



Centre for Environmental Rights

Advancing Environmental Rights in South Africa

The Honourable Ms Edna Molewa
The Minister of Environmental Affairs
Environment House
473 Steve Biko Road
Arcadia
Pretoria
0083

For attention: Z Hassam
Director: Appeals and Legal Review, Department of Environmental Affairs
Fax: 012 320 7561
By email: AppealsDirectorate@environment.gov.za

Copied to:

Department of Environmental Affairs
Sabela Malaza
Chief Director: Integrated Environmental Authorisations
By email: smalaza@environment.gov.za
By email: sdlamini@environment.gov.za

Savannah Environmental (Pty) Limited
Gabriele Wood
Unit 10 Building 2
5 Woodlands Drive Office Park
Corner Woodlands Drive and Western Service Road
Woodmead
Johannesburg
2157
By email: Gabriele@savannahSA.com

Newshelf 1282 (Pty) Limited
Sanjith Mungroo
By email: Sanjith.mungroo@gdfsuezmeta.com

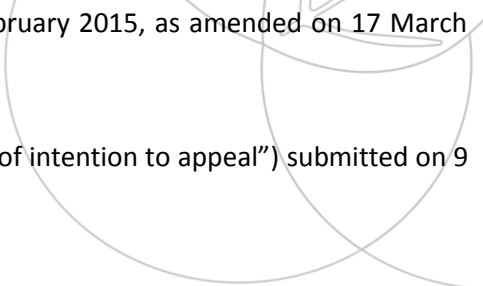
DEA ref: 14/12/16/3/3/3/40
Our ref: RH/NL/CER 12.4
11 May 2015

Dear Minister

APPEAL IN TERMS OF SECTION 43 NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 AGAINST THE INTEGRATED ENVIRONMENTAL AUTHORISATION ISSUED TO NEWSHELF 1282 (PTY) LTD FOR THE ESTABLISHMENT OF A 1200MW COAL-FIRED POWER STATION AND ASSOCIATED INFRASTRUCTURE – IPP THABAMETSI POWER STATION NEAR LEPHALALE, LIMPOPO PROVINCE

1. We address you on behalf of Earthlife Africa, Johannesburg (“our client”), the appellant in relation to the above matter.

2nd Floor, Springtime Studios,
1 Scott Road, Observatory, 7925
Cape Town, South Africa
Tel 021 447 1647, Fax 086 730 9098
Email info@cer.org.za, www.cer.org.za

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2. We refer to the above integrated environmental authorisation of 25 February 2015, as amended on 17 March 2015 (“the authorisation”).
 3. We refer further to our client’s notice of intention to appeal (“the notice of intention to appeal”) submitted on 9 April 2015, by email, to the following recipients:
 - 3.1. Mr Z Hassam at appealsdirector@environment.gov.za;
 - 3.2. Sanjith Mungroo, the applicant in respect of the authorisation, to Sanjith.mungroo@gdfsuezmeta.com, in accordance with the requirement of regulation 60(3)(a) of the National Environmental Management Environmental Impact Assessment Regulations, 2010 (“EIA Regulations”);
 - 3.3. Copied to Savannah Environmental (Pty) Ltd at Gabriele@savannahSA.com; and
 - 3.4. Copied to Phumudzo Thivhafuni of the Limpopo Department of Economic Development Environment and Tourism.
 4. We refer further to the acknowledgment of receipt of our client’s notice of intention to appeal sent, by email, by Mmatsatsi Maboko of the Department of Environmental Affairs on 10 April 2015, in which we were advised to submit our client’s appeal submissions on or before 11 May 2015.
 5. We enclose and hereby submit the following:
 - 5.1. Our client’s appeal submissions, marked annexure A; and
 - 5.2. The supporting documentation in respect of our client’s appeal submissions, marked annexures 1 to 14. Please note that, in keeping with regulation 6(2) of the EIA Regulations, we have not attached all of the supporting documents to which we refer in the appeal. In some cases – where we believe such information to be in the Minister’s possession already - we have inserted links to the documents as footnotes. Should copies of any of these documents be required, kindly let us know.
 6. We note that the notice of intention to appeal confirmed that *“In relation to the regulation 60(3) requirements of the EIA 2010 Regulations to inform the applicant where and for what period the appeal submission will be available for inspection by the applicant, we will furnish the applicant directly with a copy of our appeal submissions, thereby rendering it unnecessary to give notice of the time and place for an inspection of the appeal submissions.”*
 7. We hereby confirm that this letter, with the attached appeal submissions and supporting documentation, is copied - and will be sent simultaneously - to the applicant, Sanjith Mungroo, in order to comply with regulation 60(3) and the undertaking referred to in paragraph 6 above.
 8. Kindly confirm receipt of this letter and the enclosed annexures.
 9. Should you have any queries in relation to this appeal, or require any additional information, please let us know.

Yours faithfully

CENTRE FOR ENVIRONMENTAL RIGHTS



per:

Robyn Hugo

Attorney and Programme Head: Pollution & Climate Change

Direct email: rhugo@cer.org.za

