



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/1/7/35

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PER E-MAIL / MAIL

Dear Mr Custers

APPLICABILITY OF NEMA EIA REGULATIONS, 2014: THE PROPOSED REZONING OF ERF 8 SITUATED WITHIN THE LETAMO WILDLIFE ESTATE, MOGALE LOCAL MUNICIPALITY IN THE GAUTENG PROVINCE

Your query dated 27 July 2015 received by the Department on 30 July 2015, refers.

Your attention is drawn to the listed activities in terms of the NEMA EIA Regulations, 2014, as defined in GN No. R.983, R.984 and R.985 of 04 December 2014.

The proposed rezoning of Erf 8 does **not** constitute any listed activities as defined in terms of the NEMA EIA Regulations, 2014. Written authorisation is therefore **not required** from the relevant authority prior to the undertaking of the abovementioned activity.

This determination is based on the following information provided by you.

However, the Department would like to draw your attention to the following:

- The site falls within the Cradle of Humankind World Heritage Site, which is a Protected Area in terms of National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003).

Therefore, You are hereby requested to ensure that necessary approvals are sought from the South African Heritage Resources Agency (SAHRA) in terms of the National Heritage Resources Act 25 of 1999 (NHRA).

Please note that SAHRA may call for a heritage impact assessment in terms of Section 38 of the NHRA even when NEMA is not triggered.

Should any revision of your proposed rezoning of Erf 8 reach the thresholds as indicated in GN R. 983; GN R. 984 and GN R. 985 to constitutes listed activity/ies as defined in NEMA EIA Regulations, 2014, this letter will be retracted and/or withdrawn and an application for authorisation must be submitted to the relevant authority and an authorisation must be obtained prior to commencement.

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You are further reminded of your general duty of care towards the environment in terms of section 28(1) of NEMA which states:

"Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."

Yours faithfully



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Date: 26/08/2015

cc	Mr Thabo Kgomommu	World Heritage Management	TKgomommu@environment.gov.za
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