

**K2M Environmental (Pty) Ltd.**

Company Registration Number: 2008/016461/07

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prisantha@k2m.co.za

Date: 23 May 2022

ATTENTION: REGISTERED INTERESTED AND AFFECTED PARTY

Dear Sir/Madam

**RE: AMENDMENT OF THE VALIDITY PERIOD OF THE ENVIRONMENTAL AUTHORISATION FOR THE
BAKUBUNG LEDIG MIXED USED HOUSING**

On behalf of the Kubu Property Investments (Pty) Ltd (Holder of Environmental Authorisation), notice is hereby given, in accordance with regulation 4(2) of the EIA Regulation, 2014 (as amended), that the North West Department of Economic Development, Environment, Conservation and Tourism (NW DEDECT) has granted an amendment (**NWP/EIA/36/2016-2**) to the Environmental Authorisation issued under **NWP/EIA/36/2016** for the Bakubung Ledig Mixed Used Housing Development located on Portion 15 of the Farm Ledig No. 909 JQ. The amendment was granted on the 18th of May 2022 to extend the validity period of the Environmental Authorisation.

The original Environmental Authorisation was issued on the 08th of August 2017 and has a validity period of 5 years. The amendment application lodged under **NWP/EIA/36/2016-2** was to extend the validity period of the Environmental Authorisation by a further 5 years from 8th of August 2017.

Should you wish to appeal against the amendment, or the conditions provided therein, you may do so in accordance with Chapter 2 of the National Appeal Regulations of 2014. In accordance with regulation 4(1) of the National Appeal Regulations, 2014, an appellant must submit an appeal to the appeal administrator and a copy of the appeal to the applicant, any registered interested and affected party and organ of state with interest in the matter within 20 days from the date of notification of this decision. An appellant must comply with regulation 4(2) and submit the appeal in writing and in the form obtainable from the appeal administrator by post, fax, e-mail or hand deliver the correspondence to the following address:

The Appeals Administrator,**Department of Economic Development, Environment, Conservation and Tourism**

Address: Room E30, Agricentre Building, Cnr. Dr. James Moroka Stadium Road, Mmabatho

Tel: 018 389 5986

Cell Number: 083 385 9486

Fax No.: 086 581 7858

Email Address: CNieuwoudt@nwpg.gpv.za

Should you require any further information, please contact the undersigned.

Mr Gert Watson

K2M Environmental (Pty) Ltd

Environmental Assessment Practitioner



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Department:
Economic Development, Environment, Conservation and Tourism
North West Provincial Government
REPUBLIC OF SOUTH AFRICA



AgriCentre Building
Cnr. Dr. James Moroka
Stadium
MMABATHO 2735

CHIEF DIRECTORATE: ENVIRONMENTAL SERVICES
DIRECTORATE: ENVIRONMENTAL QUALITY MANAGEMENT

Enquiries: Ouma Skosana
Tel: +27 (18) 389 5156
Email: oskosana@nwp.gov.za
Fax: +27(18) 384 0104

Reference: NWP/EIA/36/2016-2

Attention: Mr. Ben Gumbi
Kubu Property Investments (Pty) Ltd
16 Korriolog Street, Erf 114 Wigwam
RUSTENBURG
0299

Cell No.: 081 209 0239
Fax No.: ben@bakubungfire.com

Dear Sir

AMENDMENT OF AN ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CONSTRUCTION OF BAKUBUNG LEDIG MIXED USE HOUSING DEVELOPMENT ON PORTION 15 OF FARM LEDIG NO 909 JQ, LISTED ACTIVITY NUMBERS 9, 12, 19 IN GN. NO. R.983, ACTIVITY NUMBER 15 IN GN. NO. R.984 AND ACTIVITY NUMBERS 2, 4 AND 14 IN GN. NO. R. 985, MOSES KOTANE LOCAL MUNICIPALITY, NORTH WEST PROVINCE

Your application for the amendment of an Environmental Authorisation made in terms of Regulation 31 of EIA Regulations of 04 December 2014, received by this Department on 11 May 2022 refers.

The Department considered your application and accept the information submitted. The Department hereby amend the Environmental Authorisation issued on 08 August 2017 as follows:

The commencement of activity (Conditions 3.1.5 and 3.1.6 on Page 7 of the Environmental Authorisation) is amended to read as follows:

- 3.1.5 This activity must commence within a period of **Ten (10) years** from the date of issue (08 August 2017). If commencement of the activity does not occur within that period, the Environmental Authorisation **lapses**, and a new application for Environmental Authorisation must be lodged in order for the activities to be undertaken.
- 3.1.6 No further extension of the commencement period will be granted after the Environmental Authorisation has lapsed.

This Environmental Authorisation Amendment will serve as addendum to Environmental Authorisation issued on 08 August 2017. All other conditions specified and stipulated in the Environmental Authorisation must be complied with.



Together we move North West forward.

The applicant must within **fourteen (14) calendar days** of receipt of this amended Environmental Authorisation:

- a) Notify all interested and affected parties, registered during EIA process of the outcome of this application and, if required, provide copies of Environmental Authorisation together with this Environmental Authorisation Amendment.
- b) An appeal against the decision must be lodged in terms of Chapter 2 of the National Appeal Regulations (see Annexure) with:

The Appeal Administrator: Ms. Carene Nieuwoudt
Department of Economic Development, Environment, Conservation and Tourism
Room E30, Agricentre Building
Cnr. Dr. James Moroka & Stadium Road
MMABATHO

Tel No.: (018) 389 5986
Cell No.: 083 385 9486
Fax No.: 086 581 7858
E-Mail: CNieuwoudt@nwpg.gov.za

- c) Such appeal must be lodged in writing by completing Appeal form obtainable from the Appeal Administrator

Should you need further information and/or clarity, please do not hesitate to contact this Department

Yours Faithfully



Ms. Portia Krisjan
Director: Environmental Quality Management
Department of Economic Development, Environment, Conservation and Tourism

Date: 18/05/2022.

CC: K2M Environmental (Pty) Ltd
Contact Person: Mr Gert Watson
Cell No: 082 776 0881
Tel No: (031) 764 6743
E-Mail: gert@k2m.co.za

ANNEXURE 2: ADMINISTRATION AND PROCESSING OF APPEALS

ADMINISTRATION AND PROCESSING OF APPEALS IN TERMS OF CHAPTER 2 OF THE NATIONAL APPEAL REGULATIONS, 2014 TO BE FOLLOWED BY THE APPLICANT, AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION

Appeal submission

4. (1) An appellant 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:
- (a) the date that the notification of the decision for an application for an environmental authorisation was sent to the registered interested and affected parties by the applicant; or
 - (b) the date that the notification of the decision was sent to the applicant by the competent authority, issuing authority or licensing authority, in the case of decisions other than those referred to in paragraph (a).
- (2) An appeal submission must be-
- (a) submitted in writing in the form obtainable from the appeal administrator; and
 - (b) accompanied by-
 - (i) a statement setting out the grounds of appeal;
 - (ii) supporting documentation which is referred to in the appeal submission; and a statement, including supporting documentation, by the appellant to confirm compliance with regulation 4(1) of these Regulations.

Responding statement

5. The applicant, the decision-maker, interested and affected parties and organ of state must submit their responding statement, if any, to the appeal authority and the appellant within 20 days from the date of receipt of the appeal submission.

Appeal panel

6. (1) If the appeal authority reasonably believes that expert advice must be sought or that an appeal panel must be appointed, the appeal administrator must source an independent expert or constitute an independent appeal panel, or both, within 10 days from the date of receipt of an instruction from the appeal authority,
- (2) The appeal panel contemplated in subregulation (1) may consist of such number of independent experts and with such expertise as the Appeal Authority may deem necessary under the circumstances;
- (3) The expert or appeal panel must provide advice to the appeal administrator within 10 days from the receipt of an instruction from the appeal administrator.

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Recommendations and decisions on appeals

7. (1) The appeal administrator must make a recommendation on the appeal to the appeal authority within 30 days of receipt of the responding statement referred to in regulation 5 of these Regulations, in the event that an independent expert has not been sourced or an independent appeal panel has not been constituted.
- (2) The appeal administrator must make a recommendation on the appeal to the appeal authority within 10 days of receipt of the advice referred to in regulation 6(2) of these Regulations, in the event that an independent expert has been sourced or an independent appeal panel has been constituted.
- (3) The appeal authority must reach a decision on an appeal, and notify the appellant, applicant, and any registered interested and affected party, within 20 days of the recommendation on the appeal by the appeal administrator.
- (4) The decision contemplated in subregulation (3) must contain written reasons for the decision.

Communication

8. (1) A person may deliver documents in terms of these regulations by using one of the delivery methods referred to in section 47D of the Act, which are:
 - (i) by faxing a copy of the notice or other document to the person, if the person has a fax number;
 - (ii) by e-mailing a copy of the notice or other document to the person if the person has an e-mail address; or
 - (iii) by posting a copy of the notice or other document to the person by ordinary mail, if the person has a postal address;
- (2) In order to meet the time periods determined in these regulations, the person referred to in subregulation (1) must also email, fax or hand deliver the document to the recipient, if the document is delivered by ordinary mail or registered mail.

