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



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**CHIEF DIRECTORATE: ENVIRONMENTAL SERVICES**  
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Reference: NWP/EIA/23/2019

**Attention: Municipal Manager**  
**Phokwane Local Municipality**  
Private Bag X3  
**HARTSWATER**  
8570

Tel No.: 053 474 9700  
Cell No.: 082 940 0016  
Email: [bamba.ndwandwe@gmail.com](mailto:bamba.ndwandwe@gmail.com)

**PER EMAIL AND POST**

Dear Sir/Madam

**ENVIRONMENTAL AUTHORISATION FOR CLEARANCE OF INDIGENOUS VEGETATION FOR THE EXPANSION OF JAN KEMPDORP CEMETERY ON PORTION 43 OF THE FARM GULDENSKAT 36 HN, LEKWA TEEMANE LOCAL MUNICIPALITY, NORTH WEST PROVINCE**

Your application for Environmental Authorisation, in terms of Section 24(2)(a) of the National Environmental Management Act, 1998 as amended (Act No. 107 of 1998) in respect of -

Government Notice No. R. 327 of EIA Regulations of 04 December 2014, as amended, for:

- 1. The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-(i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan [Activity 27].*
- 2. The expansion of cemeteries by 2 500 square metres or more [Activity 44].*

In terms of the Regulations of Chapter 5 of NEMA, 1998 refer.

 This Department has evaluated the **Basic Assessment Report** received on 25 June 2020 for clearance of indigenous vegetation for the expansion of Jan Kempdorp cemetery on portion 43 of the farm Guldenskat 36



Together we move North West forward.

HN, Lekwa Teemane Local Municipality, North West Province, to verify whether this activity will have significant negative impact on the environment.

Enclosed please find the Environmental Authorisation and the conditions under which your application is authorised.

Formal appeals regarding the Environmental Authorisation can be directed to the Appeal Administrator for Department of Economic Development, Environment, Conservation and Tourism, North West Province. Such an appeal must be lodged in terms of National Appeal Regulations of 8 December 2014.

Yours Faithfully



**Ms. Portia Krisjan**

**Director: Environmental Quality Management**

**Department of Economic Development, Environment, Conservation and Tourism**

Date: 02/10/2020

**Cc: NSVT Consultants**

Contact Person: Ms. Lorato Tigedi

Tel No.: 051 430 1042

Cell No.: 082 784 8259

Email: [lorato@nsvt.co.za](mailto:lorato@nsvt.co.za)



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## A DEFINITIONS

**“activity”** means an activity identified in any notice published by the Minister or MEC in terms of Section 24D(1)(a) of the Act as a listed activity or specified activity.

**“commence”** means the start of any physical activity, including site preparation and any other activity on the site in furtherance of a listed activity or specified activity, but does not include any activity required for purposes of an investigation or feasibility study as long as such investigation or feasibility study does not constitute a listed activity or specified activity.

**“development”** means the building, erection, construction or establishment of a facility, structure or infrastructure, including associated earthworks or borrow pits, that is necessary for the undertaking of a listed or specified activity, including any associated post development monitoring, but excludes any modification, alteration or expansion of such a facility, structure or infrastructure, including associated earthworks or borrow pits, and excluding the redevelopment of the same facility in the same location, with the same capacity and footprint;

**“expansion”** means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased.

**“independent”**, in relation to an EAP, a specialist or the person responsible for the preparation of an environmental audit report, means-

(a) that such EAP, specialist or person has no business, financial, personal or other interest in the activity or application in respect of which that EAP, specialist or person is appointed in terms of these Regulations; or  
(b) that there are no circumstances that may compromise the objectivity of that EAP, specialist or person in performing such work; excluding –

- (i) normal remuneration for a specialist permanently employed by the EAP; or
- (ii) fair remuneration for work performed in connection with that activity, application or environmental audit;

**“public participation process”** means a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to, specific matters.

**“registered interested and affected party”**, in relation to an application, means an interested and affected party whose name is recorded in the register opened for that application in terms of regulation 42;

**“the Act”** means the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.

**“the Department”** means the Department of Economic Development, Environment, Conservation and Tourism.

**“state Department”** means any Department or administration in the national or provincial sphere of government exercising functions that involve the management of the environment.

 **“the Regulations”** means the Environmental Impact Assessment Regulations, of 4 December 2014 as amended.

## B. Environmental Authorisation

**Authorisation register number:** NWP/EIA/23/2019

**Holder of Environmental Authorisation:** Phokwane Local Municipality

**Location of activity:** North West Province: south of the existing cemetery on portion 43 of the farm Guldenskat 36 HN, Lekwa Teemane Local Municipality, North West Province

### 1. 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 activity specified below:

### 2. Activities authorised

By virtue of the powers delegated by the MEC in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended and the Environmental Impact Assessment Regulations of 4 December 2014, the Director: Environmental Quality Management of the Department of Economic Development, Environment, Conservation and Tourism authorises:-

#### Phokwane Local Municipality

Private Bag X3

**HARTWATER**

8570

Tel No.: 053 474 9700

Cell No.: 082 940 0016

Email: bamba.ndwandwe@gmail.com

To undertake the following activity:

*The clearance of indigenous vegetation for the expansion of Jan Kempdorp cemetery on portion 43 of the farm Guldenskat 36 HN, Lekwa Teemane Municipality, North West Province. The project entails the following:*

- Clearance of 11.3 hectares of indigenous vegetation for graves
- Ablution block
- Parking bays
- 10 m internal roads and 5 m walkways

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

#### Site Location:

Alternative Site	Latitude (S)	Longitude E
Portion 43 of the farm Guldenskat 36 HN	27° 54' 36.89"	24° 52' 36.34"

The development site is located on south of the existing cemetery on portion 43 of the farm Guldenskat 36 HN within jurisdiction of Lekwa Teemane Local Municipality, North West Province, hereafter referred to as "the property".

### 3. Conditions

#### 3.1 Scope of Environmental Authorisation

##### 3.1.1 The preferred alternative S1 is approved

3.1.2 Authorisation of the activities 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 Environmental Authorisation.

3.1.3 The holder of the Environmental Authorisation must be 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 Environmental Authorisation.

3.1.4 The activities authorised may only be carried out at the property as described in Point 2 under site location.

3.1.5 This Environmental Authorisation does not negate the holder of the Environmental Authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

3.1.6 Relevant legislation that must be complied with by the holder of this Environmental Authorisation includes, *inter alia*:

- a) National Heritage Resources Act, 1999 (Act No. 25 of 1999).
- b) National of Water, 1998 (Act No. 36 of 1998)
- c) All provisions of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- d) All provisions of the Spatial Planning and Land Use Management Act, 2013 (Act No.16 of 2013).
- e) The development must adhere to the municipal by-laws.
- f) National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).
- g) National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).

3.1.7 The holder of an Environmental Authorisation has the responsibility to apply for Environmental Authorisation amendment to the competent authority for any alienation, or deviation from project description/ownership




#### 4. Appeal of Environmental Authorisation

- 4.1 The holder of the Environmental Authorisation must notify every **registered** interested and affected party, in writing and within **14 days**, of receiving an Environmental Authorisation from the Department.
- 4.2 The notification referred to in 4.1 must –
- 4.2.1 Inform interested and affected parties of the decision, reason for decision and where the decision can be accessed.
- 4.2.2 Advise the interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
- 4.2.3 Specify the date on which the Environmental Authorisation was issued.
- 4.2.4 Inform the registered interested and affected parties of the appeal procedure provided for in Chapter 2 of the National Appeal Regulations (See Annexure 2)
- 4.3 An appeal against the decision must be lodged in terms Chapter 2 of the National Appeal Regulations 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  
Private Bag X 2039  
**MMABATHO**  
2735

Tel No.: (018) 389 5986  
Cell No: 083 385 9486  
Fax No.: (086) 581 7858  
E-mail: [cnieuwoudt@nwpg.gov.za](mailto:cnieuwoudt@nwpg.gov.za)

- 4.4. Such Appeal must be lodged in writing by completing an Appeal form obtainable from the Appeal Administrator.
- 4.5. An appeal made against this Environmental Authorisation will result in it being suspended, therefore the activity must not commence pending the lapse of **20 days** after all Interested and Affected Parties have been informed of this decision.
- 4.6 Should an appeal be lodged within **20 days** after notification to all Interested and Affected Parties of this decision, the activity may only commence once the decision by the MEC, as Appeal Authority have been

 made



## 5. Management of the activity

- 5.1 An Environmental Management Programme (EMPr) for the project submitted as part of application for Environmental Authorisation is **hereby approved**.
- 5.2 Any proposed amendments to the EMPr (as a result of this Environmental Authorisation or otherwise) must be submitted in writing to Director: Environmental Quality Management for approval prior to the amendment being implemented. The proposed amendments will be decided upon by the Department within a period of **30 days** of receiving the submission.
- 5.3 The EMPr must form part of the contractor's tender documentation for all contractors working on the project and must be endorsed contractually.
- 5.4 The provisions of the EMPr are an extension of the conditions of the Environmental Authorisation and therefore non-compliance with the EMPr would constitute non-compliance with the Environmental Authorisation.
- 5.5 Notwithstanding the preceding conditions, the holder shall adhere to, and ensure adherence by all contractors, sub-contractors and workers for this project, to all conditions listed herein, and all obligations, commitments, monitoring and proposed mitigation measures as outlined in the EMPr.

## 6. Monitoring

- 6.1 The holder of Environmental Authorisation has 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 EMPr.
- 6.2 The holder of the Environmental Authorisation must ensure communications and liaise with key stakeholders in respect of monitoring of compliance with conditions of Environmental Authorisation and the EMPr and also liaise with Environmental Compliance and Enforcement Section of this Department ([cnieuwoudt@nwpq.gov.za](mailto:cnieuwoudt@nwpq.gov.za) and [Emulibana@nwpq.gov.za](mailto:Emulibana@nwpq.gov.za)).
- 6.3 It is the responsibility of the holder of this Environmental Authorisation to ensure that an ongoing management and monitoring of the impacts of the activities on the environment throughout the life cycle of the activities are put into practice.

## 7. Validity Period of Environmental Authorisation

- 7.1 This Environmental Authorisation is **valid for a period of 10 years from the date of issue**.
- 7.2 All authorised activities must be concluded within **10 years** from the date of issue of the Environmental Authorisation.
- 7.3 If the holder of the Environmental Authorisation anticipates that conclusion of the activities would not occur within a **10 years** period, he/she **must prior to the lapse 10 years**, apply for amendment of the Environmental Authorisation and **show good cause and give reasons** why an extension of the Environmental Authorisation should be granted.





7.4 Should the Environmental Authorisation for the authorised activities **expire**, the said authorisation will be null and void and a new application for Environmental Authorisation must be lodged in order for the activities to be undertaken.

## 8. Recording and reporting to the Department/Environmental Audit Report

8.1 **14 days** written notice must be given to the Department's Environmental Compliance and Enforcement Section that the activities will commence. The notice must be directed to [Cnieuwoudt@nwpg.gov.za](mailto:Cnieuwoudt@nwpg.gov.za) and [Emulibana@nwpg.gov.za](mailto:Emulibana@nwpg.gov.za).

8.2 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.

8.3 All incidents of major hazardous substances spill must be reported to Environmental Compliance and Enforcement Section of this Department and Department of Water and Sanitation within **48 hours**, and actions taken to remedy the situation must be outlined

## 9. Site Closure and Decommissioning of the activity

9.1 Should the activity ever cease or become redundant, the applicant 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.

## 10. Specific conditions

10.1 The applicant must adhere to the mitigation measures and recommendations contained in the Basic Assessment Report received on the 25 June 2020.

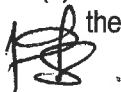
10.2 Clearance of indigenous vegetation must be limited to 11.3 hectares for expansion of cemetery to minimize damage to the vegetation and the surrounding environment.

10.3 The ESA 1 associated with the hill and its surrounding areas to the east must be excluded from any potential future development in order to support and maintain the ecological functionality and integrity of the of the associated CBA 2 situated to the South.

10.4 The most southerly portion of the assessment area must be buffered out of the proposed development footprint if practically possible and no development must take place south of the recommended buffer line.

10.5 A walkover study must be undertaken prior to commencement of construction by suitably qualified and experienced Ecologist to ensure that the following are met:

(a) The Critical Biodiversity Area 2 (CBA2) area must be excluded from the development footprint during the final design of the cemetery as indicated in the sensitivity map.



- (b) 18 significantly sized *Vachellia erioloba* and 1 *Boscia albitrunca* individuals must be incorporated into the development design layout if practically possible.
- (c) *Ammocharis coranica* and species of *Aloe grandidentata* and *Harpagophytum procumbens* individual and any other encountered on site must be removed and relocated to a suitable and similar area as to where they were removed prior to commencement of any vegetation clearance.
- 10.6 A Nationally Protected Tree License must be obtained from the Department of Environment, Forestry and Fisheries for the removal/destruction of the other smaller individuals of the nationally protected species *Vachellia erioloba*, prior to the commencement of any vegetation clearance-or construction activities.
- 10.7 The procedures for burial must be done in accordance with the municipal by-laws for burials and other activities related to the operation of the cemetery there must be no standing water in the graves when dug.
- 10.8 A sanitation system that does not rely on seepage of liquid waste must be used to service the development, as the area is not serviced in terms of on-site sanitation.
- 10.9 Special attention must be directed at storm water diversion structures to restrict pollutants from seeping into the subsurface and underlying groundwater table during construction and operation phase.
- 10.10 Trees surrounding the development site, especially toward the west and north west must preferably be kept in place with their deep root system intact to act as a contaminant buffer for groundwater flow toward the west and north west.
- 10.11 The owner of borehole CH7 must be notified of elevated inorganic and bacteriological chemistries within his domestic water supply.
- 10.12 Phokwane Local Municipality must establish a borehole that would be used for groundwater monitoring, which would identify the effect of potential municipal sources of pollution on the groundwater from both the cemetery and landfill site.
- 10.13 No surface or ground water must be polluted due to any activities on the property or site. The requirements of the National Water Act, 1998 (Act No. 36 of 1998) must be complied with at all times.
- 10.14 The site and crew must be managed in strict accordance with the Occupational Health and Safety Act (85 of 1993) and the National Building Regulations.
- 10.15 The holder of the Environmental Authorisation [Phokwane Local Municipality] must be responsible for compliance with the provisions for duty of care and remediation of environmental damage in accordance with Section 28 of National Environmental Management Act, 1998 (Act No. 107 of 1998).



## 11. General

- 11.1 A copy of this Environmental Authorisation must be kept at the property where the activities will be undertaken. The Environmental Authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the Environmental Authorisation who works or undertakes work at the property.
- 11.2 The holder of the Environmental Authorisation must notify the Department, in writing and within **48 hours**, if any condition of this Environmental Authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance. 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 (Act No. 107 of 1998) and the Regulations.
- 11.3 National government, provincial government, local authorities or committees appointed in terms of the conditions of this Environmental Authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his 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 applicant with the conditions of this Environmental Authorisation as set out in this document or any other subsequent document emanating from these conditions of this Environmental Authorisation.

Environmental Authorisation Approved By:



Ms. Portia Krisjan

Director: Environmental Quality Management

Department of Economic Development, Environment, Conservation and Tourism

Date: 02/10/2020

## ANNEXURE 1: REASONS FOR ENVIRONMENTAL AUTHORISATION

### 1. Background

The Applicant, **Phokwane Local Municipality** applied for Environmental Authorisation to carry out the following activity:


*The clearance of indigenous vegetation for the expansion of Jan Kempdorp cemetery on portion 43 of the farm Guldenskat 36 HN, Lekwa Teemane Local Municipality, North West Province.*

The applicant appointed **NSVT Consultants** to undertake Basic Assessment process as required by Regulation 12 of the EIA Regulations 04 December 2014, as amended.

### 2. 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 Basic Assessment Report received on the 25 June 2020 compiled by NSVT Consultants.
- b) All mitigation measures and recommendations as contained in the Basic Assessment Report and the Environmental Management Programme included in the report received on the 25 June 2020.
- c) 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) as amended.
- d) The mitigation measures of impacts contained in the EMP and mentioned in the Basic Assessment Report are acceptable and practical for implementation.
- e) The ecological Impact Assessment compiled by EcoFocus Ecological Specialist Services, dated June 2019.
- f) Phase 1 Geotechnical Investigation compiled by Matete and Associates Consultants cc, dated April 2016.
- g) Geohydrological Investigation compiled by Sustainable Geo-Hydrological Solution (Pty) Ltd, dated February 2020.
- h) Heritage Impact Assessment compiled by McGregor Museum, dated October 2019 & Palaeontological Desktop Assessment compiled by Banzai Environmental (Pty) Ltd, dated 2 May 2019.
- i) The findings of a site visit undertaken by the Department's official Mr. Kgahliso Makoli along with Mrs. Lorato Tigedi of NSVT Consultants on 19 March 2020.
- j) The consent of the landowner dated 11 October 2019 from Lekwa Teemane Local Municipality, granting permission to Phokwane Local Municipality to appoint Mrs. Lorato Tigedi of NSVT Consultants to conduct an impact study.



### 3. 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 Basic Assessment Report received on the 25 June 2020, sufficiently deduced how the proposed project will vehemently have minimal impacts on the environment.
- b) The Basic Assessment process was compiled with the stipulations of **Appendix 1** of the EIA Regulations of 2014 as amended.
- c) The expertise of the Environmental Assessment Practitioner in conducting the Basic Assessment process. The details provided indicate that the EAP meets the Requirements of Regulations 13 of EIA Regulations of 2014, as amended and is competent to carry out the Environmental Impact Assessment process.
- d) The Environmental Management Programme presented in the Basic Assessment Report is in line with Appendix 4 of the EIA Regulations of 2014 and the mitigation measures contained therein are applicable to the impacts identified in the report.
- e) The specialist studies supported the development provided all mitigation measures identified in those studies are adhered to.
- f) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations of 04 December 2014, as amended, for public involvement. The development was advertised in a local newspaper namely: Diamond Fields Advertiser on 01 November 2019 as part of the public participation process.
- g) The legal and procedural requirements have been complied with and the information contained in the document is to the satisfaction of this Department.

### 4. Findings

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

- a) The Phokwane Local Municipality has an obligation as the local authority to plan and coordinate the provision of a cemetery that would be used by the local community for burial purposes. Thus it was deemed necessary to expand the existing cemetery as it doesn't have adequate burial plots to meet the future burial needs.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the activities will not conflict with the general objectives of Integrated Environmental Management laid down in Section 23 (2) (a-f) of Chapter 5 of National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the activities can be mitigated to acceptable levels. **The application is accordingly granted.**



## 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.



## 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.

