



## mineral resources

Department:  
Mineral Resources  
REPUBLIC OF SOUTH AFRICA

DMR 10

**Directorate:** Mineral Regulation: North West Region,  
Private Bag A1, Klerksdorp, 2570 Cnr Margaretha Prinsloo & Voortrekker Streets  
Vaal University of Technology Building, Klerksdorp, 2571

**Enquiries:** Mrs Linah Tshisevhe **Tel:** (018) 487 4300 **Fax:** (018) 487 4350

**E-Mail:** [tshisikhawe.tshisevhe@dmr.gov.za](mailto:tshisikhawe.tshisevhe@dmr.gov.za) **Ref No.:** NW 30/5/1/1/3/2/1/ (12573) EM

**BY HAND**

**The Manager**

**Di Kwena Minerals (Pty) Ltd**

04 Oribi Avenue

Leondale

Germiston

Gauteng

1401

**ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AS AMENDED (HEREIN REFERRED TO AS "NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 AS AMENDED (HEREIN REFERRED TO AS "EIA") FOR PROSPECTING ACTIVITIES FOR IRON ORE AND CHROME ORE ON THE REMAINING EXTENT, PORTIONS 3, 4, 5, 22, PORTION OF PORTION 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25 AND 26 OF THE FARM BUFFELSDRAAI NO. 151 JQ, SITUATED IN THE MAGISTERIAL DISTRICT OF RUSTENBURG, NORTH WEST REGION.**

With reference to the above-mentioned application, please be advised that the Department has decided to **grant** an environmental authorisation in terms Regulation 20 (1) (a) of NEMA: EIA Regulations, 2014 as amended. The Environmental Authorisation and reasons for the decision are attached herewith.

In terms of regulation 4 (2) of the NEMA: EIA Regulations, 2014 as amended 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 the Department 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 terms of Chapter 2 of the National Appeal Regulations of 2014, by means of the methods as prescribed below:

**Appeal to the Department of Environmental Affairs**

**Attention** : Directorate Appeals and Legal Review  
**Email** : [appeals@environment.gov.za](mailto: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**

**Attention** : Regional Manager: North West Region  
**By facsimile** : (018) 487 4350  
**E-mail** : Phumudzo. Nethwadzi@dmr.gov.za  
**By post** : Private Bag A1, Klerksdorp, 2570  
**By hand** : Vaal University of Technology Building, Cnr Margaretha Prinsloo &  
Voortrekker Street, Klerksdorp, 2570

Should you decide to appeal, you must comply with the National Appeal Regulation of 2014 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 Environmental Affairs.

Yours Faithfully,

  
.....  
**ACTING REGIONAL MANAGER:**  
**MINERAL REGULATION**  
**NORTH WEST REGIONAL OFFICE**  
DATE: 13/02/2020





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

## ENVIRONMENTAL AUTHORISATION

**Reference number:** NW 30/5/1/1/3/2/1/ (12573) EM

**Last amended:** First issue

**Holder of authorisation:** Di Kwena Minerals (Pty) Ltd

**Location of activity:** THE REMAINING EXTENT, PORTIONS 3, 4, 5, 22, PORTION OF PORTION 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25 AND 26 OF THE FARM BUFFELSDRAAI NO. 151 JQ, SITUATED IN THE MAGISTERIAL DISTRICT OF RUSTENBURG, NORTH WEST REGION

## DECISION

### ACRONYMS

**NEMA** : National Environmental Management Act, 1998 (Act 107 of 1998) as amended

**DEPARTMENT** : Department of Mineral Resources

**EA** : Environmental Authorisation

**IEA** : Integrated Environmental Authorisation

**EMPr** : Environmental Management Programme

**BAR** : Basic Assessment Report

**I&AP** : Interested and Affected Parties

**ECO** : Environmental Control Officer

**SAHRA** : South African Heritage Resources Agency

**EIA REGULATIONS** : EIA Regulations, 2014 as amended

**MPRDA** : Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended

**NEMA: WA** : National Environmental Management: Waste Act, 2008 (Act 59 of 2008) as amended

**EIA** : Environmental Impact Assessment.

**EAP** : Environmental Assessment Practitioner

**MHS** : Mine Health and Safety

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 activities 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.

### ACTIVITIES APPLIED FOR AND AUTHORISED

By virtue of the powers conferred on it by NEMA, the Department hereby grant an EA to **Di Kwena Minerals (Pty) Ltd** with the following contact details–

**Di Kwena Minerals (Pty) Ltd**  
04 Oribi Avenue  
Leondale  
Germiston  
Gauteng  
1401

to undertake the following activities listed in the NEMA EIA Regulations, 2014 as amended.

#### NEMA: LISTED ACTIVITIES:

*Any activity including the operation of that activity which requires a prospecting right in terms of section 16 as amended by section 12 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including-*

*(a) associated infrastructure, structures and earthworks directly related to prospecting of a mineral resource, or*

*(b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in Listing Notice 2 applies [listed activity 20].*

**Detailed specifications of the activities are as follows:**

<b>Proposed prospecting activities details are as follows:</b>
Total number of boreholes -30 (Thirty)
Area of disturbance per borehole 20m x 20m

The granting of this 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 lifecycle of the prospecting operation.

### **EA SITE SPECIFIC CONDITIONS**

1. No activities which require water use licence must commence without water use licence obtained from Department of Water and sanitation.
2. No bulk sampling must be conducted as this EA is granted for the purpose of drilling only.
3. The prospecting right holder will be required comply with the recommendations to be made by South African Heritage Resource Agency (SAHRA).
4. Should SAHRA requires that Phase I Archaeological Impact Assessment be conducted, the right holde should not commence with the prospecting activities prior conducting such study.



## ANNEXURE 1: REASONS FOR THE DECISION

### 1. Background

**Di Kwena Minerals (Pty) Ltd** has submitted an application for EA for the activities listed in the NEMA: EIA Regulations, 2014 as amended:

#### **Government Notice No. Regulation 327 of 07 April 2017**

*Any activity including the operation of that activity which requires a prospecting right in terms of section 16 as amended by section 12 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including-*

- (a) associated infrastructure, structures and earthworks directly related to prospecting of a mineral resource, or*
- (b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in Listing Notice 2 applies [listed activity 20].*

**Di Kwena Minerals (Pty) Ltd** has appointed Mr. Sedzani Mulaudzi of Mukhadakhomu Environmental Services (Pty) Ltd to undertake the Basic Assessment process as prescribed by Regulation 19 of the NEMA: EIA Regulations, 2014 as amended. The company later changed their EAP in writing to Mr. Oriel Nkabelane of Martilox Technical Consulting and Advisory Ltd.

### 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 the 22<sup>nd</sup> March 2019;
- b) The information contained in the BAR received by the Department on the 21<sup>st</sup> June 2019;
- c) The objectives and requirements of the applicable and relevant legislation, policies, guidelines and the NEMA: EIA Regulations, 2014 as amended;
- d) Public Participation Process (PPP) undertaken attached to the BAR including comments received from interested and affected parties attached to the BAR as Annexure B, C, D, E, F and G.
- e) Minutes and attendance registers of interested and affected parties (Ga-Rasai community and the landowner).

### 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) The procedure that has been followed is in accordance with the NEMA and the EIA Regulations, 2014 as amended.
- b) The environmental impacts associated with the proposed prospecting activities will be addressed by the proposed mitigation measures outlined in the EMPr compiled by Mr. Sedzani Mulaudzi of Mukhadakhomu Environmental Services (Pty) Ltd.
- c) A sufficient Public Participation Process (PPP) was undertaken and the applicant has satisfied the minimum requirements as prescribed in Chapter 6 regulation 41 of the NEMA:EIA Regulations, 2014 as amended for public involvement;
- d) Consultation with South African Heritage Resources Agency (SAHRA) to determine if the applicant must conduct Phase 1 of Heritage Impact Assessment.
- e) The financial provision to the amount of **R206 772. 00** was provided for rehabilitation which 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 NEMA: EIA Regulations R.982. The PPP included, *inter-alia*, the following:
  - Background Information Document sent to the Interested and affected parties;
  - The meetings were held with interested and affected parties including landowners on the 06<sup>th</sup> February 2019, 18<sup>th</sup> April 2019 and 01<sup>st</sup> August 2019;
  - A newspaper advertisement was placed in the local newspaper "Rustenburg Herald" dated the 24<sup>th</sup> May 2019;
  - Notification letters sent to the interested and affected parties including authorities via emails;
  - Fixing notices at the public areas;
  - Submission of draft BAR to the interested and affected parties.