

Kirthi Peramaul

From: Ntsundeni Ravhugoni <Ntsundeni.Ravhugoni@dmr.gov.za>
Sent: Wednesday, 05 February 2020 11:37
To: Kirthi Peramaul
Cc: Nkhensani Khandhela; Musa Mangobe; Nkosinathi Mahlaba
Subject: FW: Emailing: FW IQ180340 IDENTIFICATION OF THE COMPETENT AUTHORITY Listed or specified activities related to prospecting exploration extraction primary processing of a mineral or petroleum resource

Good day Kirthi

My apology for a delayed response. Attached hereto please an opinion from DEA, which in part, contains issues that we discussed during our meeting of the 24 January 2020. Although, SANRAL has been exempted from an application processes in terms of section 22, 16, and 27 the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) as amended (MPRDA), they (SANRAL) has not been exempted from submitting relevant environmental reports required in terms of Chapter 5 of the NEMA. The DMR administers all applications for listed or specified activities related to prospecting, mining or processing of a mineral resource through a GIS system referred to as SAMRAD. This is to effectively regulate the awarding of relevant applications and to avoid spatial conflicts, hence it is crucial that despite the exemptions provided for in terms of section 106 of the MPRDA, all the triggered listed activities in terms of the relevant listing notices should be identified and the possible environmental impact be adequately assessed cumulatively with non-exempted activities. This will enable the DMR as the competent authority not to process applications or issue permits or rights for the same mineral on the same property or land which is subject to SANRAL applications or issued borrow pits. This advice is in line with the provision of regulation 15(1)(c) read with regulation 8(a).

Your attention is further drawn to provisions of regulation 11 of NEMA 2014 regulations as amended. The size, magnitude and the scope of the proposed development is equivalent to a mining right as defined in the MPRDA and you are therefore advised to consider the full S&EIR process in line with regulation 21 of the 2014 NEMA regulations as amended.

Accompanying relevant environmental reports required in terms of Chapter 5 of the NEMA, you are further requested to attach a plan that is required in terms regulation 2(2) of the MPRDA.

regards

Ntsundeni Ravhugoni

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mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

-----Original Message-----

From: Ntsundeni Ravhugoni

Sent: Monday, January 27, 2020 9:04 AM

To: Musa Mangobe; Nkosinathi Mahlaba

Cc: Jimmy Sekgale; Annette Perold; Vhudzisani Mudau; Christinah Ramoelo

Subject: Emailing: FW IQ180340 IDENTIFICATION OF THE COMPETENT AUTHORITY Listed or specified activities related to prospecting exploration extraction primary processing of a mineral or petroleum resource

Good day colleagues.

The attached IQ bears a little reference to the meeting we had with SANRAL last week. Please, browse through for noting and any other future reference.

regards