



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Dear Madam,

DECISION ON THE APPEAL AGAINST THE ENVIRONMENTAL AUTHORISATION GRANTED TO NEWSHELF 1282 (PTY) LTD (THE APPLICANT) FOR THE PROPOSED ESTABLISHMENT OF A 1200MW COAL-FIRED POWER STATION AND ASSOCIATED INFRASTRUCTURE

I refer to the appeal decision of the Minister of Environmental Affairs, dated 7 March 2016 and to your correspondence in respect thereof, dated 23 March 2016.

In response to the aforementioned letter of 23 March 2016, please note that I have not responded to each and every statement set out therein, and where a particular statement is not directly addressed, the absence of any response should not be interpreted to mean that I agree with or abide by the statement made.

In particular, I have not responded to any portion of the aforementioned letter which was previously raised in the appeal submission by the Centre for Environmental Rights, on behalf of Earthlife Africa, and/or dealt with in the appeal decision of 7 March 2016.

The instruction in the appeal decision by the Minister of Environmental Affairs that the applicant undertake a climate change impact assessment and a paleontological impact assessment within six months from the date of the decision in no way constitutes an acknowledgement by the Minister that the decision by the Department to issue the environmental authorisation was unlawful.

The aforementioned assessments will, furthermore, be subject to scoping, public comment, and assessment, as per the Environmental Impact Assessment Regulations, 2010.

The aforementioned appeal decision furthermore clearly spells out that both the climate change impact assessment and the paleontological impact assessment must be conducted prior to commencement of the project. It follows, therefore, that the applicant may not commence with the project until such time as the aforementioned assessments have been conducted and submitted to the Department for consideration.

Yours sincerely



ZIYAAD HASSAM

APPEAL ADMINISTRATOR

DIRECTOR: APPEALS AND LEGAL REVIEW

DATE: 24/03/2016

CC:

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