

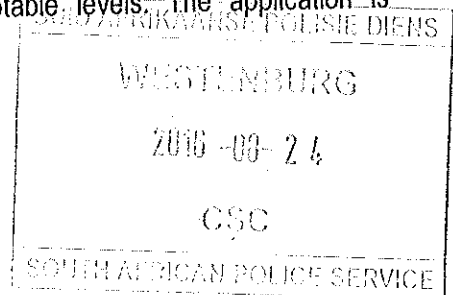


3. Conclusions

After consideration of the information and factors listed above, the Department made the following conclusion regarding the development:

- a) The key issues and impacts were identified and sufficiently assessed in the BAR dated September 2011. The procedures followed to assess impacts were adequate for the decision-making
- b) The proposed mitigation measures identified and assessed adequately manage the identified impacts.
- c) All legal and procedural requirements have been met.
- d) The independent EAP, has confirmed the information contained in the BAR dated September 2011 is accurate and credible.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

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 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The application is accordingly granted.



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Name in Print



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Fedsure Building · 315 Pretorius Street · PRETORIA
Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2682

NEAS Reference: DEAT/EIA/0000572/2011

DEA Reference: 12/12/20/2097

Enquiries: Jay-Jay Mpelane

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Mr Hannes van Rensburg
Eskom Distribution
P.O. Box 3499
POLOKWANE
0700

Fax no: 015 295 7550

PER FACSIMILE / MAIL

Dear Mr Rensburg

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 546: PROPOSED ESKOM BULGE-TOULON 33KV LINE

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation (EA) and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of the EA, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are contained in the Regulations.

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Your attention is drawn to Chapter 7 of the Regulations, which prescribes the appeal procedure to be followed. This procedure is summarised in the attached document. Kindly include a copy of this document with the letter of notification to interested and affected parties.

Should the applicant or any other party wish to appeal any aspect of the decision a notice of intention to appeal must be lodged by all prospective appellants with the Minister, within 20 days of the date of the EA, by means of one of the following methods:

- By facsimile: 012 320 7561;
- By post: Private Bag X447, Pretoria, 0001; or
- By hand: 2nd Floor, Fedsure Building, North Tower, cnr. Van der Walt and Pretorius Streets, Pretoria.

Ek sertifiseer dat hierdie 'n ware afgedrukte afskrif is van die oorspronklike dokument wat aan my vir waarneming voorgeleë is. Ek sertifiseer verder dat volgens my waarnemings daar nie 'n wysiging of verandering op die oorspronklike dokument aangebring is nie.

I certify that this document is a true reproduction (copy) of the original document which was handed to me for authentication. I further certify that no alterations, an amendment or change was not made to the original document.

H.B. WILLIAMS
Handwritten Signature

Magsnommer: FORCE NR 03466-15/1
Force number: CELL: 0769388...7

Naam in drukskrif: _____
Name in Print: _____

If the applicant wishes to lodge an appeal, it must also serve a copy of the 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, should you intend to submit an appeal.

Please include the Department (*Attention: Director: Environmental Impact Evaluation*) in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

Appeals must be submitted in writing to:

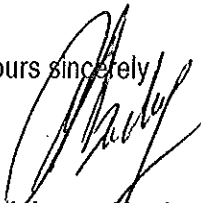
Mr T Zwane, Senior Legal Administration Officer (Appeals) of this Department at the above mentioned addresses or fax number. Mr Zwane can also be contacted at:

Tel: 012-310-3929

Email: twane@environment.gov.za

The authorised activities shall not commence within twenty (20) days of the date of signature of the authorisation. Further, please note that the Minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours sincerely



Mr Ishaam Abader
Deputy Director-General: Environmental Quality and Protection
Department of Environmental Affairs

Date: 8/02/2012

CC:	Ms Ria Pretorius	Texture Environmental Consultants	Tel: 012 362 7179	Fax: 086 675 4026
	Mr VM Mongwe	LEDET	Tel: 015 295 4013	Fax: 015 295 4013
	Mr Bob Naidoo	Lephalale Local Municipality	Tel: 014 763 2193/4	Fax: 014 763 5662
	Mr T Zwane	Appeals Authority (DEA)	Tel: 012-310-3929	Fax: 012-320-7561

W. S. ...
 2012-02-26
 CSC

Ek sertifiseer dat hierdie 'n ware afdruk (afskrif) is van die oorspronklike dokument wat aan my vir waarneming voorgeleë is. Ek sertifiseer verder dat volgens my waarnemings daar nie 'n wysiging of verandering op die oorspronklike dokument aangetroef is nie.

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H. B. WILLIAMS
 FORCE NO. 0176
 Magsnommer / Force number: CELL 076935
 Naam in drukskrif / Name in Print

APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF THE NEMA EIA REGULATIONS, 2010 (THE REGULATIONS) AS PER GN R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION (EA)

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive EA from the relevant Competent Authority (the Department of Environmental Affairs (DEA))	1. Receive EA from Applicant/Consultant.
2. Within 12 days of date of the EA notify all IAPs of the EA and draw their attention to their right to appeal against the EA in terms of Chapter 7 of the Regulations.	2. N/A
3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).	3. If you want to appeal against the EA, submit a notice of intention to appeal within 20 days of the date of the EA. with the Minister of Water and Environmental Affairs (the Minister).
4. After having submitted your notice of intention to appeal to the Minister, provide each registered IAP with a copy of the notice of intention to appeal within 10 days of lodging the notice	4. After having submitted your notice of intention to appeal to the Minister, provide the applicant with a copy of the notice of intention to appeal within 10 days of lodging the notice
5. The Applicant must also serve on each IAP: <ul style="list-style-type: none"> a notice indicating where and for what period the appeal submission will be available for inspection. 	5. Appellant must also serve on the Applicant within 10 days of lodging the notice, <ul style="list-style-type: none"> a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
6. The appeal must be submitted in writing to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.	6. The appeal must be submitted to the Minister within 30 days after the lapsing of the period of 20 days provided for the lodging of the notice of intention to appeal.
7. Any IAP who received a notice of intention to appeal may submit a responding statement to that appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.	7. An Applicant who received notice of intention to may submit a responding statement to the appeal to the Minister within 30 days from the date that the appeal submission was lodged with the Minister.

NOTES:

- An appeal against a decision must be lodged with:-**
 - the Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
 - the Minister of Justice and Constitutional Development if the applicant is the Department of Water Affairs and the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- An appeal lodged with:-**
 - the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
 - the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
- An appeal must be:-**
 - submitted in writing;
 - accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal; and
 - a statement that the appellant has complied with regulation 62(2) or (3) together with copies of the notices referred to in regulation 62.

