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



80 Kerk Street
Rustenburg, 0299
www.nwpg.gov.za
Republic of South Africa

CHIEF DIRECTORATE: ENVIRONMENTAL SERVICES
DIRECTORATE: ENVIRONMENTAL QUALITY MANAGEMENT

Tel: +27 (14) 597 3597
Fax: +27(86) 626 4695
Enquiries: Pertunia Mphaki
E-mail: pmphaki@nwpg.gov.za

Reference: NWP/EIA/26/2019

Attention: Mr. Paul Peen
REC Establishers (Pty) Ltd
184 Machol Street, Olifantsnek
RUSTENBURG
0299

Cell No : (076) 197 0002
Fax No : (086) 590 6602
Email : paul@rec.co.za

Dear Sir

ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED DEVELOPMENT OF A SCHOOL ON PORTION 62 OF THE FARM COMMISSIESDRIFT 327 JQ, OLIFANTSNEK LISTED ACTIVITY NUMBERS 27 & 28(ii) IN GN. NO. R. 327 AND LISTED ACTIVITY NUMBER 12h (iv) IN GN. NO. R. 324, RUSTENBURG 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. R327 of EIA Regulations 04 December 2014 as amended in 07 April 2017 for:

- 1 *The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous is required for the undertaking of a linear activity or maintenance purposes undertaken in accordance with a maintenance management plan. [Listed activity 27].*
- 2 *Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development will occur outside an urban area where the total land to be developed is bigger than 1 hectare. [Listed activity 28(ii)].*

Government Notice No. R324 of EIA Regulations 04 December 2014 as amended in 07 April 2017 for:

- 1 *The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of vegetation is require for maintenance purposes undertaken in accordance with a maintenance management plan in North West, on a critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority. [Listed activity 12h (iv)].*

Together we move North West forward.



This Department has evaluated the **Basic Assessment Report** received on 10 December 2019; for the development of a school on portion 62 of the farm Commissiedrift 327 JQ, Olifantsnek, Rustenburg 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 the 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: 24/03/2020

Cc: HydroScience
Contact Person: Paulette Jacobs
Cell: 082 850 5482
Fax: 086 692 8820
Email: paulette@hydroscience.co.za

Cc: Rustenburg Local Municipality
Contact Person: Ms. Kelebogile Mekgoe
Tel: 014 590 3185
Cell: 072 585 9460
Email: kmekgoe@rustenburg.gov.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

"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 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.

 **"the Regulations"** means the Environmental Impact Assessment Regulations, of 04 December 2014, as amended.

B. Environmental Authorisation

Authorisation register number:

NWP/EIA/26/2019

Holder of Environmental Authorisation:

REC Establishers (Pty) Ltd

Location of activity:

North West Province: On portion 62 of the farm
Commissiedrift 327JQ, Olifantsnek Rustenburg Local
Municipality

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 04 December 2014 as amended on 7 April 2017, the Director: Environmental Quality Management of the Department of Economic Development, Environment, Conservation and Tourism authorises:-

REC Establishers Pty Ltd

184 Machol Street, Olifantsnek

RUSTENBURG

0299

Cell No : 076 197 0002
Fax No : 086 590 6602
Email : paul@rec.co.za

to undertake the following activity:

the development of a school and associated sports fields. The project entails the following:

- *Access: Entrance for busses and delivery vehicles at circle on Third Avenue about 70m from R24 road, Entrance for administration and residential further along third avenue past Fouche street intersection (existing) about 200m from R24 road.
Sports fields: Full size sports fields and Olympic size for athletics with pavilion and gymnasium on (R24 road and Third Avenue corner).
B sports field along R24 road.
Netball and tennis courts (6)*
- *Educational: Hall, Classrooms with toilets (9 on ground and 9 on first floor) and Study hall*
- *Residential: Existing staff accommodation (4 houses), Boarding for boys and girls along Stubb street and a Kitchen*
- *Parking, administration and offices*
- *Sewage treatment plan in the south west corner.*



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

Site Location:

Alternative Site	Latitude	Longitude
Portion 62 of the farm Boschfontein 327 JQ, Olifantsnek.	25° 47' 23.99" S	27° 14' 22.82" E

The development site is located on portion 62 of the farm Commissiedrift 327 JQ, Olifantsnek across R24 road and approximately 1km from Olifantsnek dam, within the jurisdiction of Rustenburg 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 activity 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 properties 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 Resource Act, 1999 (Act No. 25 of 1999).
- b) The Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
- c) All provisions of the National Water Act, 1998 (Act No. 36 of 1998).
- d) National Environmental Management: Waste Act, 2008 (Act 59 of 2008) as amended.
- e) Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)
- f) The municipal by-laws must be adhered to where applicable.
- g) All provisions of Water Services Act 108 of 1997 as amended.

- 3.1.7 The holder of an Environmental Authorisation has the responsibility to apply for Environmental Authorisation amendment to the competent authority when 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 of 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,
MMABATHO
- Tel No : (018) 389 5986
Cell No: (083) 385 9486
Fax No: (086) 581 7858
E-mail : cnieuwoudt@nwpg.gov.za
- 4.4 Such Appeal must be lodged in writing by completing 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 the decision, the activity may only commence once the decision by the MEC, as Appeal Authority, have been made.



5. Management of the activity

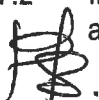
- 5.1 The Environmental Management Programme (EMPr) for the project submitted as part of application for Environmental Authorisation is **hereby approved**.
- 5.2 The recommendations and mitigation measures outlined in the Basic Assessment Report compiled by HydroScience received by the Department on 10 December 2019 must be adhered to.
- 5.3 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.
- 5.4 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 The EMPr must form part of the contractor's tender documentation for all contractors working on the project and must be made available on the site.
- 5.6 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 the Basic Assessment Report are implemented, and to ensure compliance with the provisions of the EMPr.
- 6.2 The holder of Environmental Authorisation must ensure communications with key stakeholders in respect to monitoring of compliance with conditions of Environmental Authorisation and the EMPr and also liaise with Environmental Compliance and Enforcement Section.
- 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 is put into practice.

7. Validity period of the activities authorised

- 7.1 For all activities applied for, **this Environmental Authorisation is valid for a period of 5 years from the date of issue of the authorisation.**
- 7.2 If the activities are not concluded within that period, the said authorisation will be **null and void** and a new application for an Environmental Authorisation must be made in order for the activity to be undertaken.



- 7.3 If the holder of the Environmental Authorisation anticipates that the authorized activities would not occur within the specified period above, he/she must apply and **show good cause and give reasons** for an extension of the Environmental Authorisation provided that the Environmental Authorisation is valid on the date of receipt of such an application.

8. Recording and Reporting to the Department

- 8.1 14 days written notice must be given to the Departments Environmental Compliance and Enforcement Section that the activity will commence at cnieuwoudt@nwpg.gov.za AND lnonkomo@nwpg.gov.za
- 8.2 Records relating to monitoring must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

9. Operation of the activity

- 9.1 Dust control by watering of the road surface must be done, when necessary.
- 9.2 Sanitation systems used must be maintained and monitoring measures must be applied on a constant basis.
- 9.3 General waste must be collected and disposed of at a licensed landfill site on a weekly basis. Recyclable waste must be recovered for recycling purpose. No temporary dumping of waste is allowed on site.

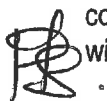
10. Site Closure and Decommissioning

- 10.1 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.
- 10.2 The disturbed areas must be rehabilitated to almost a natural state, and landscaping of the disturbed areas must make extensive use of locally appropriate indigenous vegetation.

11. Specific conditions

- 11.1 The applicant must adhere to the mitigation measures and recommendations contained in the Basic Assessment Report compiled by Hydro Science received by the Department on 10 December 2019.
- 11.2 The proposed development site must be suitably demarcated and construction must be restricted to the demarcated area to minimise damage to the vegetation and exposure of the ground to erosion.
- 11.3 Municipal building restrictions must be adhered to and building plans must be submitted for approval of the Rustenburg Local Municipality.
- 11.4 An Environmental Control Officer must be appointed during the construction phase to ensure mitigation is applied; incidents are reported and reflect non-compliance to the EMP.
- 11.5 All vegetation outside immediate development footprint must be left intact and undisturbed. Measures must be introduced to clear all alien invasive plants and to control further spread into natural areas.

- 11.6 It is recommended that the developer must construct the following infrastructure: traffic circle at the main access, an additional leg at the existing traffic circle and pedestrian walkways along 3rd Avenue, stated in the Traffic Impact Assessment study compiled by Simeon J. du Preez in the Final BAR dated November 2019.
- 11.7 It is recommended that all required registrations and agreements for adequate services and capacities (i.e water services, roads, electricity services and sewage services) be made before construction commences.
- 11.8 Appropriate signage must be placed to caution community, employees and contractors not to attempt to enter certain structures without being authorised and regular safety inspections must be conducted in order to ensure that participants are equipped with necessary safety equipment.
- 11.9 The stockpiles must not be placed within drainage line or site and all trenches and excavation works must be properly backfilled and compacted and if any soils are contaminated, it should be stripped and disposed of at registered hazardous waste landfill site.
- 11.10 All plant species of conservation importance (if any) must be removed from the demarcated area prior to commencement and must either be relocated outside of the construction area or donated to the South African National Biodiversity Institute in consultation with Biodiversity Management and Conservation Directorate of this Department.
- 11.11 Topsoil must be removed and stockpiled aside for rehabilitation purposes prior to the development commencing, and such topsoil must be protected against water and wind erosion.
- 11.12 In terms of Cultural Heritage Impact Assessment study compiled by Archaeos Culture & Cultural Resource Consultants in the Final BAR dated November 2019, site 2 is of medium cultural significance, and must be included in the heritage register; the stone can be removed if approved by the heritage authority stated in the report.
- 11.13 The stripped and stockpiled topsoil may be chemically altered due to storage, this can potentially alter nutrient levels in the soil and result in loss of fertility, therefore proper management of topsoil must be ensured.
- 11.14 BH1 is contaminated and therefore requires treatment/chlorination prior to human consumption as stated in the Geo-hydrological study compiled by HK Geo-hydrological Services (Pty) Ltd in the Final BAR dated November 2019.
- 11.15 No surface or ground water must be polluted due to any activities on the property or site. General housekeeping at the site must be kept at a high standard. The requirements of the National Water Act, 1998 (Act No. 36 of 1998) must be complied with at all times.
- 11.16 The holder of the Environmental Authorisation, REC Establishers (Pty) Ltd 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), as amended



12. General

- 12.1 A copy of this Environmental Authorisation must be kept at the property where the activity 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.
- 12.2 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.
- 12.3 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: 24/03/2020

ANNEXURE 1: REASONS FOR ENVIRONMENTAL AUTHORISATION

1. Background

The Applicant, **REC Establishers (Pty) Ltd**, applied for Environmental Authorisation to carry out the following activity:

- *Development of a school and the associated sports fields/infrastructure on portion 62 of the farm Commissiedrift 327 JQ, Rustenburg Local Municipality, North West Province*

The applicant appointed **Hydro Science** to undertake a Basic Assessment process as required by Regulation 12 of the EIA Regulations, 2014.

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 (BAR) compiled by **Hydro Science** received by the Department on 10 December 2019 including the following specialists studies in Appendix E of the BAR:
 - (i) Paleontological Desktop study compiled by Dr. JF Durand dated June 2019.
 - (ii) Cultural Heritage Impact Assessment Report compiled by Archætnos Culture & Cultural Resource Consultants compiled dated July 2019.
 - (iii) Biodiversity Baseline and Risk Assessment Report compiled by Biodiversity Company dated July 2019.
 - (iv) Geo-technical report compiled by Rocksoil Consult dated 20 August 2019.
 - (v) Geo-hydrological compiled by HK Geo-hydrological Services Pty Ltd dated August 2019
 - (vi) Traffic Impact Assessment study compiled by Simeon J. du Preez dated October 2019.
- b) Letter from Rustenburg Local Municipality (Technical Report Provision of Civil Engineering Services) and Community Development dated October 2019.
- 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 findings of a site visit undertaken on 17 September 2019 by the Ms. Queen Imasiku from DEDECT with Paulette Jacobs (EAP) from Hydro Science, and Paul Peens from (Applicant) REC Establishers (Pty) Ltd and Kelebogile Mekgoe from Rustenburg Local Municipality.

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) Details provided of the qualifications of the EAP indicate that the EAP is competent to carry out the Environmental Impact Assessment (EIA) procedures.
- b) The Basic Assessment Report received on 10 December 2019, included a description of the environment that may be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity.
- c) The Basic Assessment Process was conducted in terms of the prescribed Regulations.
- d) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations of 2014 for public involvement. The development was advertised in "Rustenburg Herald" dated 05 July 2019 as part of the public participation process.
- e) 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) Since there is an insufficient schools in Olifantsnek, the proposed development of a school is required to accommodate both primary and high school pupils and it will improve better education.
- b) The development site is located within the buffer of Magaliesberg Biosphere Reserve across R24 road, however the adjacent area is highly developed and services are accessible.
- c) The project will contribute to employment opportunities and economy of the local community.
- d) Issues raised by interested and affected parties have been adequately addressed.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the activity 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) as amended and that any potentially detrimental environmental impacts resulting from the activity can be mitigated to acceptable levels. **The application is accordingly granted.**

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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.

Handwritten signature/initials