



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko, Arcadia · PRETORIA  
Tel (+ 27 12) 399 9372

**DEA Reference:** 14/12/16/3/3/3/40/AM1

**Enquiries:** Ms Samkelisiwe Dlamini

**Telephone:** (012) 399 9379 **E-mail:** [SDlamini@environment.gov.za](mailto:SDlamini@environment.gov.za)

Mr Sanjith Mungroo  
Newshelf 1282 (Pty) Ltd  
PO Box 4778  
**RIVONIA**  
2128

Telephone Number: (011) 804 5844  
Email Address: [Sanjith.Mungroo@gdsuezmeta.com](mailto:Sanjith.Mungroo@gdsuezmeta.com)

### **PER EMAIL / MAIL**

Dear Mr Mungroo

### **AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 25 FEBRUARY 2015 FOR THE ESTABLISHMENT OF A 1200MW COAL-FIRED POWER STATION AND ASSOCIATED INFRASTRUCTURE – IPP THABAMETSI POWER STATION NEAR LEPHALALE, LIMPOPO PROVINCE.**

The Environmental Authorisation (EA) issued for the above application by this Department on 25 February 2015.

Based on a review of EA issued, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated, 25 February 2015 as follows:

1. Condition 10.2 of the environmental authorisation, typed as:

*“An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended, does not suspend an environmental authorisation or exemption, or any provision or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.”*

#### **Is amended to:**

*In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.*

2. The removing of condition 10.3 of the environmental authorisation, typed as:

*“Should you be notified by the Minister of a suspension of the authorisation pending appeal procedures, you may not commence with the activity until such time that the Minister allows you to commence with such an activity in writing.”*

This letter must be read in conjunction with the EA dated 25 February 2015.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the Department's decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of Government Notice No. R.993, which prescribes the appeal procedure to be followed. Kindly include a copy of this document with the letter of notification to interested and affected parties.

An appellant must submit an 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 the date that the notification of the decision was sent to the applicant by the competent authority.

By post: Private Bag X447,  
Pretoria, 0001; or  
By hand: Environment House  
473 Steve Biko,  
Arcadia,  
Pretoria, 0083

**Appeals must be submitted in writing to:**

Mr Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses. Mr Hassam can also be contacted at:

Tel: (012) 399 9356  
Email: [Appealsdirector@environment.gov.za](mailto:Appealsdirector@environment.gov.za)

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

For guidance on appeals submitted to the Minister in terms of NEMA and the SEMAs, please find a copy of the guideline on the administration of appeals on the Department's website:  
([https://www.environment.gov.za/documents/forms#legal\\_authorisations](https://www.environment.gov.za/documents/forms#legal_authorisations)).

Yours faithfully



**Mr Michael Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**  
Date: 17/03/2015

cc	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	joanne@savannahsa.com
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