



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/1/1376/MP2

Enquiries: Mr Malusi Sifiso Madonsela

Telephone: (012) 399 9053 E-mail: SMadonsela@environment.gov.za

Andrea van Gensen
Eskom Holdings SOC Ltd
PO Box 606
KIMBERLEY
8301

Tel: 053 830 5775

Email: vgenseal@eskom.co.za

PER E-MAIL / MAIL

Dear Sir/Madam

APPROVAL OF THE AMENDED ENVIRONMENTAL MANAGEMENT PROGRAMME (EMPr) FOR THE PROPOSED UPGRADING OF THE 66KV NETWORK TO 132KV NETWORK IN HOTAZEL, KURUMAN AND KATHU IN THE NORTHERN CAPE PROVINCE

The draft EMPr for the above-mentioned application received by the Department on 22 August 2019, the Department's acknowledgement letter dated 05 September 2019 as well as the amended EMPr received by the Department on 11 October 2019, refers

This Department has evaluated the amended EMPr for the proposed upgrading of the 66kv network to 132kv network in Hotazel, Kuruman and Kathu in the Northern Cape Province and is satisfied with the contents thereof. Furthermore, the Department is of the opinion that the amended EMPr dated August 2019 and received by the Department on 11 October 2019 complies and fulfils the requirements of Regulation 37 of the EIA Regulations, 2014, as amended. As such, the amended EMPr dated August 2019 is hereby **approved**.

This EMPr should be regarded as a 'living document', which may be amended from time to time as and when the need arises.

In terms of Regulation 36. (1) & (2) of the National Environmental Management Act: the Environmental Impact Assessment Regulations, 2014, as amended, the following is drawn to your attention:

- (1) Where an amendment is required to the impact management actions of an EMPr, such amendments may immediately be effected by the holder and reflected in the next environmental audit report submitted as contemplated in the environmental authorisation and regulation 34, and
- (2) Where an amendment to the impact management outcomes of an EMPr or an amendment of the closure objectives of a closure plan is required before an audit is required in terms of the environmental authorisation, an EMPr or closure plan may be amended on application by the holder of the environmental authorisation. Such amendments to the EMPr must be approved by this Department in writing prior to the commencement of such amendments.

This proposed amendment letter must be read in conjunction with the EA dated 06 November 2015.

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 stipulate 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.

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: appealsdirector@environment.gov.za;

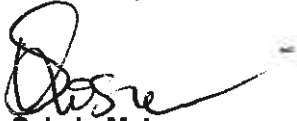
By hand: Environment House
473 Steve Biko Street
Arcadia
Pretoria
0083; or

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 appealsdirector@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Letter signed by: Mr Vusi Skosana

Designation: Director: National Infrastructure Development

Date: 8/11/2019

CC:	Frederick Ludeke	Eskom Holdings SOC Ltd	E-mail: ludekefj@eskom.co.za
	Dr Mathys Vosloo	Zitholele Consulting	E-mail: mathysv@zitholele.co.za