environmental affairs
Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/2/1051
Enquiries: Ms Dakalo Netshiombo
Telephone: (012) 399 8877 **E-mail:** DNetshiombo@environment.gov.za

Mr David Tunnicliff
Eskom Holdings SOC Limited
P. O. Box 1091
JOHANNESBURG
2000

Tel: (011) 800 5145
Cell: (083) 633 1547
E-mail: david.tunnicliff@eskom.co.za

PER E-MAIL / MAIL

Dear Mr Tunnicliff

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998), AS AMENDED (NEMA); GOVERNMENT NOTICES. R326, R327, R325 AND R324, AS AMENDED: PROPOSED MAHIKENG MAIN TRANSMISSION SUBSTATION AND 1X400kV PLUTO-MAHIKENG POWERLINE WITHIN THE MERAFONG, DITSOBOTLA, RAMOTSHERE MOILAO, JB MARKS AND MAHIKENG LOCAL MUNICIPALITIES IN NORTH WEST AND GAUTENG PROVINCES.

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

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

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 abuses or compromises your personal information in any way.

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:

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

By email: appealsdirectorate@environment.gov.za;

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

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the NEMA, 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 any activity authorised in the EA 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 appealsdirectorate@environment.gov.za.

Yours faithfully

Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 04/02/2019

cc:	Mr T Maramba	Baagi Environmental Consulting	Tel: (012) 993 0756	Email: tinashe@baagi.co.za
	Mr A Kopsosideris	GDARD	Tel: (012) 240 3398	Email: aristotelis.kapsosideris@gauteng.gov.za
	Dr P Mokaila	Bokone Bophirima: DREAD	Tel:018) 389 5146	Email:pmokaila@nwpg.gov.za
	Mr T Mokoena	Mahikeng Local Municipality	Tel:(018) 398 0212	Email:muman@mahikeng.gov.za
	Mrs J Smith	Merafong City Local Municipality	Tel:(018) 788 9688	Email:jsmith@merafong.gov.za
	Mr T Phakalane	Ramotshere Moiloa Municipality	Tel:(018) 642 1081	Email:thompson.phakalane@ramotshere.gov.za
	Mr L. Dintwe	Ditsobotla Local Municipality	Tel:(018) 632 3800	Email:leetondi@gmail.com
	Dr B. Mokgethi	JB Marks Local Municipality	Tel:(018) 299 5003	Email:cynthiac@tlokwe.gov.za

environmental affairs
Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of regulation 25 of the Environmental Impact Assessment Regulations, 2014

400kV Proposed Mahikeng Main Transmission Substation and 1x400kV Pluto-Mahikeng Powerline within the Merafong, Ditsobotla, Ramotshere Moilao, JB Marks and Mahikeng Local Municipalities in North West and Gauteng Provinces

West Rand, Dr Kenneth Kaunda and Ngaka Modiri Molema District Municipalities

Authorisation register number:	*14/12/16/3/3/2/1051*
Last amended:	*First issue*
Holder of authorisation:	*Eskom Holdings SOC Ltd*
Location of activity:	*Merafong, Ditsobotla, Ramotshere Moilao, JB Marks and Mahikeng Local Municipalities*

This environmental 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 environmental 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 No.107 of 1998) and the Environmental Impact Assessment Regulations, 2014 the Department hereby authorises –

ESKOM HOLDINGS SOC LIMITED

with the following contact details –

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to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 2 and 3 (GN R. 984 and R.985), as amended on 07 April 2017:

Activity number	Activity description
GN R. 983 Item 12: *"The development of –* *(xii) Infrastructures or structures with a physical footprint of 100 square metres or more; Where such development occurs –* *(a) within a watercourse"* *(c) if no development setback exist, within 32 metres of a watercourse, measured from the edge of a watercourse*	The proposed project will involve the construction of the Mahikeng Main Transmission Substation with a physical footprint of 360 000 square metres, i.e. 600m x 600m within 32 metres of identified pans.
GN R. 983 Item 24: *The development of a road—* *(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;*	The proposed project will involve the construction of an access road that will be 2 kilometres long and 9 metres wide.
GN R. 983 Item 9: *"The development of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex excluding the development of bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is —* *(a) temporarily required to allow for maintenance of existing infrastructure;* *(b) 2 kilometres or shorter in length;* *(c) within an existing transmission line servitude; and* *(d) will be removed within 18 months of the commencement of development.*	The proposed project will involve the construction of a 400kV transmission power line and a main transmission substation outside an urban area. The substation will be located outside Miga village.

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GN R. 984 Item 3: *The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower-* *(a) is to be placed on a site not previously used for this purpose; and* *(b) will exceed 15 metres in height—* ***(h) North West*** *i. Outside urban areas:* *(aa) A protected area identified in terms of NEMPAA;* *(bb) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;* *(dd) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;*	The proposed Mahikeng Main Transmission Substation will involve the erection of a communication tower which will be 55 metres in height and will be placed on a site not previously used for this purpose, outside urban areas. The proposed substation mast will be developed in an area identified as a critically biodiversity area (CBA1 and 2) according to SANBI biodiversity sector plan.
GN R. 985 Item 12: *"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.* *(c)* ***Gauteng*** *(ii) Within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans; or* *(iii) on land, where, at the time of the coming into effect of this notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.*	(c) Gauteng: The proposed powerline will traverse areas that are according to the biodiversity sector plan, SANBI and is classified as critical biodiversity areas (CBA 1 and 2) and ecological support areas (ESA 1 and 2). The area to be cleared for access roads and tower foundations will be 300 square metres. The proposed powerline will traverse Abe Bailey Nature Reserve which is classified as a conservation and protected area. The area to be cleared for access roads and tower foundations will be 300 square metres.

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(h) North West *(II) a protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;* *(iv) Critical Biodiversity Areas as identified in systematic biodiversity plans adopted by the competent authority;* *(vi) Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.*	(h) North West: The proposed powerline will traverse areas that are zoned as nature reserves. The Mahikeng Game Reserve falls under conservation areas.

as described in the Environmental impact Assessment Report (EIAr) dated September 2018 at:

Corridor 2a (preferred alternative)	**Latitude**	**Longitude**
Start	26° 13' 04.09"S,	27° 27' 16.39"E
Middle	26° 00' 59.59"S	26° 43' 29.34"E
End	25° 42' 21.51"S	25° 32' 46.56"E
Substation A	**Latitude**	**Longitude**
A	25°40'55.15"S	25°33'29.027"E
B	25°40'55.15"S ,	25°34'05.62"E
C	25°41'30.09"S	25°34'05.62"E
D	25°41'30.09"S	25°33'29.027"E

- for the proposed Mahikeng Main Transmission Substation and 1x400kV Pluto-Mahikeng Power Line within the Merafong, Ditsobotla, Ramotshere Moilao, JB Marks and Mahikeng Local Municipalities in North West and Gauteng Provinces, hereafter referred to as "the property".

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred alternatives of the proposed Mahikeng Main Transmission Substation and 1x400kV Pluto-Mahikeng Power Line within the Merafong, Ditsobotla, Ramotshere Moilao, JB Marks and Mahikeng Local Municipalities in North West and Gauteng Provinces are approved as per the geographic coordinates cited at the table reflected on page 5 above.
2. Authorisation of the activity is subject to the conditions contained in this environmental 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 environmental 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 environmental authorisation in terms of the regulations.
6. This activity/ies must commence within a period of five (5) years from the date of issue of this authorisation. If commencement of the activity/ies does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity/ies to be undertaken.
7. The holder of an environmental authorisation must apply for an amendment of the environmental authorisation with the competent authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
8. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
10. The notification referred to must –
    10.1. specify the date on which the authorisation was issued;
    10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
    10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
    10.4. give the reasons of the competent authority for the decision.

Commencement of the activity

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014 and no appeal has been lodged against the decision. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 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 has been finalised.

Management of the activity

12. The Environmental Management Programme (EMPr) submitted as part of the Application for EA must be amended and submitted to the Department for written approval prior to commencement of the activity. The recommendations and mitigation measures as per the findings of the walkthrough (Condition 28 & 29) and a copy of the final layout of the power line route (micro siting of towers) must be incorporated into the amended EMPr. Once approved, the EMPr must be implemented and adhered to.

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Frequency and process of updating the EMPr

13. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 20 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
14. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
15. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
16. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of GN R.982. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
17. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.

Monitoring

18. The holder of the authorisation must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.

    18.1. The ECO must be appointed before commencement of any authorised activities.

18.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.

18.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.

18.4. 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

19. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.

20. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department at Directorcompliance@environment.gov.za.

21. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R. 982.

22. The holder of the authorisation must, in addition, submit an environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.

23. The environmental audit reports must be compiled in accordance with appendix 7 of the EIA Regulations, 2014, as amended and 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 approved EMPr.

24. 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.

Notification to authorities

25. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. 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.

Operation of the activity

26. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

27. Should the activity ever cease or become redundant, the holder of the authorisation must 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

28. A Water Use Licence must be obtained from the Department of Water and Sanitation for any activities that are likely to impact on water resources in accordance with the National Water Act (Act No. 36 of 1998).
29. A walk-through must be performed by the avifaunal specialist to record any large raptor nests that could be impacted by the construction of the proposed power line. Should any nests be recorded, the potential impacts on the breeding birds once construction commences must be monitored and managed by the avifaunal specialist.
30. A detailed walk down must be conducted by the ecological specialist before commencement of construction activities, the findings of the walk down must inform the micro-siting of the towers to further reduce the significance of the impacts, i.e. avoid any wetlands (including buffers), span watercourses and avoid any protected plant species, including protected trees listed in the specialist report.

31. Where protected plant species cannot be avoided, necessary permits must be obtained from the Department of Agriculture, Forestry and Fisheries for any removal of trees protected under the National Forest Act of 1998.
32. Suitable access routes must be selected to minimise the impact of new tracks or roads, as well as clearing of the final servitude.
33. If power line markings is required, bird flight diverters must be installed on the full span length on each of the conductors according to the Eskom Guidelines.
34. The power line must be inspected once a year for a minimum of two years by the avifaunal specialist to establish if there is any significant collision mortality, which may require the marking of additional sections. This must form part of reports in Condition 19 above.
35. A no-go buffer zone of 30m must be maintained around identified heritage site. A heritage Management Plan must be developed for implementation as part of the EMPr.
36. Should any archaeological or cultural heritage resources, including human remains / graves, as defined and protected under the National Heritage Resources Act, 1999, be identified during the construction phase, construction activities within the vicinity of the findings must immediately cease and be reported to the Heritage Resources Authority and should human remains be found on site, the South African Police Service must also be notified.

General

37. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
38. at the site of the authorised activity;
39. to anyone on request; and
40. where the holder of the environmental authorisation has a website, on such publicly accessible website.

41. 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 holder of the authorisation or his/her 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 holder of the authorisation 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: 04/02/2019

Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

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 -

a) The information contained in the EIAr dated September 2018;
b) The comments received from interested and affected parties.
c) Mitigation measures as proposed in the EIAr dated September 2018 and the EMPr;
d) The information contained in the specialist studies contained within the EIAr dated September 2018; and
e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No.107 of 1998).

2. Key factors considered in making the decision

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

a) The findings of all the specialist studies conducted and their recommended mitigation measures.
b) The need of the proposed development which is to address the capacity constraints at the Watershed MTS, by addressing the low voltage i.e. 275kV power line and MTS.
c) The EIAr dated September 2018 identified all legislation and guidelines that have been considered.
d) The methodology used in assessing the potential impacts identified in the EIAr dated September 2018 and the specialist studies have been adequately indicated.
e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014, as amended for public involvement.

3. Findings

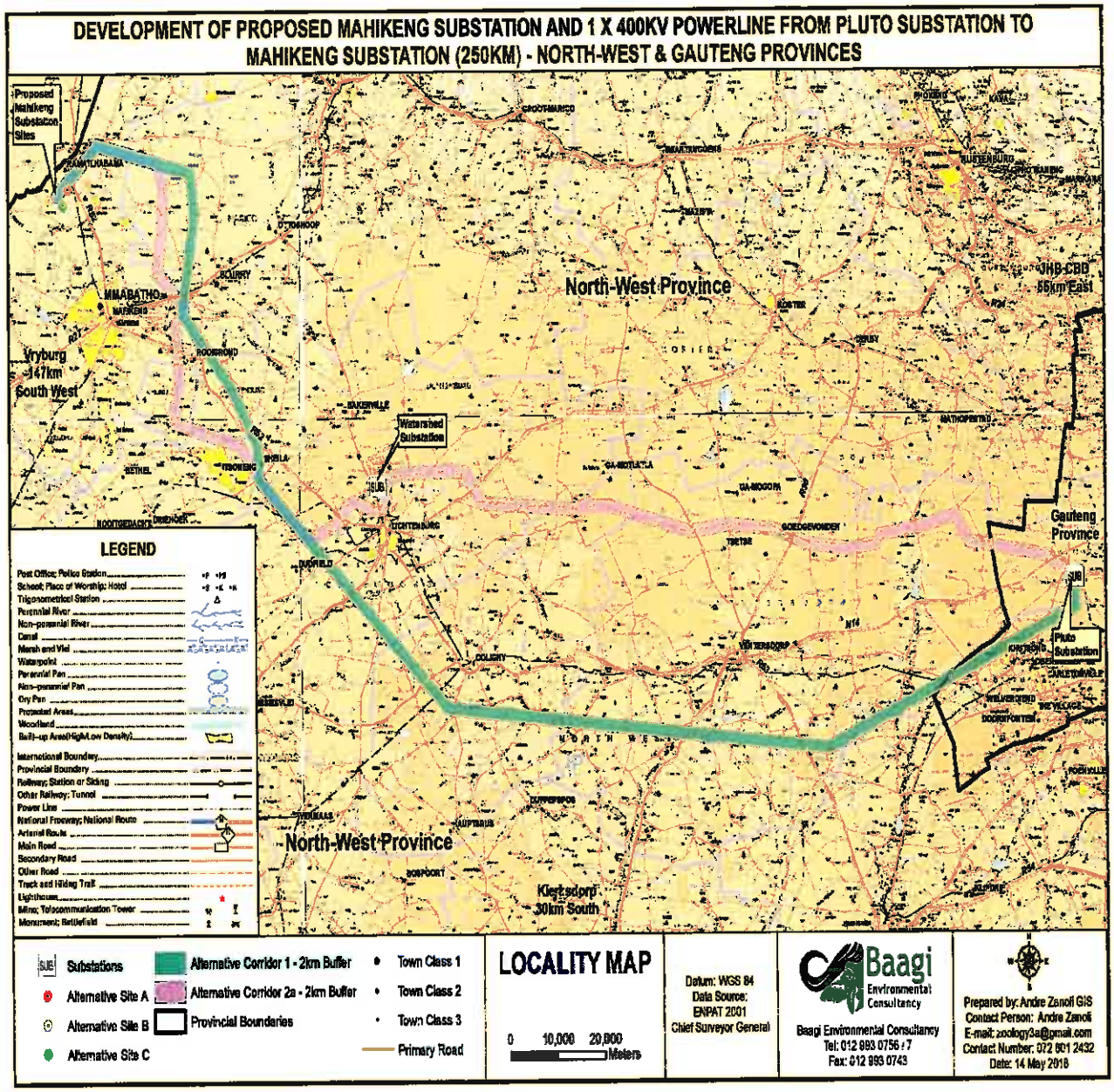
After consideration of the information and factors listed above, the Department made the following findings -

a) The identification and assessment of impacts are detailed in the EIAR dated September 2018 and sufficient assessment of the key identified issues and impacts have been completed.
b) The procedure followed for impact assessment is adequate for the decision-making process.
c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
d) EMPr proposed mitigation measures for the pre-construction, construction and rehabilitation phases of the development and were included in the EIAr 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 authorised activities 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 authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

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Annexure 2: Locality Plan



forestry, fisheries
& the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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

DFFE Reference: 14/12/16/3/3/2/1051/AM1
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Mr. David Tunnicliff
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JOHANNESBURG
2000

Telephone Number: (011) 800 5145
Email Address: tunnicda@eskom.co.za

PER EMAIL / MAIL

Dear Mr Tunnicliff

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 04 FEBRUARY 2019 FOR THE PROPOSED MAHIKENG MAIN TRANSMISSION SUBSTATION AND 1X400KV PLUTO MAHIKENG POWERLINE WITHIN THE MERAFONG DITSOBOTLA, RAMOTSHERE MOILAO, JB MARKS AND MAHIKENG LOCAL MUNICIPALITIES IN NORTH WEST AND GAUTENG PROVINCES.

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 04 February 2019, your application for amendment of the EA received by the Department on 18 January 2024 and the acknowledgement letter dated 29 January 2024, 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 Regulations, 2014 as amended, has decided to amend the EA dated 04 February 2019, as follows:

Amendment 1: Extension of the validity of the Environmental Authorisation dated 04 February 2019:

"The activity must commence within an additional period of five (05) years from the date of expiry of the EA issued on 04 February 2019 (i.e. the EA lapses on **04 February 2029**). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for the environmental authorisation must be made for the activity to be undertaken."

Reason for amendment: The reasons for the extension of validity period on the EA issued on 04 February 2019 is because the funds to execute the project were unavailable and as such negotiations and servitude acquisition only started early this year in 2023.

This proposed amendment letter must be read in conjunction with the EA dated 04 February 2019.

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 stipulate that the Department should conduct itself in a responsible manner when

M.S

collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

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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@dffe.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@dffe.gov.za.

Yours faithfully

Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 21/02/2024