

57

In the matter between:

EDL 015 291 1619

THE HERD NATURE RESERVE, NPC

First Applicant

LIVING LIMPOPO, NPC

Second
Applicant

CENTRE FOR APPLIED LEGAL STUDIES

Third Applicant

and

THE LIMPOPO ECONOMIC DEVELOPMENT AGENCY

First
Respondent

**MEC OF ECONOMIC DEVELOPMENT, ENVIRONMENT
AND TOURISM, LIMPOPO**

Second
Respondent

**CHIEF DIRECTOR: ENVIRONMENTAL TRADE AND
PROTECTION, DEPARTMENT OF ECONOMIC
DEVELOPMENT, ENVIRONMENT AND TOURISM
LIMPOPO**

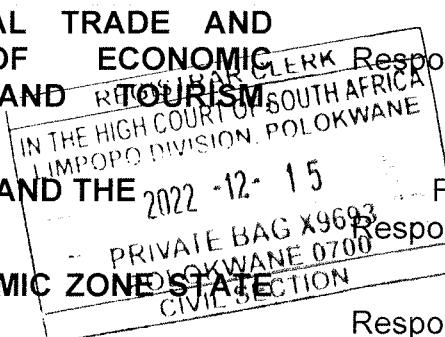
Third
Respondent

**MINISTER OF FORESTRY, FISHERIES AND THE
ENVIRONMENT**

Fourth
Respondent

**MUSINA-MAKHADO SPECIAL ECONOMIC ZONE STATE
OWNED COMPANY**

Fifth
Respondent



NOTICE IN TERMS OF RULE 16 A

TAKE NOTICE THAT in this application, in terms of Rule 53 of the Uniform Rules of Court, the Applicants have raised the following constitutional issue, namely:

Whether, in light of the climate crisis and South Africa's global commitments, and whether in light of the First Respondent's expert's concerns regarding biodiversity, water security and energy provision, the MEC's decision to refuse the Third

Applicant's appeal on 8 July 2022 of the Environmental Authorisation granted to the First Respondent is contrary to the spirit and purport of section 24(a) right to an environment that is not harmful to health and well-being, as enshrined in the Constitution of the Republic of South Africa, 1996.

DATED AT POLOKWANE on this day of December 2022



APPLICANTS' ATTORNEYS

ALL RISE ATTORNEYS

Applicants' Attorneys

c/o BECKER ATTORNEYS

REGISTRAR COURT OF SOUTH AFRICA
IN THE HIGH COURT OF SOUTH AFRICA
LIMPOPO DIVISION POLOKWANE
Forum Building
Ismini Office Park
2022 -12- 15 4 Ismini Street
PRIVATE BAG X9693 Bendor
POLOKWANE 0700 Polokwane
SECTION

TO	:	THE REGISTRAR HIGH COURT LIMPOPO DIVISION Polokwane Limpopo
AND TO	:	LIMPOPO ECONOMIC DEVELOPMENT AGENCY First Respondent Enterprise Development House Main Road Lebowakgomo Limpopo Province
AND TO	:	MEC OF ECONOMIC DEVELOPMENT, ENVIRONMENT AND TOURISM, LIMPOPO Second Respondent Evridiki Towers, 20 Hans Van Rensburg Street Polokwane % the State Attorney Second Floor, High Court Building 36 Biccard Street

STATE ATTORNEY
G. H. B. LEGAL SECTION
2022 -12- 15
PRIVATSAK/PRIVATE BAG X9705
POLOKWANE 0700
STATE ATTORNEY POLOKWANE

		Polokwane Limpopo Province
AND TO	:	CHIEF DIRECTOR: ENVIRONMENTAL TRADE AND PROTECTION, DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT AND TOURISM, LIMPOPO Third Respondent Mowaneng Building 40 Hans van Rensburg Street Polokwane Limpopo Province
AND TO	:	MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT Fourth Respondent Environment House, 473 Steve Biko Street Arcadia, Pretoria % the State Attorney Ground Floor SALU Building 316 Thabo Sehume Street Pretoria
AND TO	:	MUSINA-MAKHADO SPECIAL ECONOMIC ZONE SOC Fifth Respondent Enterprise Development House Main Road, Lebowakgomo Limpopo Province