



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko, Arcadia · PRETORIA

DFFE Reference: 12/12/20/2375/AM3

Enquiries: Ms Makhosazane Yeni

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Mr Mogole Mphahlele
SANRAL
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0001

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PER EMAIL / MAIL

Dear Mr Mphahlele

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 22 MAY 2013 FOR THE REHABILITATION OF SECTION 13 OF THE NATIONAL ROUTE 11 (N11) INCLUDING BORROW PITS AND HARD QUARRY ALONG THE ROUTE IN MOKOPANE WITHIN MOGALAKWENA LOCAL MUNICIPALITY IN LIMPOPO PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 22 May 2013, the amendment to the EA dated 23 May 2016 and your application for amendment to the EA received by this Department on 24 March 2021 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, has decided to amend the EA dated 22 May 2013 as amended, as follows:

Amendment 1: To extend the validity period of the EA

The activity must commence within a period of two (02) years from the date of expiry of the EA issued on 22 May 2013 as amended (i.e. the EA lapses on 22 May 2023). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for EA must be made in order for the activity to be undertaken.

The applicant applied to extend the validity period of the EA as the authorised activities have not commenced with construction.

The Department is aware that the environment changes constantly, as a result it might be significantly different from the one that existed at the time of the issuing of this EA, hence the validity of the EA cannot exceed a maximum period of 10 years. Failure to commence with construction activities within the maximum 10-year period, your EA will be deemed to have lapsed and a new application for EA will have to be lodged.

This amendment letter must be read in conjunction with the EA dated 22 May 2013, as amended.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

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

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she 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 the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@environment.gov.za

By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria,
0083; or

By post: Private Bag X447,
Pretoria,
0001;

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal 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.



To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Date: 15/04/2021

CC:	Ms Marinda Rodgers	LEDET	Tel: (015) 293 8424	Email: RodgersMC@ledet.gov.za
	Mpfariseni Nelushi	Mogalakwena Local Municipality	Tel: (015) 491 9744	Email: nelushim@mogalakwena.gov.za

