



## **environmental affairs**

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

### **APPEAL QUESTIONNAIRE**

An electronic copy of this questionnaire may be obtained from:

Mr Z Hassam at telephone: 012 399 9356 or e-mail:

[AppealsDirectorate@environment.gov.za](mailto:AppealsDirectorate@environment.gov.za)

Once completed, this document must be forwarded to:

E-mail: [AppealsDirectorate@environment.gov.za](mailto:AppealsDirectorate@environment.gov.za)

Physical Address: Department of Environmental Affairs, 473 Steve Biko Road, Environment House, Arcadia, Pretoria, 0002

**Appellant's contact information:**

Name: Centre for Environmental Rights obo MEJCON-SA and MACUA

Address: Centre for Environmental Rights

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Email: [tmugunyani@cer.org.za](mailto:tmugunyani@cer.org.za), [plado@cer.org.za](mailto:plado@cer.org.za)

**Project information:**

Project name: Afro Energy (Pty) Ltd 12-3-383

Authorisation register number as on environmental authorisation: Afro Energy (Pty) Ltd 12-3-383

Authorisation date as on environmental authorization: 23 June 2025

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**IMPORTANT! Please note:**

- *The decision of the department is reflected in the letter of authorisation or rejection. The conditions of approval are contained in the environmental authorisation document, attached to the authorisation letter.*
- *The appeal must be accompanied by all relevant supporting documents or copies of these that are certified as true by a commissioner of oaths.*
- *The grounds of your appeal and the facts upon which they rest must be set out. You should formulate your objections or concerns as averments and not as questions about the project. Please therefore refrain from material or remarks that do not contribute to the merits of your appeal.*
- *To assist in this regard, the following questions are listed as a guideline only – more space may be used if necessary:*

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1. Are you lodging this appeal as an individual or on behalf of a community/organisation?

Individual	Community/ organisation
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If on behalf of a community or organisation, please provide proof of mandate to do so.

This appeal is being lodged by the Centre for Environmental Rights on behalf of FSEJN. The mandate letter is attached hereto and the signatory to this questionnaire is duly mandated and authorised to represent the respective appellant organisation.

2. Is your appeal based on factors associated with the process that was followed by the applicant in obtaining authorisation?

Yes	No
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Please provide reasons:

[See Annexure A: Grounds of Appeal](#)

3. Is your appeal based on factors associated with environmental impacts not taken into account by the department in refusing or authorising the application?

Yes	No
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Please provide reasons:

[See Annexure A: Grounds of Appeal](#)

4. Would you agree to the activity proceeding if your concerns can be addressed by rectifying the process or mitigating or eliminating the impacts of the activity?

Yes	No
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Please provide reasons:

See Annexure A: Grounds of Appeal.

The Appellant is unable to say with certainty that it would agree to the activity taking place if its concerns are addressed because among others there are serious flaws identified in Afro Energy's hydrogeology specialist report, the lack of a comprehensive climate change assessment, an insufficient air quality assessment and inadequate public participation processes

5. Are you fundamentally opposed to any development activity on the site?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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Please provide reasons:

The Appellant is not opposed to any development on the site *per se*. The Appellant objects to the fact that the decision to grant Afro Energy an environmental authorisation will lead to environmental, health and economic harm, *inter alia*. See Annexure A: Grounds of Appeal

6. Do you have an objection in principle against the development?

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Please provide reasons:

See Annexure A: Grounds of Appeal

7. Does your appeal contain any new information that was not submitted to the environmental consultant or department prior to the department's consideration of the application?

Yes  No

If the answer above is yes, please explain why it should be considered by the Minister and why it was not made available to the environmental consultant or department during the application process.

Additional relevant information is provided in response to the Environmental Impact Assessment Report that was submitted pertaining to the climate change impact assessment, hydrogeology report, air pollution report, public participation and need and desirability compiled by the EAP on behalf of Afro Energy. See Annexure A: Grounds of Appeal

**8. DECLARATION:**

I declare that the contents of this submission are to the best of my knowledge the truth and I regard this declaration as binding on my conscience.



**APPELLANT**

**DATE: 28 July 2025**

Representative of the Free State Environmental Justice Network  
407 Sikonyela street  
Bohlokong, Bethlehem, 9701

23 July 2025

To whom it may concern

**APPEAL PURSUANT TO SECTION 43(1A) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT  
ACT, 1998 AGAINST THE DECISION RELATED TO AFRO ENERGY ER383 EA ISSUED IN JULY  
2025**

I, Nthabiseng Makitikiti, in my capacity as a representative of the Free State Environmental Justice Network (FSEJN), hereby authorise Paul Lado, or any other attorney at the Centre for Environmental Rights NPC, as and when required, to take such steps as may be required to lodge an appeal in terms of the National Environmental Management Act, 1998 and the Environmental Impact Assessment Regulations, 2014 on behalf of FSEJN, against the decision related to granting Afro Energy an environmental authorization for its Exploration Right ER383 in July 2025.

Yours faithfully



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FSEJN representative



