



mineral resources & energy

Department
Minerals Resources and Energy
REPUBLIC OF SOUTH AFRICA

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Vaal University of Technology Building, Cnr Margareth Prinsloo & Voortrekker Street, Klerksdorp, 2570

Enquiries: Mutali Mulaudzi Ref: NW 30/5/1/2/3/2/1/106 EM
E-Mail Address: Mutali.Mulaudzi@dmr.gov.za
Sub-Directorate: Mine Environmental Management

BY HAND

**Western Platinum Limited (Pty) Ltd
Private Bag x 508
Marikana
0284**

Attention: Mandy Jubileus

Tel no: (014) 571 2607

AMENDMENT FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF SECTION 33 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AMENDMENT TO THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (HEREIN REFERRED TO AS "EIA FOR THE PROPOSED UPGRADES INCLUDE PROVISION FOR NEW ACCESS ROAD FOR TAXIS, BUSES, EMPLOYEE VEHICLES, PLANNED STRUCTURES INCLUDE REFUSE AREA(WASTE MANAGEMENT AREA), HAWKER STALL, ABLUTION FACILITY, COVERED WALKWAYS, STREET FURNITURE AND PARKING AREA IN RESPECT FOR PORTION 15 AND 32 OF THE FARM ZWARTKOPPIES 296 JQ, MAGISTERIAL DISTRICT OF RUSTENBURG, NORTH WEST PROVINCE.

With reference to the abovementioned application, please be advised that the Department has decided to **grant** an environmental authorisation in terms of National Environmental Management Act (Act 107 of 1998). The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 4 (2) of the Environmental Impact Assessment Regulations of 2014, you are instructed to notify all registered interested and affected parties, in writing within 14 (Fourteen) calendar days, from the date of the Department's decision in respect of your application and the

relevant provisions regarding the lodgement of appeal must be provided for in terms of the National Appeal Regulations of 2014.

Should you wish to appeal any aspect of the decision, you must submit the appeal to the Minister of Environmental Affairs and a copy of such appeal to the Department of Mineral Resources (North West Regional Office), within 20 days from the date of notification, and such appeal must be lodged as prescribed in by Chapter 2 of the National Appeal Regulations of 2014, by means of the methods as per prescribed below:

Appeal to the Department of Forestry, Fisheries and the Environment.

Attention : Directorate Appeals and Legal Review
Email : appeals@environment.gov.za
By post : Private Bag X 447, **PRETORIA**, 0001
By hand : Environmental House, Corner Steve Biko and Soutpansberg Street,
Arcadia, **Pretoria**, 0083

Copy of the lodged appeal to the Department of Mineral Resources and Energy

Attention : Regional Manager: North West Region
By facsimile : (018) 462 9036
E-mail : Phumudzo.nethwadzi@dmre.gov.za
By post : Private Bag A1, Klerksdorp, 2570
By hand : Vaal University of Technology Building, Cnr Margareth Prinsloo &
Voortrekker Street, Klerksdorp, 2570

Should you decide to appeal, you must comply with the National Appeal Regulation of 2017 in relation to notification of all registered interested and affected, and a copy of the official appeal form can be obtained from the Department of Forestry, Fisheries and the Environment

Kind Regards



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CHIEF DIRECTOR

MINERAL & PETROLUEM REGULATION

WESTERN REGIONS

DATE 08/06/2023



mineral resources & energy

Department
Minerals Resources and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag A1, Klerksdorp, 2570, Tel: (018) 487 4300, Fax: (018) 487 4350 Vaal
University of Technology Building, Cnr Margareth Prinsloo & Voortrekker Street,
Klerksdorp, 2570

ENVIRONMENTAL AUTHORISATION

Reference number:	NW 30/5/1/2/3/2/1/106 EM
Last amended:	
Holder of authorisation:	Western Platinum (Pty) Ltd
Location of activity:	Theto upgrades include provision for new roads for taxis, buses, and employees vehicles. Planned structures include a refuse area(Waste management area), hawker stall, ablution facility, covered walkways, street furniture and Parking area within the Mining Right in respect of the portion 15 and portion 32 of the farm Zwartkoppies 296 JQ, situated in the Magisterial District of Rustenburg, North West Province.

DECISION

ACRONYMS

NEMA	: The National Environmental Management Act, 1998 (Act 107 of 1998) as amended
DEPARTMENT	: Department of Mineral Resources & Energy.
EA	: Environmental Authorisation.
IEA	: Integrated Environmental Authorisation.
EMPr	: Environmental Management Programme
BAR	: Basic Assessment Report
S&EIR	: Scoping and 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
NEMWA	: National Environmental Management: Waste Act, 2008 (Act 59 of 2008), as amended
EIA	: Environmental Impact Assessment.

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake NEMA EIA listed activity specified below. Details regarding the basis on which the Department reached this granting decision are set out in **Annexure “1”** and **2** of this environmental authorisation.

ACTIVITY APPLIED FOR

By virtue of the powers conferred on it by NEMA, the Department hereby Grant an application for amendment EA by **Western Platinum (Pty) Ltd** with the following contact details –

Western Platinum Limited (Pty) Ltd
Private Bag x 508
Marikana
0284

Fax number : (086) 634 3967

to undertake the following activities listed in the NEMA EIA Regulation.

NEMA: LISTED ACTIVITIES:

Listed in the EIA Regulations R. 327 (Listing notice 1) of 07 April 2017 as:-

Activity 27- The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for;

- (i) the undertaking of a linear activity; or*
- (ii) maintenance purposes undertaken in accordance with a maintenance management plan.*

Activity 24;” The development of a road-

- (ii) with a reserve wider than 13.5 meters or where no reserve exists where the road is wider than 8 metres*

But excluding –

- (a) a road which are identified and included in activity 27 in Listing Notice 2 of 2014
- (b) road where the entire road falls within an urban area;

Detailed specifications of the activity are as follows:

Proposed prospecting activity details are as follows:
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Area to be transformed – Limited to 6 ha
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The granting of this amendment EA is subject to the conditions set out below (site specific) and in **Annexure 2** (Departmental standard conditions). The Environmental Management Programme (EMPr) attached as part of reports for the above development submitted as part of the application for an EA is hereby approved and must be adhered to throughout the life cycle of the operation.

This authorisation does not negate the holder of the authorisations responsibility to comply with any statutory requirements that may be applicable to the undertaking of the activity.

EA SITE SPECIFIC CONDITIONS

1. Planning of access routes to the site for any purpose shall be done in conjunction with the Contractor and the Landowner, in addition, all agreements reached should be documented and no verbal agreements should be made.
2. Dust generated during construction, operational and decommissioning phase must be minimized by applying appropriate dust suppression techniques as stipulated in the Environmental Management Programme.
3. The contractor must ensure that damage caused by related traffic to the gravel access road off the N4 is repaired continuously.
4. Effective measures must be undertaken to minimize the flow of surface water to the excavation area during construction, operational and decommissioning phase.
5. Prevention of erosion or leaching of water from stockpiles must be maintained during the construction phase.

6. No stockpile material must be stored or placed within any drainage line on site and no stockpile shall exceed (10) feet in height.
7. Noise level must be kept within the acceptable limit (must not exceed 85dB) and must be within the standard working hours.
8. All fuels and lubricants used during the construction, operational and decommissioning phase must be stored in a demarcated area with bund walls in accordance with applicable standards. The storage and handling facility must also comply with all regulations governing the storage and handling of those materials.
9. No unauthorised access must be allowed on site during the prospecting phase. Appropriate notification signs must be erected, warning the residents, visitors and road users about the hazard around the construction site and the presence of heavy vehicles.
10. Acceptable concurrent rehabilitation (where appropriate) must be undertaken during the construction, operational construction and after the commissioning of the proposed activity.
11. It must be mandatory for all personnel and construction team members to wear appropriate Personal Protective Equipment (PPE).
12. Personnel must be informed and trained in firefighting and risk management measures.
13. Machines must be kept in good working conditions so as not to generate excessive noise.
14. Site clearing must take place in a phased manner, as and when required, in addition, an area which is not to be prospected on or within two months must not be cleared to reduce erosion risk.
15. The area to be cleared must be clearly demarcated and the footprint is strictly maintained.
16. A permit must be obtained from North West Nature Conservation if there will be a necessity of removing any protected plant species.
17. A permit must be obtained if any heritage resources, including archaeological or sites over 100 years old, graves older than 60 years, structures older than 60 years are to be disturbed or removed in terms of In terms of the National Heritage Resources Act, No 25 of 1999.

18. All plants not interfering with prospecting operations shall be left undisturbed clearly marked and indicated on the site plan.
19. The holder of the amended EA must ensure that all non-recyclable waste are disposed of at waste management facilities licenced to handle such wastes and all recyclable waste are collected by licenced waste management facilities for recycling, reuse or treatment
20. Planting of indigenous tree species in areas not to be cultivated or built on must be encouraged.
21. Dumping of waste in the areas earmarked for exclusion must be prevented, through fencing or other management measures. The areas must be properly managed throughout the lifespan of the project in terms of fire, eradication of exotics etc to ensure continuous biodiversity.
22. A buffer zone of 100 meters away from the road must be maintained and necessary steps should be taken to prevent any risks associated with the mine on the road.
23. The contractor/s must ensure that no animals are disturbed, trapped, hunted or killed during the prospecting phase. Prospecting area must be fenced off in order in order to prevent unauthorised entrance.
24. Any hazardous product from the filling site must be placed in a dedicated container for disposal at a registered hazardous landfill site, or removal must be conducted by a registered hazardous waste management company and disposed of at a registered hazardous landfill site. The holder of authorisation must maintain records of Safe Disposal Certificates for all wastes leaving the site. These records must be made available on request.
25. Refuse bins must be placed at strategic positions to ensure litter does not accumulate within the construction site.
26. All waste must generate on site must be separated into glass, plastic, paper, metal and wood and recycled.

27. All waste streams must be managed in accordance with the hierarchy of waste management principles.
28. Only waste transporters with the appropriate authorisation must be used to remove hazardous waste from the site. The holder of authorisation must maintain records of Safe Disposal Certificates for all waste leaving the site. These records must be made available on request within seven (7) days.
29. Whenever a prospecting right is suspended, cancelled or abandoned or if it lapses and the holder does not wish to renew the right, any access road or portions thereof, constructed by the holder and which will no longer be required by the landowner/tenant, shall be removed and/or rehabilitated to the satisfaction of the Regional Manager.
30. Photographs of the camp and office sites, before and during the prospecting operation and after rehabilitation and closure, must be taken at selected fixed points and kept on record for the Regional Managers information.
31. The contractor must install a chemical mobile toilet on the site and all the toilets must be serviced regularly and the ECO to inspect toilets regularly.
32. The construction of pit latrine (long drop) toilets is forbidden, but rather toilets connected to the sewage treatment plant.
33. Potable water must be provided for all construction staff.
34. No open fires shall be allowed on the site under any circumstances.
35. The contractor must have operational fire-fighting equipment available on site at all times.

ANNEXURE 1: REASONS FOR THE DECISION

1. Background

Western Platinum (Pty) Ltd submitted an application for Amendment EA for an activity listed in the EIA Regulations and of 2014 as amended:

Listed in the EIA Regulations R. 327 (Listing notice 1) of 07 April 2017 as:-

Activity 27- The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for;

- (iii) the undertaking of a linear activity; or*
- (iv) maintenance purposes undertaken in accordance with a maintenance management plan.*

Activity 24;” The development of a road-

- (iii) with a reserve wider than 13.5 meters or where no reserve exists where the road is wider than 8 metres*

But excluding –

- (a) a road which are identified and included in activity 27 in Listing Notice 2 of 2014*
- (c) road where the entire road falls within an urban area;*

Western Platinum (Pty) Ltd has appointed Alta van Dyk Environmental to undertake the Environmental Impact Assessment 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 update application form received by the Department on 23 November 2022;
- b) The information contained in the Basic Assessment Report and EMPr received by the Department on 14 October 2022 respectively.
- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations of 2014;
- d) Public Participation Process (PPP) attached as Appendix C of the BAR;

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 is set out below.

- a) The procedure that has been followed is in accordance with the NEMA and the EIA Regulations of 2014.
- b) The environmental impacts associated with the proposed activity has been addressed by the proposed mitigation measures outlined in the BAR & EMPr compiled by **Alta van Dyk Environmental Consultants CC**.
- c) A sufficient Public Participation Process (PPP) was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA regulations, 2014 for public involvement;
- d) The Financial provision amount of **R4, 050, 841.40** was set aside for rehabilitation and is available to this office.

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 complied with Chapter 6 of the EIA Regulations R.326. The PPP included *inter-alia*, the following:
 - A newspaper advertisement was placed in the local newspaper “Platinum weekly ”on 02nd September 2022;
 - Fixing a notice board was placed at the proposed site
 - Notices were sent to all key stakeholders and the registered interested and affected parties;
 - Minutes are attached as appendix C2 of the BAR

ANNEXURE 2: DEPARTMENTAL STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1 The holder of amendment 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 amendment 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 be effected. In assessing whether to grant such approval or not, the Department may request such information as is deemed necessary to evaluate the significance and impacts of such changes or deviation and it may be necessary to the holder of the EA to apply for further authorisation in terms of the EIA Regulations.
- 1.3 The activities, which are authorised, may only be carried out at the property (ies) indicated in the Amendment EA and or on the approved EMP.
- 1.4 Where any of the holders of the Amendment EA contact details change including name of the responsible person, physical or postal address/ or telephonic details, the holder of the EA must notify the Department as soon as the new details become known to the holder of the Amendment EA.
- 1.5 The amendment EA does not negate the responsibility of the holder to comply with any other statutory requirements that may be applicable to the undertaking of such activity (ies).
- 1.6 The holder of amendment EA must ensure that all areas where the authorised activities occur have controlled access to ensure the safety of people and animals.

2 APPEAL OF AUTHORISATION

2.1 The holder of EA must in writing, within 14 (fourteen) calendar days from the date of this decision and in accordance with EIA Regulation 4(2) do the following:

2.2 Notify all registered I&APs of –

2.2.1 The outcome of the application;

2.2.2 The date of the decision;

2.2.3 The date of issue of the decision and;

2.2.4 The reasons for the decision as included in Annexure 1 and Departmental Standard Conditions in Annexure 2.

2.3 Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations,

2.4 Draw the attention of all registered I&APs to the manner in which they may access the decision.

2.5 Provide the registered I&APs with:

2.5.1 Name of the holder (entity) of this Amendment EA

2.5.2 Name of the responsible person for this Amendment EA

2.5.3 Postal address of the holder;

2.5.4 Telephonic and fax details of the holder and

2.5.5 E-mail address of the holder if any.

3. COMMENCEMENT OF THE ACTIVITY (IES)

35.1 In order to ensure safety, all employees must be given the necessary personnel protective equipment (PPE).

35.2 This EA must be provided to the site operator and the requirements thereof must be made fully known to him or her.

35.3 Hauling routes for construction vehicles and machinery must be clearly marked and appropriate signaling must be posted to that effect. Furthermore, where applicable

movement of construction vehicles and machinery must be restricted to areas outside of the drainage line or wet areas.

35.4 Appropriate notification sign must be erected at the construction site, warning the public (residents, visitors etc.) about the hazard around the construction site and presence of heavy vehicles and machinery.

35.5 Where applicable construction must include design measures that allow surface and subsurface movement of water along the drainage lines so as not to impede natural surface and subsurface water flow, and drainage measures must promote the dissipation of storm water runoff.

35.6 Vegetation clearance must be limited to areas where the individual activities will occur, and mitigation measures must be implemented to reduce the risk of erosion and alien species invasion.

35.7 The holder of EA must note that in terms of the National Forest Act (Act No.84 of 1998) protected plant species must not be cut, disturbed, damaged, destroyed and their products must not be possessed, collected, removed, transported, exported, donated, purchased or sold unless permission is granted by the Department of Agriculture, Forestry, and fisheries.

35.8 Prospecting areas (e.g. material lay down areas), topsoil and subsoil must be protected from contamination or pollution. Stockpiling must not take place in drainage lines or areas where it will impede surface water runoff.

35.9 If any soil contamination is noted at any phase of the proposed activity (ies), the contaminated soil must be removed to a licensed waste disposal facility and the site must be rehabilitated to the satisfaction of the Department and Department of Water and Sanitation. The opportunity for the onsite remediation and re-use of contaminated soil must be investigated prior to the disposal and this Department must be informed in this regard.

35.10 An integrated waste management approach must be implemented that is based on waste minimization and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate. Uncontaminated rubble generated on the premises can be re-used as back-filling material on the site. Ensure that no refuse or rubble generated

on the premises is placed, dumped or deposited on the adjacent properties or public places and open space.

- 35.11 In terms of sections 28 and 30 of NEMA, and sections 19 and 20 of the National Water Act, 1998 (Act No. 36 of 1998), any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is, therefore, imperative that the holder of the EA reads through and understand the legislative requirements pertaining to the project. It is the holder of EA responsibility to take reasonable measures which include informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmentally acceptable manner.
- 35.12 All prospecting vehicle and mechinaries must be serviced and maintained in the manner whereby no excessive smoke and noise production is reduced to acceptable levels, and to prevent oil leaks. Contaminated soil must be remediated on site or removed to an authorised landfill site.
- 35.13 Residents (if any) on the property (ies) and surrounding areas must be informed if any unusual noisy activities are planned.
- 35.14 Dust suppression measures must be implemented on all exposed surface to minimize and control airborne dust.
- 35.15 Mixing of cement, concrete, paints, solvent, sealants and adhesive must be done in specified areas on concrete aprons or on protected plastic linings to contain spillage or overflow onto soil to avoid contamination of underground water and environmental damage.
- 35.16 Should any heritage remains be exposed during operation or any actions on the site, these must immediately be reported to the South African Heritage Resource Agency (SAHRA) and or North West Province Heritage Resource Agency (NWPHRA) (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from the South African Heritage Resource Agency (SAHRA) and or North West Province Heritage Resource Agency (NWPHRA).

- 35.17 Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; middens, indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials. A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.
- 35.18 Care must be taken to ensure that the material and excavated soil required for backfilling are free of contamination from hydrocarbons.
- 35.19 Hydraulic fluid or chemicals required during construction must be stored in a concrete lined surface with bund walls and shall be designed in such a manner that any spillage can be contained and reclaimed without any impact on the surrounding environment. Should any spills occur it should be cleaned immediately by removing spillage together with the polluted solids and dispose of it in the authorised disposal site permitted of such waste. The regional office of the Department of Water and Sanitation must be notified within 24 hours of an incident that may pollute surface and underground water resources.
- 35.20 Chemical sanitation facilities or system such as toilets that do not rely on the seepage of liquids must be provided with a ratio of 1 for every 15 workers. These must be placed such that they prevent spills or leaks to the environment and must be maintained according to the operating instructions and the content thereof must be disposed of at an authorised waste water treatment works.
- 35.21 The holder of EA must ensure that any water uses listed in terms of Section 21 of National Water Act must get authorization from Department of Water and Sanitation prior to the commencement of such activity (ies).
- 35.22 This EA does not purport to absolve the holder of EA from its common law obligations towards the owner of the surface of land affected.
- 35.23 The holder of EA must ensure that rehabilitation of the disturbed areas caused by operation at all times complies with the approved EMPr.

- 35.24 This EA may be amended or withdrawn at any stage for non-compliance and provides no relief from the provisions of any other relevant statutory or contractual obligations.
- 35.25 The holder of EA must note that in terms Section 43A of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008), residue deposit and residue deposit must be deposited and managed in a prescribed manner on any site demarcated for that purpose in the Environmental Management Plan or Environmental Management Programme. No person may temporary or permanently deposits residue stockpile or residue deposit on any area or site other than on site indicated on the Environmental Management Plan or Environmental Management Programme.
- 35.26 The holder of EA must note that in terms Section 20 of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008), no person may commence, undertake or conduct a waste management activity, except in accordance, with the requirements of norms and standards determined in terms of Section 19 (3) for that activity or a waste management license is issued in respect of that activity if license is required.
- 35.27 Should you be notified by the Minister of a suspension of the authorisation pending appeal procedure, you may not commence with the activity (ies) until such time that the Minister allows you to commence with such activity (ies) in writing.
- 35.28 The Department reserves the right to audit and/or inspect the activity (ies) without prior notification at any reasonable time and at such frequency as may be determined by the Regional Manager.
- 35.29 The waste storage site must have a firm, impermeable, chemical resistant floors and a roof to prevent direct sunlight and rain water from getting in contact with the waste.
- 35.30 The storage of hydrocarbons must have bund walls with adequate capacity to contain the maximum volume that is stored in the area. Uncontaminated storm water must be prevented from coming into contact with the waste and must be diverted away from the storage site.
- 35.31 Subject to the commencement and duration requirements of the MPRDA and NEMA for the listed prospecting activity, the EA is valid for the period for which the aforesaid right is granted provided that this activity must commence within 1 year. If the

commencement of the proposed activity does not occur within the specified period, the EA lapses and a new application for EA in terms of the NEMA and the EIA Regulations should be made for the activity to be undertaken.

35.32 This EA will only be effective in the event that a corresponding right is issued in terms of MPRDA as amended and none of the activities listed in this EA may commence without a prospecting right.

35.33 The listed activity (ies), including site preparation, must not commence within 20 (twenty) calendar days of the date of the notification of the decision being sent to the registered I&APs. In the event that an appeal is lodged with the appeal administrator, the effect of this environmental authorisation is suspended until such time as the appeal is decided.

35.34 Should there be any conflicting conditions between this EA and other approval granted by other authorities, it is the holder of EA to bring it to the attention of the Department for resolution.

4. MANAGEMENT OF ACTIVITY (IES)

4.1 A copy of the EA and EMPr must be kept at the property or on-site office where the activity (lies) will be undertaken. The EA and EMPr must be produced to any authorised officials of the Department who request to see it and must be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property (ies).

4.2 The content of the EMPr and its objectives must be made known to all contractors, subcontractors, agent and any other people working on the site, and any updates or amendments to the EMPr must be submitted to the Department for approval.

4.3 Where applicable regular monitoring and maintenance of storm water drainage facilities must be conducted at all times, if damaged as directed by the Department or any other relevant authority.

4.4 A buffer zone of 100 metres between the activity (ies) and the residential areas, cemeteries or burial grounds must be clearly demarcated and maintained.

4.5 The holder of the EA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.

- 4.6 The holder of the EA must ensure that all non-recyclable waste are disposed of at waste management facilities licenced to handle such wastes and all recyclable waste are collected by licenced waste management facilities for recycling, reuse or treatment.
- 4.7 The holder of the EA must ensure that all liquid wastes, whose emissions to water or land could cause pollution are diverted to sewer, after testing water quality and receiving written approval from the relevant local authority.
- 4.8 Noncompliance with any condition of this EA or EMPr may result in the issuing of a directive in terms of section 28 and or a compliance notice in terms of section 31L of NEMA.
- 4.9 Only listed activities that are expressly specified in the EMPr that forms part of this EA may be conducted, and additional or new activities not specified herein must be applied for by the holder and authorised by the competent authority in the form of an amendment to the aforesaid EMPr before such activities may be commenced with. This condition is also applicable in the case of the amendment, addition, substitution, correction, and removal or updating of any detail in the aforesaid EMPr.
- 4.10 Rehabilitation of the disturbed surface caused by operation at all times must comply with the approved EMPr.
- 4.11 The Holder of EA must ensure that the name and contact details of the ECO is made available to the Regional Manager within 30 days of commencement. The holder of EA must also ensure that an ECO is always available on site to ensure that activity (ies) at all times comply with the issued EA and approved EMPr.
- 4.12 The ECO must:
- 4.12.1 Keep and maintain detailed incidents register (including any spillages of fuels, chemicals or any other material
 - 4.12.2 Keep a complaint register on the site indicating the complaint and how the issues were addressed, what measures were taken and what the preventative measures were implemented to avoid re-occurrence of complaints.
 - 4.12.3 Keep records relating to monitoring and auditing on site and avail them for inspection to any relevant authorised officials.
 - 4.12.4 Keep copies of all environmental reports submitted to the Department.

- 4.12.5 Keep the records of all permits, licences and authorizations required by the operation.
- 4.12.6 Compile a monthly monitoring report and make it available to the Department if requested.
- 4.12.7 The duties and responsibility of the ECO should not be seen as exempting the holder of the EA from the legal obligations in terms of the NEMA.
- 4.13 The footprint of the activity (ies) must be limited to the areas authorised for the actual construction works and operational activities and all areas outside of the footprint must be regarded as a “no go” areas.
- 4.14 Erosion and soil loss must be prevented by minimizing the construction site exposed to surface water run-off. Where necessary erosion stabilizing action such as gabions or re-vegetation must be implemented to prevent further habitat deterioration.
- 4.15 The holder of the EA must ensure that all personnel who work with hazardous waste are trained to deal with these potentially hazardous situations so as to minimise the risk involved. Records of training and verification of competence must be kept by the holder EA.
- 4.16 In order to prevent nuisance conditions, the holder of the EA must ensure that all storage skips and bins are not overfilled.

5 REPORTING TO THE DEPARTMENT

5.1 The holder of EA must:

- 5.1.1 submit and Environmental Audit Report in terms of Appendix 7 of the NEMA EIA Regulations, 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 authorisation and EMPr/closure plan are adhered to;
- 5.1.2 identify and assess any new impacts and risks as a result of undertaking the activity/ies, if applicable;
- 5.1.3 Identity shortcomings in the EMPr/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 EMPr/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 a 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 –

5.6.1.1 Correct the impact resulting from the incident;

5.6.1.2 Prevent the incident from causing any further impact; and

5.6.1.3 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 the unauthorised entry must be displayed at each entrance.

6.2 Weatherproof, 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 biannually when conducting an audit and after each emergency and or major accident. The plan must, amongst others, include:

7.1.1 Site Fire

7.1.3 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 mining activity must take place within the phases and time frames as set out in BAR or EMPr.

10. SITE CLOSURE

- 10.1 The holder of EA must apply for a closure certificate in terms of Section 34 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended within 180 days of the 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 34 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 34 of Mineral and Petroleum Resources Development Act (Act 28 of 2002). Where necessary the Minister may retain a 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 & 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 EMPr/closure plan, the competent authority is satisfied that the proposed listed activity/ies 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 activity/ies can be mitigated to acceptable levels. The authorisation is accordingly granted.

Your interest in the future of our environment is appreciated.

Amended Environmental Authorisation Approved By


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CHIEF DIRECTOR
MINERAL & PETROLEUM REGULATION
WESTERN REGIONS
DATE 08/06/2023