



environment & tourism

Department:
Environmental Affairs and Tourism
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001 • Federa Building, 315 Pretorius Street, Pretoria, 0002. Tel: (+27 12) 310 3911 Fax: (+27 12) 322 2682

Reference: 12/12/20/873

Enquiries: Mr Wayne Hector

Telephone: (012) 310 3223 Fax: (012) 320 7539 E-mail: Whector@deat.gov.za

Ms C Streaton
Eskom Holdings Limited
P O Box 1091
JOHANNESBURG
2000

Tel: (011) 800-5411
Fax: (011) 800-3917

PER FACSIMILE / MAIL

Dear Madam,

AMENDMENT OF ENVIRONMENTAL AUTHORISATION (12/12/20/873) : PROPOSED CONSTRUCTION OF THE 765KV GAMMA SUBSTATION ON THE FARMS UIT VLUGT FONTEIN NO. 233 AND SCHIETKUIL NO 3 IN THE PIXLEY KA SEME AND CENTRAL KAROO DISTRICT MUNICIPALITIES: WESTERN CAPE PROVINCE AND NORTHERN CAPE PROVINCE

With reference to your application for amendment of the abovementioned environmental authorisation, the Department has, in terms of the powers vested in it by regulation 43 of the Environmental Impact Assessment Regulations, 2006, decided to amend the authorization.

The amendment to the environmental authorisation dated the 19 November 2007 entails the following –

- a) In the activities authorised section of the authorisation (page 3) the co-ordinates are incorrectly described as follows:
31° 25' 00"S and 24° 43' 00"E,

The correct co-ordinates is stated as follows:
E 28° 24' 24.234" and S 31° 40' 38.802"

This amendment must be read in conjunction with the Environmental Authorisation dated 19 November 2007.

You are instructed in terms of regulation 10(2) of the Regulations to notify all registered interested and affected parties, in writing and within 7 days *calendar* days of the date of this

Muhesho wa zwa Vhupo na Vhuondelomashango • LiTiko le Tesimondzawo netekuVakasha • Isebe lem'Clmbi yokusiNgqongileyo noKhenkatho
Ndzawulo ya Tinhaka & Mbango • Department: Omgowingsako en Tourism • Lefapha la Tikoloho le Bohanhlautl • Lefapha la Bojanala
Kgoro ya Tikoloho le Boeli • UmNyango wezaEhuduluko nokuVakajha • Umnyango Wezemvelo Nokuvakaha



letter, of the Department's decision to amend the environmental authorisation as well as the provisions regarding the making of appeals that are provided for in the regulations. 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, by means of one of the following methods:

By facsimile: (012) 310 3688;
By post: Private Bag X447, Pretoria, 0001; or
By hand: 2nd Floor, Fedsure Form Building, North Tower, cor. Van der Walt and Pretorius Streets, Pretoria.

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

Yours faithfully



Ms Pam Yako
Director – General
Department of Environmental Affairs and Tourism
Letter signed by: Ms Lize McCourt
Designation: Chief Director: Environmental Impact Management
Date: 22/2/2008

| | | |
|-----------------|---------------|---------------------|
| Cc: | | |
| Ms B Shinga | ACER (Africa) | Fax: (035) 340-2232 |
| Mr M Fredericks | DEA&DP | Fax: (044) 874-2423 |
| Mr P Retief | DEAT | |



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PER FACSIMILE / MAIL

Dear Madam,

APPLICATION FOR ENVIRONMENTAL AUTHORISATION: PROPOSED CONSTRUCTION OF THE 765KV GAMMA SUBSTATION ON THE FARMS UIT VLUGT FONTEIN NO. 233 AND SCHIETKUIL NO 3 IN THE PIXLEY KA SEME AND CENTRAL KAROO DISTRICT MUNICIPALITIES: WESTERN CAPE PROVINCE AND NORTHERN CAPE PROVINCE

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

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2006, you are instructed to notify all registered interested and affected parties, in writing and within 7 (seven) calendar days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

A copy of the official appeal form can be obtained from:

Mr PKM Relief, Appeals Administrator, Tel: 012 310 3705, prelief@deat.gov.za ; or

Mr H Grové, Appeals Administrator, Tel: 012 310 3070, hgrové@deat.gov.za, at the Department.

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 notice of the decision, by means of one of the following methods:

By facsimile: (012) 310 3688;

By post: Private Bag X447, Pretoria, 0001; or

By hand: 2nd Floor, Fedure Form Building, North Tower, cor. Van der Walt and Pretorius Streets, Pretoria.

Should the applicant decide to appeal, the applicant must serve a copy of its notice of intention to appeal on all registered I&AP's as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Muhasho wa zwa Vhupo na Vhuandlamashango • LITko le Tesimondzawo netekuVakasha • Isabe IsimiCimbi yakusiNgongiliso noKhenketho Ndzewulo ya Tihoke & Mbango • Department: Omgevingsake en Toerisme • Letapha la Tikoloho le Bohankhantladi • Letapha la Bojanala Kgoro ya Tikologo le Boeti • UmNyango wezaShudukoko nokuVakalija • Umnyango WezemVelo Nokurakaha

Please include the Department, attention of the Director: Environmental Impact Evaluation, in the list of I&AP's, notified through your notification letter of the decision, for record purposes.

You are strongly advised to refrain from the initiation of any construction activities prior to the conclusion of the appeals process. All construction activities initiated during the appeals process will be done solely at your own risk.

Yours faithfully



Ms Pam Yako
Director - General
Department of Environmental Affairs and Tourism
Letter signed by: Mr Wynand Fourie
Designation: Acting Chief Director: Environmental Impact Management
Date: 19/11/2007.

Cc:
Ms B Shinga
Mr M Fredericke
Mr P Retief

ACER (Africa)
DEA&DP
DEAT

Fax: (035) 340-2232
Fax: (044) 874-2423

**APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF R. 385 OF 2006 TO BE FOLLOWED BY
THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF
NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION**

| APPLICANT | INTERESTED AND AFFECTED PARTIES (IAPs) |
|--|---|
| 1. Receive notice of Environmental Authorisation from the relevant Competent Authority | 1. Receive notice of Environmental Authorisation from Applicant/Consultant |
| 2. Within 10 days of receipt of notification, notify the relevant Competent Authority and all IAPs of intention to appeal | 2. Within 10 days of receipt of notification, notify the relevant Competent Authority of intention to appeal |
| 3. Notification served by the Applicant must include: 3.1. A copy of the notice of Intention to appeal; and 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by all IAPs | 3. Appellant must serve on the Applicant 3.1. A copy of the notice of intention to appeal 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by the applicant |
| 4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal | 4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal |
| 5. A person or organ of state that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of state within 30 days from the date that the appeal submission was made available for inspection by the appellant | 5. An Applicant that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of State within 30 days from the date the appeal submission was made available for inspection by the appellant |

NOTES:

1. **An appeal against a decision must be lodged with:-**
 - a) the Minister if the decision was issued by the Director- General (or another official) acting in his/ her capacity as the delegated Competent Authority
 - b) the MEC if the decision was issued by the Head of Department (or another official) acting in his/ her capacity as the delegated Competent Authority
 - c) the delegated organ of state where relevant.
2. **An appeal lodged with:-**
 - a) the Minister must be submitted to the Department of Environmental Affairs and Tourism
 - b) the MEC must be submitted to the provincial department responsible for environmental affairs
 - c) the delegated organ of state, where relevant, must be submitted to the delegated organ of state
3. **An appeal must be:-**
 - a) on an official form obtainable or published by the relevant department
 - b) accompanied by:
 - a statement setting out the grounds of appeal
 - supporting documentation which is referred to in the appeal and is not available to the relevant Competent Authority
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62
 - the prescribed appeal fee, if any.
4. **A copy of the official appeal form can be obtained from:**
 Mr PKM Retief, 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.
 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 notice of the decision, by means of one of the following methods:
 By facsimile: 012 310 3688;
 By post: Private Bag X447, Pretoria, 0001; or
 By hand: 2nd Floor, Fedsure Form Building, North Tower, cor. Van der Walt and Pretorius Streets, Pretoria.