



mineral resources & energy

Department:
Minerals Resources and Energy
REPUBLIC OF SOUTH AFRICA

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ENVIRONMENTAL AUTHORISATION

Reference number: NC 30/5/1/1/3/2/1 (13317) EM

Last amended: First issue

Holder of authorisation: Northern Cape Lithium and Tungsten (Pty)

Location of activities: For Antimony, Beryllium, Bismuth, Chrome, Cobalt, Copper, Fledspar, Gold, Heavy Minerals, Iron, Lead, Lithium, Molybdenium, Monazite, Nickel, Niobium, Phosphate, Platinum Group Metals, Pyrite, Rutile, Silver, Sulphur, Sulphur In Pyrite, Tin, Tantalum, Tungsten, Vanadium, Zinc And Zirconium; In Respect of Portion of The Remainder of Plot 226 Vioolsdrift Settlement; Situated in the Magisterial District of Namaqualand; Northern Cape.

(NOTE: YOUR APPLICATION IS PARTIALLY CONFLICTING ON THE PORTION OF THE AREA APPLIED FOR, WHERE HOROMELA HOLE TRANSPORT SERVICES 1228 PTY LTD HAS THE RIGHT FOR IRON, GOLD, SILVER, AND LITHIUM)

DECISION

ACRONYMS

NEMA:	The National Environmental Management Act, 1998 (Act 107 of 1998), as amended
DEPARTMENT:	Department of Mineral Resources and Energy.
EA:	Environmental Authorisation.
EMPr:	Environmental Management Programme
EIR:	Environmental Impact Report
I&AP:	Interested and Affected Parties
ECO:	Environmental Control Officer
SAHRA:	South African Heritage Resources Agency
EIA REGULATIONS:	EIA Regulations, 2014
MPRDA:	Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
EIA:	Environmental Impact Assessment.
BAR:	Basic Assessment Report

The Department is satisfied, on the basis of information availed to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake **NEMA** and **EIA** listed activities specified below. Details regarding the basis on which the Department reached this granting decision are set out in Annexure "I" of this integrated environmental authorisation.

ACTIVITY APPLIED FOR

By virtue of the powers conferred on it by NEMA the Department hereby grant an application for EA by **Northern Cape Lithium and Tungsten (Pty) Ltd** with the following contact details –

The Directors
Northern Cape Lithium and Tungsten (Pty) Ltd
32 Joseph Ave
Northcliff
Johannesburg
2195

Tel no: (083) 400 6178

Email address: hibberd@icon.co.za

To undertake the following activities listed in the NEMA and EIA Regulation.

NEMA: LISTED ACTIVITIES:

Government Notices No. R.327 of 7 April 2017- As amended..

Activity Number: 20 of GNR 517: Any activity including the operation of that activity which requires a prospecting right in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), as well as any other applicable activity as contained in Listing Notice 1 or in Listing Notice 3 of 2014, required to exercise the prospecting right.

PROPERTY DESCRIPTION AND LOCATION

A listed activity will take place on Portion of The Remainder of Plot 226 Vioolsdrift Settlement Situated In the Magisterial District of Namaqualand; Northern Cape.

The SG digit code is:

C05300130000022600000

Co-ordinates of the boundary of the property are those that are described in the final site layout map attached hereto hereinafter referred to as "the site".

EA SITE SPECIFIC CONDITIONS

1. Protected plant species must not be removed (disturbed, cut and destroyed, its products may not be possessed, collected, removed, transported, exported, donated, purchased or sold) unless the necessary permission is granted by the Department of Forestry, Fisheries and the Environment (DFFE).
2. All development footprint areas and areas affected by the proposed development must remain as small as possible and must not encroach onto any sensitive areas and the associated buffer zones

3. Wetland and riverine areas are to be considered as no go zones unless authorisation is obtained. Ensure that prospecting activities are outside the demarcated wetland area. No activity should be allowed to encroach on to wetland system or river.

ANNEXURE 1: REASONS FOR THE DECISION

1. Background

Northern Cape Lithium and Tungsten (Pty) Ltd submitted an application for an EA for activities listed in the EIA Regulations Listed Activities.

Northern Cape Lithium and Tungsten (Pty) Ltd appointed **Mr N. J van Zyl** to compile Basic Assessment Report and Environmental Management Programme Report process as required by Regulation 19 of the EIA Regulations

2. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the application form received by the Department on 08th September 2022;
- b) The information contained in the BAR and Environmental Management Programme report, which was received by the Department on 12 June 2023.
- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations of 2014 as amended;
- d) Public Participation Process (PPP) attached on Environmental Impact Assessment report and Environmental Management Programme report.

3. Key factors considered in making the decision

All the information presented to the Department was taken into account upon the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance are set out below.

- a. A sufficient Public Participation Process (PPP) was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations R 982 of 2014 as amended for public involvement
- b. The environmental impacts associated with the proposed activity will be addressed by the proposed mitigation measures outlined in the BAR and EMP compiled by **Mr N. J van Zyl**.
- c. Financial provision to the value of **R110 093.00** for operational and/or management of negative environmental impacts that will be resulted from these proposed prospecting activities submitted in a form of cash deposit.

4. Findings

After consideration of the information and factors listed above, the Department made the following findings –

- a) The potential impacts on the proposed site were clearly investigated and mitigation measures outlined.
- b) Public Participation Process (PPP) attached in *EMPr* included, *inter-alia*, the Public participation Materials that are attached on BAR.

ANNEXURE 2

DEPARTMENTAL STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1.** The holder of EA shall be responsible for ensuring compliance with the conditions contained in the EA. This includes any person acting on the holder's behalf, including but not limited to an agent, servant, contractor, subcontractor, employee, consultant or any person rendering a service to the holder of EA.
- 1.2.** Any changes to, or deviation from the project description set out in this EA must be approved in writing by this Department before such changes or deviation may

5 REPORTING TO THE DEPARTMENT

5.1. The holder of EA must:

5.1.1. submit and Environmental Audit Report to this Department bi-annually and such report must be done by qualified Environmental Assessment Practitioner and the audit report must specify whether conditions of this environmental authorization and EMPr/closure plan are adhered to;

5.1.2. identify and assess any new impacts and risks as a result of undertaking the activities, if applicable;

5.1.3. identify shortcomings in the BAR/closure plan, if applicable;

5.1.4. identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the BAR/closure plan;

5.1.5. if applicable, specify that the corrective action/s taken for the previous audit's non-conformities, was adequate;

5.1.6. Specify the name of the auditor and

5.1.7. Be submitted by the holder to the competent authority within 30 days from the date on which the auditor finalised the audit.

5.2. Should any shortcomings in terms of Regulation 34(4) be identified, the holder must submit recommendation to amend the EMPr/closure plan in order to rectify any shortcomings identified with the aforementioned audit report.

5.3. Any complaint received from the I&AP during all phases of the operation must be attended to as soon as possible and addressed to the satisfaction of all concerned interested and affected parties.

5.4. The holder of the EA must annually assess the environmental liabilities of the operation by using the master rates in line with the applicable Consumer Price Index (CPI) at the time and address the shortfall on the financial provision submitted in terms of section 24P of NEMA.

- 5.5.** The holder of the EA must, within 24 hours of incidents occurring, notify the Competent Authority of the occurrence or detection of any incident on the site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.
- 5.6.** The holder of the EA must, within 14 days, or a shorter period of time, if specified by the Competent Authority from the occurrence or detection of any incident referred to in condition 5.5, submit an action plan, which must include a detailed time schedule, and resource allocation signed off by top management, to the satisfaction of the Competent Authority of measures taken to –
- 5.6.1.** Correct the impact resulting from the incident;
 - 5.6.2.** Prevent the incident from causing any further impact; and
 - 5.6.3.** Prevent a recurrence of a similar incident.
- 5.7.** In the event that measures have not been implemented within 21 days of the incident referred to in condition 5.6, or measures which have been implemented are inadequate, the Competent Authority may implement the necessary measures at the cost of the holder of the EA.

6. SITE SECURITY AND ACCESS CONTROL

- 6.1.** The holder of the EA must ensure effective access control on the site to reasonably prevent unauthorised entry. Signs indicating the risks involved in unauthorised entry must be displayed at each entrance.
- 6.2.** Weather proof, durable and legible notices in at least three official languages applicable in the area must be displayed at each entrance to the Site. These notices must prohibit unauthorised entry and state the hours of operation, the name, address and telephone number of the holder of the EA and the person responsible for the operation of the site.

7. EMERGENCY PREPAREDNESS PLAN

7.1. The holder of the EA must maintain and implement an emergency preparedness plan and review it biennially when conducting audit and after each emergency and or major accident. The plan must, amongst others, include:

7.1.1. Site Fire

7.1.2. Spillage

7.1.3. Natural disasters such as floods

7.1.4. Industrial action

7.1.5. Contact details of police, ambulances and any emergency centre closer to the site.

7.2. The holder of EA must ensure that an up to date emergency register is kept during all phases of the operation. This register must be made available upon request by the department.

8. INVESTIGATIONS

8.1. If, in the opinion of the Competent Authority, nuisances or health risks may be or is occurring on the site, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem.

8.2. If, in the opinion of the Competent Authority, pollution may be or is occurring, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the water quality variables, at those monitoring points and such frequency as may be specified by the Competent Authority.

8.3. Investigations carried out in terms of conditions 8.1 and 8.2 above must include the monitoring of the relevant environmental pollution, nuisance and health risk variables, at those monitoring points and such frequency to be determined in consultation with the Competent Authority.

8.4. Should the investigation carried out as per conditions 8.1 and 8.2 above reveal any unacceptable levels of pollution, the holder of the EA must submit mitigation

measures to the satisfaction of the Competent Authority.

9. COMMISSIONING AND DECOMMISSIONING

- 9.1.** The commissioning and decommissioning of individual activity within the overall listed prospecting activity must take place within the phases and timeframes as set out in EMP or EMPr.

10. SITE CLOSURE

- 10.1.** The holder of EA must apply for a closure certificate in terms of Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended within 180 days of occurrence of lapsing, abandonment, cancellation, cessation, relinquishment and completion of development.
- 10.2.** The application for closure indicated above must be submitted together with all relevant documents as indicated in Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended.
- 10.3.** No exotic plants may be used for rehabilitation purposes only indigenous plant can be utilized for rehabilitation purposes.
- 10.4.** The holder of EA remains responsible for any environmental liability, pollution or ecological degradation, the pumping and treatment of extraneous water, compliance with the conditions of EA and the management and sustainable closure thereof until the Minister has issued a Closure Certificate in terms of Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002). Where necessary the Minister may retain certain portion of financial provision for residual, health or environmental impacts that might be known in future.

11. NEMA PRINCIPLES

The NEMA Principles (set out in Section 2 of NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation,

administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures; and
- the selection of the best practicable environmental option.

12. DISCLAIMER

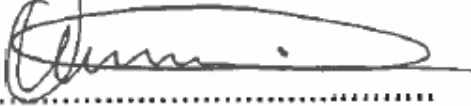
The Department of Mineral Resources and Energy in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

13. RECOMMENDATIONS

In view of the above, the NEMA principles, compliance with the conditions stipulated in this EA, and compliance with the EMP/closure plan, the competent authority is satisfied that the proposed listed activities will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of NEMA, and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels. **The Environmental Authorisation is accordingly granted.**

Your interest in the future of our environment is appreciated.

Kind Regards



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REGIONAL MANAGER: MINERAL REGULATION

NORTHERN CAPE REGIONAL OFFICE

DATE...03/10/2023.....