



DEPARTMENTAL REFERENCE NO: To be confirmed

Applicant:

Smit Grondwerke (Pty) Ltd
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BACKGROUND INFORMATION DOCUMENT

4 July 2019

To whom it may concern

RE: NOTICE OF APPLICATION IN TERMS OF SECTION 27 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002) AND THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998 NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED 2017).

BACKGROUND INFORMATION

Portion 2 (Remaining Extent) of Farm 199 RD in the Clanwilliam magisterial district is mainly used for agricultural purposes (potato farming & grazing). However, in 2010 the land use of the property was extended to include sand mining from a 1.5 ha area, and upon expiry of the first permit a second mining permit was issued over the same footprint (2014). Smit Grondwerke (Pty) Ltd ("hereinafter referred to as "the Applicant") now intends to apply for a sand mining permit over 4.9 ha of the same property over an area currently used for agricultural purposes (see Figure 1).

SITE DESCRIPTION

The proposed site is located ± 740 m south-west of the N7 national road approximately 6.5 km north of Clanwilliam town. The extent of the proposed mining footprint is 4.9 ha, and the GPS coordinates of the area are as listed below.

GPS COORDINATES OF MINING PERMIT AREA	
DEGREES MINUTES SECONDS	DECIMAL DEGREES
A. 32°08'06.508"S; 18°50'37.946"E	A. -32.135141°S; 18.843874°E
B. 32°08'11.976"S; 18°50'49.070"E	B. -32.136660°S; 18.846964°E
C. 32°08'15.353"S; 18°50'46.961"E	C. -32.137598°S; 18.846378°E
D. 32°08'08.966"S; 18°50'32.136"E	D. -32.135824°S; 18.842260°E

the goal isn't to live forever, it is to protect a planet that will

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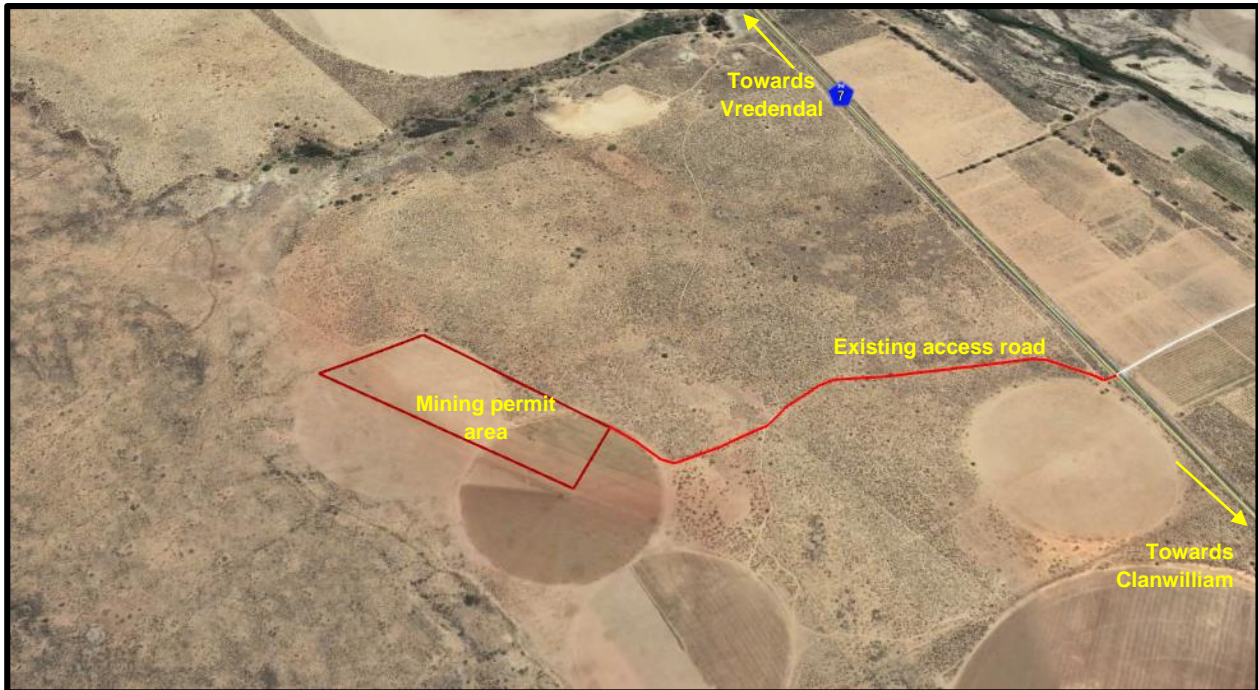


Figure 1: Satellite view of the proposed mining permit area of Smit Grondwerk (Pty) Ltd.

LEGAL COMPLIANCE

The proposed project triggers the following listed activities in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2014 (as amended 2017) and therefore requires an environmental impact assessment (EIA) (basic assessment process) that assess project specific environmental impacts and alternatives, consider public input, and propose mitigation measures, to ultimately culminate in an environmental management programme that informs the competent authority (Department of Mineral Resources) when considering the environmental authorisation:

■ GNR 327 Listing Notice 1 of 2017 Activity 21:

Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No 28 of 2002), including –

- a) associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource; or*
- b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing.*



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GNR 327 Listing Notice 1 of 2017 Activity 22:

The decommissioning of any activity requiring –

- i) a closure certificate in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (act No. 28 of 2002); or*
- ii) a prospecting right, mining right, mining permit, production right or exploration right, where the throughput of the activity has reduced by 90% or more over a period of 5 years excluding where the competent authority has in writing agreed that such reduction in throughput does not constitute closure.*

GNR 327 Listing Notice 1 of 2017 Activity 27:

The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation.

GNR 327 Listing Notice 1 of 2017 Activity 28:

Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:

- ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.*

GNR 324 Listing Notice 3 of 2017 Activity 12:

The clearance of an area of 300 square meters or more of indigenous vegetation.

- i) Western Cape Province*
 - i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;*

OTHER LEGISLATION TRIGGERED BY THE PROPOSED PROJECT:

- An application for a Mining Permit in terms of Section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No 28 of 2002) will be submitted to the Department of Mineral Resources – Western Cape Province.***
- A land development application will be submitted to the Department of Environmental Affairs and Development Planning in terms of the Land Use Planning Act, 2014 (Act No 13 of 2014) if needed.***
- A notice of intend to develop will be submitted to Heritage Western Cape in terms of the National Heritage Resources Act, 1999 (Act No 25 of 1999).***



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PROJECT DESCRIPTION

Smit Grondwerke (Pty) Ltd intends applying for a permit to mine sand from a portion of Portion 2 (Remaining Extent) of Farm 199 in the Clanwilliam magisterial district of the Western Cape Province. The proposed mining footprint will be 4.9 ha and will be developed over an area currently used for agricultural purposes. The position of the permit area was chosen to avoid the disturbance of natural fynbos.

The proposed operation is representative of the small scale mining industry where the mineral (sand) is loaded with a front-end-loader (FEL) directly from the footprint area onto a truck that delivers it to the clients. Little to no stockpiling is required and no washing of sand is needed.

The proposed sand mine will appoint ± 3 employees, and due to the small scale of the operation no infrastructure, other than a chemical toilet, will be established within the mining footprint. The proposed project does not require any electricity connections, and no chemicals will be stored on site. Vehicle/equipment maintenance will be done at an existing off-site workshop (Clanwilliam Town) of the Applicant.

ACCESS ROUTE:

- The proposed mining area will be reached via an existing farm road that will be upgraded and maintained for the duration of the operational phase.
- The width of the road will not be increase and therefore does not trigger listed activities in terms of the NEMA EIA Regulations, 2014 (as amended).

WATER USE:

- Due to the nature of the sand to be mined (heavy), very little to no water is needed as dust levels are typically low. However, should dust suppression become necessary water will be bought and transported to the farm in a water truck.

BRIEF SITE DESCRIPTION

GEOLOGY:

The study area is covered with Cenozoic sands of the Sandveld Group. This overlies the sediments of the Table Mountain Group at depth. In this particular area the underlying sediments consist of the Nardouw Subgroup which are light-coloured quartzitic sandstones.

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HYDROLOGY:

The area falls within the EJ10 quaternary catchment which is managed as part of the Olifants – Doring Catchment Management area by the Department of Water and Sanitation (DWS). There are no dams, rivers or wetlands in the sand mining footprint. A non-perennial stream borders the mining area approximately 480 m to the north and the Olifants River drainage line passes the site approximately 1.3 km to the east.

FAUNA AND FLORA:

According to Mucina and Rutherford (2012) the vegetation type of the natural areas is known as the Leipoldtville Sand Fynbos (FFd2) which is listed as a vulnerable ecosystem. However, CapeNature considers this vegetation type as Endangered. According to the 2017 Western Cape Biodiversity Spatial Plan (as shown in the figure below), the Cederberg Ecological Support Area 2 (ESA) lays to the north-east of the proposed mining footprint, and the Cederberg ESA 1 borders the footprint to the north, north-west, south, south-west, and south-east. As mentioned earlier, the footprint of the proposed sand mine was chosen to extend over an area that is used for agricultural purposes and no natural fynbos needs to be disturbed to allow access to the mineral.

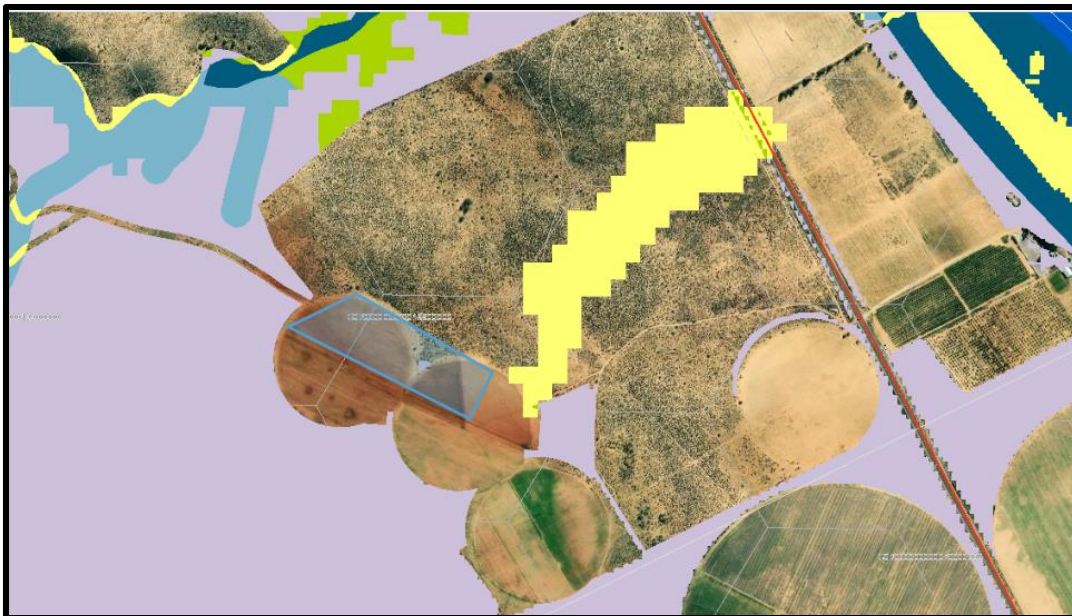


Figure 2: Image showing the presence of the Cederberg ESA 1 (purple polygon) and ESA 2 (yellow polygon) areas in relation to the proposed mining footprint (blue rectangle).

Although the proposed project will not necessitate the removal of natural Leipoldtville Sand Fynbos, the removal of some indigenous vegetation may be necessary should the cultivation of the footprint cease and indigenous vegetation establish through succession.



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The fauna present within the boundaries of the property comprise of natural occurring small rodents, reptiles and various bird species. No protected or red data faunal species were identified within the earmarked footprint, and the project is expected to have a negligible impact in this regard.

LAND USE:

The project area is located in the Cederberg municipal area, with Clanwilliam being the nearest town. As mentioned earlier the land use of the earmarked property mainly comprises of potato farming and grazing, mixed with small scale sand mining. The Olifants River valley is a major economic corridor mainly based on intensive irrigation farming, transport infrastructure and tourism. An agricultural impact assessment will assess the potential impacts of the proposed mining operation on soils, agricultural potential and –production and will also advise on the rehabilitation objectives upon closure of the site.

AIR AND NOISE QUALITY:

The wind patterns in the Clanwilliam area are highly influenced by seasonal variations. According to the wind statistics as presented on Windfinder.com the prevalent wind direction distribution is in a south-easterly direction from May to August. From September to November the wind mainly blows in a north-western direction, until December when it maintains a strong easterly trend until March. Due to the nature of the operations the dust levels are expected to be low.

The ambient noise levels of the greater surrounding area is low, with the noise levels of the study area (immediate surroundings) impacted on by traffic along the N7 and various farming operations. Due to the small scale of the proposed operation the cumulative impact on the noise levels of the receiving environment is expected to be negligible.

HERITAGE:

The proposed mining footprint where selected over an area that has been used for potato farming and therefore no sites of archaeological or cultural importance is expected within the footprint. The archaeological impact assessments conducted on the mining footprint of the current sand mine (± 560 m from the proposed mining area) also did not identify any significant archaeological resources.

FINAL REHABILITATION

Upon closure of the mining operation the entire footprint area will be rehabilitated so as to allow the affected area to return to agricultural use. At this stage the following baseline rehabilitation actions are proposed from which a detailed closure plan will be developed:



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- Rehabilitation of all the disturbed surface areas shall entail landscaping, levelling, sloping, top dressing, land preparation, seeding (if required), and weed / alien clearing.
- All equipment, and other items used during the mining period will be removed from the site in accordance with section 44 of the MPRDA, 2002.
- Waste material of any description, including receptacles, scrap, rubble and tyres, will be removed entirely from the mining area and disposed of at a recognized landfill facility. It will not be permitted to be buried or burned on the site.
- The rehabilitation area will be cleared of weeds and invader plant species. Priority will be given to species regarded as Category 1a and 1b invasive species in terms of NEM:BA (National Environmental Management: Biodiversity Act 10 of 2004 and regulations applicable thereto).
- Final rehabilitation shall be completed within a period specified by the Regional Manager.

APPLICATION FOR CLOSURE

Once the full mining area was rehabilitated the mining permit holder will submit a closure application to the Department of Mineral Resources in accordance with section 43(4) of the MPRDA, 2002 that states: “An application for a closure certificate must be made to the Regional Manager in whose region the land in question is situated within 180 days of the occurrence of the lapsing, abandonment, cancellation, cessation, relinquishment or completion contemplated in subsection (3) and must be accompanied by the prescribed environmental risk report”. The Closure Application will be submitted in terms of Regulation 62 of the MPRDA, 2002, and Government Notice 940 of NEMA, 1998.

PUBLIC INVOLVEMENT

This document is to inform you about the proposed activity and to determine whether there are any concerns or objections from interested and affected parties (I&AP's) that need to be considered.

As interested and affected party you are kindly requested to complete the comments form and give any comment/concern or input with regard to the current land use of the area, the environment as well as socio-economic conditions that you feel might be affected by the proposed activity. When submitting response please provide suggestions to mitigate the anticipated impact of each identified activity.

Please contact Christine Fouche at the contact details as presented in the letterhead or at christine.f@greenmined.co.za through any means should you need more information, have additional language requirements, have concerns or comments that need to be considered or if you want to be registered as an interested and/or affected party and would like to receive a copy of the Draft Basic Assessment (DBAR) on or before 8 August 2019. If we do not receive any comments from you on or before 8 August 2019, it will be accepted



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that you do not have any objections/comments with regard to the project and do not require any further documentation.

A register of interested and affected parties (I&AP's) will be opened and maintained containing the names, contact details and address of all persons who have submitted written comments, attended meetings or have in writing requested to be registered and all organs of state which have jurisdiction in respect of the activity. Please note that only registered I&AP's and stakeholders will be entitled to comment on reports and plans to be submitted to the Department provided that the party provide its name, contact details and address and discloses any direct business, financial, personal or other interest which he/she may have in the approval or refusal of the applications.

The Draft Basic Assessment Report (DBAR) will be submitted to the Department of Mineral Resources – Western Cape (DMR) for review purposes. This report will also be made available to the public for a 30 days review period. An electronic copy of the report will be published on the Greenmined Environmental website (www.greenmined.com). All registered I&AP's and stakeholders will be notified of the commenting period in advance as above.

The DBAR will then be updated to reflect the comments received during the public commenting period. Thereafter, the Final Basic Assessment Report (FBAR) will be submitted to DMR for its consideration as part of the authorization process in terms of the NEMA, 2014 regulations (as amended 2017). A copy of the final report will be made available on the Greenmined Environmental website. All registered I&AP's and stakeholders will be notified in writing within 14 days of the date of the decision of the outcome of the application, including the reasons for the decision and the right of appeal.

CONTACT DETAILS

Name/Name	
Organisation/Instansie	
Interest/Belange	
Postal Address/Pos Adres	
Tel	
Fax/Faks	
E-mail/E-pos	



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COMMENTS/ OPMERKINGS

Object / No Objection:	
Request additional information:	
Concerns:	

Signature: _____



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Are there any other organisations or individuals that you feel should be invited to comment? If so, please provide their contact details:

Contact name:
Organisation (if applicable):
Address:
Tel:
Fax
E-mail

Your feedback is valued and will be addressed appropriately.

Kind Regards

A handwritten signature in black ink that reads 'Fouche'.

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Christine Fouche
Greenmined Environmental