

Ronaldo Retief

From: Azrah Essop
Sent: 17 September 2018 08:58 AM
To: ronaldo.retief@deltabec.com
Cc: Milicent Solomons; EIAAdmin
Subject: RE: Musina_Makhado SEZ enquiry

Dear Mr Retief

Your query below addressed to Ms Solomons refers.

You are referred to S24C of NEMA Act 107 of 1998, as amended, which states:

24C. (1) *When listing or specifying activities in terms of section 24(2) the Minister, or an MEC with the concurrence of the Minister, must identify the competent authority responsible for granting environmental authorisations in respect of those activities.*
(2) *The Minister must be identified as the competent authority in terms of subsection (1) if the activity—*
(d) *is undertaken, or is to be undertaken, by—*
(i) *a national department;*
(ii) *a provincial department responsible for environmental affairs or any other organ of state performing a regulatory function and reporting to the MEC; or*
(iii) *a statutory body, excluding any municipality, performing an exclusive competence of the national sphere of government; or*
(e) *will take place within a national proclaimed protected area or other conservation area under control of a national authority*

Therefore, in light of your query below, you have confirmed that the applicant is the Limpopo Economic Development Agency or LIEDA which is an entity of provincial LEDET or Limpopo Economic Development, Environment and Tourism. LIEDA is established in terms of the Limpopo Development Corporation Act, Act No.5 of 1994, as amended. It complies with the Public Finance Management Act (PFMA) as a Schedule 3D Agency.

Therefore, this Department (DEA) will be the Competent Authority in this regard, and an application must be submitted to this Department.

Kindly forward any EIA related queries to EIAAdmin@environment.gov.za or for EIA Legislation Interpretation Queries to IQ@environment.gov.za.

Azrah Essop

Integrated Environmental Authorisations:
Coordination, Strategic Planning and Support
Tel: (012) 399 8529
Email: AEssop@environment.gov.za

Please be informed that the Departmental EIA related templates were updated. It can be downloaded from the Departmental web address at https://www.environment.gov.za/documents/forms#legal_authorisations. From 05 January 2019 no outdated EIA related templates will be accepted and you will be required to resubmit your Application Form in the correct version and format in order for it to be considered as having been received by the Department.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

From: Ronaldo Retief <ronaldo.retief@deltabec.com>
Sent: 12 September 2018 11:52 AM

To: Milicent Solomons
Subject: Musina_Makhado SEZ enquiry

Dear Milicent

Trust that you are well.

We have an EIA and Township development project for the Musina_Makhado SEZ just north of Louis Trichardt which is over 8 000ha in extent.

The applicant is the Limpopo Economic Development Agency or Lieda which is an entity of provincial LEDET or Limpopo Economic Development, Environment and Tourism.

We were advised by LEDET that our EIA application should be directed to them as competent authority, however they are the overall applicant with LEDA representing them. We just want to confirm if this is correct and that because it is the provincial LEDET being represented by LEDA, has to be authorised by DEA instead of LEDET.

Furthermore, Delta BEC is in the initial registration phase for the project before the DSR will be set out for review and just want to confirm this. I have seen that for other SEZs the environmental reports came to DEA.

Our representatives by LEDET are Victor Mongwe and Lily Maja

Kindest regards

 **Ronaldo Retief Pr.Sci.Nat**
Pr Environmental Scientist



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