



## **environmental affairs**

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

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Reference: 12/12/20/866/A3

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Mr Archibold Mogokonyane  
Eskom Holdings SOC Limited  
PO Box 1091  
**JOHANNESBURG**  
2001

Tel no: 011 800 3778

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### **PER FACSIMILE / MAIL**

Dear Mr Mogokonyane

### **EXTENSION OF VALIDITY PERIOD OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 10 SEPTEMBER 2012 FOR A PROPOSED STEELPOORT INTEGRATION PROJECT, LIMPOPO PROVINCE**

Your letter dated 25 April 2014 and received by this Department on 29 April 2014, requesting for an extension of the validity period of the Environmental Authorisation (EA) of the abovementioned project issued by this Department on 10 September 2012 refers.

With reference to the abovementioned letter for the extension of the EA; please be advised that the Department has decided to grant an extension of the EA issued on 10 September 2012 for the construction of the Steelpoort Integration Project.

The extension is subject to the following conditions:

- i. The activity must commence within a period of two (2) years from the date of expiry of the EA issued on 10 September 2012 now extended to 10 September 2016. 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.
- ii. The correspondence is only for the extension of the validity period as stated herein above and all conditions set out in the original Environmental Authorisation dated 10 September 2012 remain unchanged and must be adhered to.

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 Department's decision in respect of the amendment made 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 amendment 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. Lilian Ngoyi (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: Integrated Environmental Authorisations) 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 Z Hassam Director: Appeals and Legal Review, of this Department at the above mentioned addresses or fax number. Mr Hassam can also be contacted at:

Tel: 012-310-3271

Email: AppealsDirectorate@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 faithfully



**Mr Ishaam Abader**

**Deputy Director General: Legal Authorisations, Compliance & Enforcement**  
**Department of Environmental Affairs**

**Date**

10/07/2014

**CC:**

Ms J Thomas  
Mr Victor Mongwe

Savanna Environmental Pty Ltd  
LDEDET

Tel: 011 656 3237  
Tel: 015 290 7000

Fax: 086 684 0547  
Fax: 015 295 4013

**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.	3. N/A.
4. 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).	5. 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).
6. 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.	7. 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.
8. The Applicant must also serve on each IAP: 1. a notice indicating where and for what period the appeal submission will be available for inspection.	2. Appellant must also serve on the Applicant within 10 days of lodging the notice, 3. 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 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.	5. 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.
6. 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:**

1. **An appeal against a decision must be lodged with:-**
  1. 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;
  2. 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;
3. **An appeal lodged with:-**
  1. the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs;
  2. the Minister of Justice and Constitutional Development must be submitted to the Department of Environmental Affairs;
3. **An appeal must be:-**
  1. submitted in writing;
  2. accompanied by;
  3. a statement setting out the grounds of appeal;



4. supporting documentation which is referred to in the appeal; and
5. a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62.

A handwritten signature in dark ink, located in the bottom right corner of the page. The signature is stylized and appears to be a name, possibly "P. H. Day".