



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Ref:02/1/5/2

MINISTER

QUESTION NO. 261 FOR WRITTEN REPLY: NATIONAL COUNCIL OF PROVINCES

A draft reply to **Ms C Labuschagne (Western Cape: DA)** to the above-mentioned question is enclosed for your consideration.

**MS NOSIPHO NGCABA
DIRECTOR-GENERAL**

DATE:

DRAFT REPLY APPROVED/AMENDED

**DR B E E MOLEWA, MP
MINISTER OF ENVIRONMENTAL AFFAIRS**

DATE:

NATIONAL COUNCIL OF PROVINCES

(For written reply)

QUESTION NO. 261 {CW356E}

INTERNAL QUESTION PAPER NO. 19 of 2018

DATE OF PUBLICATION: 25 May 2018

Ms C Labuschagne (Western Cape: DA) to ask the Minister of Environmental Affairs:

- (1) How many applications for appeals for (a) permits and (b) licenses for (i) exploration and (ii) mining her department processed in the (aa) 2013/14, (bb) 2014/15, (cc) 2015/16, (dd) 2016/17 and (ee) 2017/18 financial years;
- (2) (a) how many appeals were upheld, (b) what were the reasons for the appeals to be upheld, (c) how many appeals were transferred into court cases, (d) what was the outcome of each of the court cases and (e) what were the costs involved in the (i) 2013/14, (ii) 2014/15, (iii) 2015/16, (iv) 2016/17 and (v) 2017/18 financial years?

261. THE MINISTER OF ENVIRONMENTAL AFFAIRS REPLIES:

- (1) (a) None
 - (b) (i and ii) The total number of appeals against Environmental Authorisations (EAs) issued by the Department of Mineral Resources which were taken are as follows:
 - (aa) 2013/14 - None
 - (bb) 2014/15 - None
 - (cc) 2015/16 - 2
 - (dd) 2016/17 - 33
 - (ee) 2017/18 - 57Of the 92 appeals, 70 were in respect of mining rights, 18 were for prospecting and 4 for exploration.
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- (2) (a) Of the 92 appeals mentioned above, 9 were upheld, 14 withdrawn and 4 EAs were varied. The remaining 65 appeals were dismissed.

- (b) The reasons for upholding appeals and variation of EAs differ from case to case and are dependent on the grounds of appeal, the facts of each case, the reports and other information considered by the Minister. The reasons for withdrawals of appeals were often as a consequence of mediation between the parties during the appeal process.
- (c) Of 92 appeals mentioned above, 1 appeal has been taken on judicial review.
- (d) The matter is still pending and the outcome of the case is therefore not known.
- (e) {(i), (ii), (iii), (iv) and (v)}
Due to the fact that the matter is still pending, the costs have not yet been determined.

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