



Department of Environment and Nature Conservation

Lefapha La , Tikologo
Le Tshomarelo

Departement van Omgewing en Natuur Bewaring

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Enquiries :
Dipatlisiso : Mr S.G Mbanjwa
Imibuzo :
Navrae :

Date :
Leshupelo : 25th July 2013
Umhla :
Datum :

Reference :
Tshupelo : NC/BA/JTG/JOE/GLO/HOT01/2013
Isalathiso : NCP/EIA/0000203/2013
Verwysings

Mr. Bonolo Lekwa
Assmang Manganese
Black Rock Mine Operations
P.O. Box 187
Santoy
8491

Fax: 053 751 5681

Dear Sir/Madam

THE GRANTING OF THE ENVIRONMENTAL AUTHORISATION FOR: LISTED ACTIVITIES: GNR 544: ACTIVITIES 56, 23, 22 AND GNR 545: ACTIVITY 14: PROPOSED ASSMANG BRMO HOUSING PROJECT ON PORTION 3 OF THE FARM NCHWANING 267, JOE MOROLONG LOCAL MUNICIPALITY, JOHN TOALO GAETSEWE DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE.

By virtue of the powers delegated to me by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Regulations, 2010, **THE DEPARTMENT HEREBY GRANT THE ENVIRONMENTAL AUTHORISATION FOR: LISTED ACTIVITIES: GNR 544: ACTIVITIES 56, 23, 22 AND GNR 545: ACTIVITY 14: PROPOSED ASSMANG BRMO HOUSING PROJECT ON PORTION 3 OF THE FARM NCHWANING 267, JOE MOROLONG LOCAL MUNICIPALITY, JOHN TOALO GAETSEWE DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE.** A detailed description of the activity is given in the **Basic Assessment Report dated June 2013**, subject to the conditions listed in the environmental authorization and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within seven (7) calendar days of receiving of this letter, of the Departments decision in

Permit 39/2013

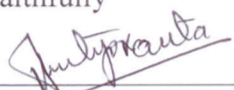
respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Your attention is drawn to Chapter 7 of the Regulations which regulates appeal procedures. Should you / any person affected by this decision wish to appeal any aspect of the decision, you or a person affected by this decision must, *inter alia*, lodge a notice of intention to appeal, as prescribed in regulation 62 of Environmental Impact Assessment Regulations, 2010, with the Member of the Executive Council, Ministry of Environment and Nature Conservation within 10 days of receiving this letter, by means of one of the following methods:

By facsimile: (053) 832 1026;
By post: Private Bag x 6102, Kimberley, 8300 or
By hand: T-Floor, Metlife Towers, Kimberley, 8300.

Should you decide to appeal, you must serve a copy of your notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours faithfully



Mr J.J. Mutyorauta
DIRECTOR: ENVIRONMENTAL QUALITY MANAGEMENT

DATE OF DECISIONS: 30th July 2013

Cc: Mr. Bradley Thorpe – Escience Associates (Pty) Ltd
Fax: 086 512 5681

Permit 39/2013



ENVIRONMENTAL AUTHORISATION
in terms of National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2010

Authorisation Register Number:	Permit 39/2013
Reference Number:	NC/BA/JTG/JOE/GLO/HOT01/2013
Last Amended:	N/A
Holder of Authorisation:	Assmang Manganeses, Black Rock Mine Operations (BRMO)
Location of activity:	Portion 3 of the Farm Nchwaning 267, Northern Province, John Taolo Gaetsewe District Municipality, Northern Cape Province

DEFINITIONS

Activity means an activity identified in Government Notice No. R. 544 and No. R. 545 of 2010 as a listed activity.

Applicant means a person who has submitted an application.

Application means an application for an environmental authorization in terms of chapter 3 of the Environmental Impact Assessment Regulations of 2010.

Basic assessment report means a report contemplated in regulation 22.

Environmental Impact Report means a report contemplated in regulation 31 of the Environmental Impact Assessment Regulations of 2010.

EAP means an environmental assessment practitioner as defined in section 1 of the Act.

Interested and affected party means a interested and affected party contemplated in section 24(4)(d) of the Act, and which in terms of that section includes:

- ◆ Any person, group of persons or organisation interested in or affected by an activity, and
- ◆ Any organ of state that may have jurisdiction over any aspect of the activity.

Public participation process means a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to, specific matters.

The Act means the National Environmental Management Act, 1998 (Act No. 107 of 1998).

DECISION

The Department is satisfied, on the basis of information available to it and subject to compliance with conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure

ACTIVITIES AUTHORISED

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

Assmang Manganeses, Black Rock Mine Operations (BRMO)

with the following contact details –

Mr Bonolo Lekwa
P.O. Box 187
Santoy
8491

Tel: 053 751 5302
Fax: 053 751 5251

to undertake the following activity (hereafter referred to as "the activity")

The establishment of approximately 120 residential dwelling units at their operation, on preferred site, Portion 3 of the farm Nchwaning, John Taola Gaetsewe District Municipality, Northern Cape, with the coordinates Latitude (27° 7' 21.42") and Longitude (22° 50" 43.14"), will hereafter be referred to as "the property".

The granting of this Environmental Authorisation is subject to the conditions set out below.

CONDITIONS

Scope of authorisation:

1. Authorisation of the activity is subject to the conditions contained in this authorisation, which conditions form part of the environmental authorisation and are binding on the holder of the authorisation.
2. The holder of the authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
3. The activity(s) which is authorised may only be carried out at the property indicated above.
4. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
5. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

General conditions:

6. A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
7. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
8. The holder of the authorisation must notify the Department, in writing and within 24 (TWENTY FOUR) hours, if condition 16 of this authorisation cannot be or is not adhered to. In all other cases, the holder of the authorisation must notify the Department, in writing, within 7 (SEVEN) if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
9. Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
10. This authorization is subject to the approval by the relevant local authorities i.e. in terms of any relevant legislation administered by those local authorities.
11. The activity may not commence without the necessary permits/licenses/approvals and/or service agreements, where it is relevant, from or with the relevant regulatory authorities whether national, provincial or local (these include but are not limited to National Department of Environmental Affairs & Tourism, National Department of Agriculture, Department of Housing & Local Government, Department of Water Affairs & Forestry, Department of Minerals and Energy, Department of Transport, Roads & Public Works, Department Arts, Sports & Culture, South African Heritage Resources Agency, South African Civil Aviation Authority).
12. The activity, including site preparation, may not commence before the thirty (30) day appeal period expires or until such time as the Department has considered any appeals that have been lodged.
 - a. One week's written notice must be given to the Administration clerk (Impact Management Unit) before commencement with the activity.
 - b. Such notice shall make clear reference to the site location details and the reference number given above.

c. The said notice must also include proof of compliance with the following conditions described herein:

i. Conditions: 11 and 23

13. The applicable conditions of this authorization must form part of all contractors' and sub-contractors' conditions of contract. A performance-based requirement with regard to environmental impact management must be included in all contracts related to any aspect of this authorization.
14. The applicant must carry out regular environmental audits to establish compliance with the conditions of this authorization and contracts.
15. Records relating to the compliance/non-compliance with the conditions of the authorization and contracts must be kept in good order. Such records must be made available to the Department within 7 (seven) days of receipt of a written request by the Department for such records.
16. Any complaints regarding the said development must be brought to the attention of the Department within 24 hours after receiving the complaint. A complaints register must be kept up to date for inspection by the Department
17. Officials in the employ of the Department shall be given access to the property as described above (see detailed description of the activity) for the purposes of assessing and/or monitoring compliance with the conditions contained in this Record of Decision. Where the activity is located on a third party's property the applicant shall be responsible to arrange access for departmental officials
18. This Department may add to, change and/or amend any of the conditions in this authorization if, in the opinion of the Department, the addition, change or amendment is environmentally justified. In event that such impacts exceed its significance as predicted in the independent consultant's environmental scoping report and supporting documentation, the authorization may be withdrawn after proper procedures were followed.
19. In the event of any dispute concerning the significance of a particular impact, the opinion of this department in respect of its significance will prevail.
20. This Department and any national department, provincial department, local authorities or committees appointed in terms of the conditions of this application or any other public authority or organization shall not be held responsible for any damage or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of approval as set out in this document or any other subsequent document emanating from these conditions of approval.

21. The applicant shall be responsible for all costs necessary to comply with the above conditions unless otherwise specified.
22. The applicant must apply the principle of best practicable environmental option for all technologies used/ implement

Appeal of authorisation:

23. The holder of the authorisation must notify every registered interested and affected party, in writing and within 7 (SEVEN) calendar days, of receiving notice of the Department's decision to authorise the activity.
24. The notification referred in 23 must –
 - specify the date on which the authorisation was issued;
 - inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the regulations; and
 - advise the interested and affected party that a copy of the authorisation and reasons for the decision will be furnished on request.
25. If the applicant should appeal against this Environmental Authorisation, he/she must inform all interested and affected persons that such an appeal is being lodged with the MEC and if requested, the applicant/appellant must provide those persons with reasonable access to a full copy of the appeal within a reasonable time before expiry of the thirty day appeal period.

Management of activity:

26. The Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation must be implemented.
27. All areas disturbed during the commissioning of the activity must be rehabilitated.
28. Best practice of waste avoidance, minimisation and disposal of waste at an appropriate facility must be implemented.

Monitoring

26. The applicant must appoint a suitably experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation / rehabilitation measures and recommendations referred to in this authorisation are implemented.
27. The monitoring of the constructors, compliance with conditions of this Environmental Authorization is essential and must be done on a weekly basis. Any deviances from the conditions of this Environmental Authorization must be rectified immediately.

28. The ECO shall be appointed before commencement of any land clearing or construction activities.
29. The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
30. The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
31. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Recording and Reporting to the Department:

32. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
33. In all other cases, the holder of the authorisation must notify the Department, in writing, within 7 days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by the reason for non-compliance.
34. Records relating to the compliance/non-compliance with the conditions of the authorisation and contracts must be kept in good order. Such records must be made available to the Department within 7 days of receipt of a written request by the Department for such records.
35. Any complaints regarding the said development must be brought to the attention of the Department within 24 hours after receiving the complaint. A complaints register must be kept up to date for inspection by the Department.

Commissioning of the activity:

36. 14 days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.
37. The authorised activity shall not commence within thirty (30) days of the date of signature of the authorisation.
38. Should you be notified by the minister of a suspension of the authorisation pending appeal procedures, you shall not commence with the activity unless authorised by the minister in writing.

39. All hazardous waste (oil, effluent from corrosion protective activities) must be disposed off at the registered site.
40. General waste must be collected in containers disposed of regularly at a permitted landfill site. Recyclable waste must be recovered for recycling purpose. NB: No temporary dumping of waste is allowed on site. Precautionary measures should be taken to prevent refuse from spreading from or on the site.
41. It is recommended that no threatened or protected species should be destroyed. Fauna and flora (including protected or endemic species) relocated or destruction should only be done if there is authorised by Department of Agriculture, Forestry and Fisheries (DAFF) and Department of Environment and Nature Conservation.
42. The Northern Cape Nature Conservation Act (Act No.9 of 2009) must be taken into consideration, as any listed species in this Act that require removal, will need the necessary permits form Department of Environment and Nature Conservation.
43. Should any archaeological artefacts, graves or protected and endangered biota be found on site, the operation must be suspended and construction should only continue after consultation with South African Heritage Resources Agency (SAHRA).
44. The safety of the participants must be ensured by:
 - involving qualified engineers in the design and construction of the proposed Structure and associated infrastructure.
 - Having regular safety inspections and ensuring participants are equipped with necessary safety equipment.
45. The construction process must ensure that the necessary safety signage and personal protective clothing is in place. The regulations pertaining Occupational Health and Safety Act must be adhered to at all times.
46. Any stockpiled soils should have storm water management measures implemented.
47. Topsoil removed during excavations must be kept separate from other material. Topsoil must be placed above other material during backfilling.
48. Disturbed area must be rehabilitated progressively to minimise total open area.
49. No vehicle or construction machinery may be extensively repaired on-site.
50. The holder of this Environmental Authorization must conduct the environmental awareness with the contractors.

51. Any complaint from the public during the construction and operation of this project must be attended to by the holder of this authorisation as soon as possible to the satisfaction of parties concerned.
52. Untreated sewage must not be discharged directly into the natural environment.
53. Spillage of petroleum products (fuel and lubricants) must be avoided. Temporary storage of petrochemical products and servicing of machinery and vehicles on site will be allowed except at a site specifically designed for that purpose. In terms of accidental spillage, contaminated soil must be removed for bioremediation or disposed of at a recognized facility for the substance concerned. Disturbed land must be rehabilitated and seeded with vegetation seed naturally occurring on the site.
54. The development must comply with the Municipal by-law.
55. Chemical toilets must be available for workers on site during construction phase only, i.e. sewage waste must be disposed off at the Municipal sewage plant on a regular basis. No "long drop" toilets will be allowed. No open space or surrounding bush shall be used as toilet facility under any circumstances.
56. It is the holder of this authorization's responsibility to ensure that an ongoing management and monitoring of the impacts of the activity on the Environment throughout the life cycle of the activity is put into practice.
57. All the areas (e.g. stockpiling of material, machines, workshop. etc) in the construction site must be clearly defined.
58. The contractor must ensure that drip trays are always available to collect any fluid that may result from accidental spillage, overflow and/or servicing. All equipments that leak must be repaired immediately and/or removed from site when necessary.
59. It is the contractor's responsibility that all staff/employees are familiar with all the emergency procedures. The contractor must also ensure that emergency numbers are visible and available and always updated.
60. The contractors must use Ready-Mix concrete. Alternatively, concrete can be mixed on mixing trays only and not on exposed soil. Concrete must be mixed only in areas, which have been specially demarcated for this purpose.
61. The contractor must take all the necessary precautionary measures to ensure that no fires are caused as a result of construction activities.
62. Old cement bags, mixing bags, platforms etc. should be discarded in a wind and spill proof container. 0 cement bags closed or open should be left lying

around the site. All visible remains of concrete should be physically removed as soon as possible and disposed of at a suitable site.

63. All vehicles, equipments and other assets belonging to the contractor must be removed from the property upon completion of the construction works.
64. Precautionary principles must be followed as people's lives depend on the project.
65. The central waste collection point must be specific -where it will be situated to ensure that no soil or underground water contamination takes place, this should be done at least on weekly basis.
66. It is recommended that the applicant communicate with Mr Brian Fischer from DENC for assistance in ensuring that the dust monitoring is done correctly and complies with the legislation.
67. If herbicide is used for the control of weed and alien plant species, it must be ensured that the individual applying the herbicide is competent.
68. No construction of roads outside of the boundaries of the approved development site.

Operation of the activity:

69. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.
70. The detailed mitigation as outlined in the EMP should be implemented.
71. General waste must be collected in drums containers disposed of weekly at a permitted Municipal landfill site. Recyclable waste must be recovered for recycling purpose. No temporary dumping of waste is allowed on site. Precautionary measure should be taken to prevent refuse from spreading from or on the site.
72. All hazardous substances spillages must be reported to the Department of Water Affairs and Forestry within 48 hrs of the incident.
73. There must be procedures in place for the regular inspection and maintenance of the structure and associated infrastructure to ensure that environmental degradation is prevented and possible measures are put in place so that impacts arising from operation are mitigated.

Site closure and decommissioning:

74. All temporary facilities used in the construction phase must be decommissioned in a responsible manner and the place be rehabilitated.

75. The applicant must undertake simultaneous rehabilitation of the area to ensure that the remaining area is kept in a good and stable condition.
76. Reseeding will have to be redone if the basal cover has not grown adequately.
77. If harvested plant seeds from the undisturbed area of Black Rock Mine operations are to be used in rehabilitation, the necessary permits from the Department of Environment and Nature Conservation must be obtained.
78. Should the activity ever cease or become redundant the applicant shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at the time.
79. All construction and storage sites and all areas disturbed by the project must be rehabilitated to their former or better condition. Those sites and areas must be re-vegetated with indigenous plants upon completion of the proposed development and must take place where necessary.
80. Should the project be abandoned or decommissioned, a Closure Management Plan must be compiled and the holder of the Environmental Authorization must rehabilitate the site to the satisfaction of this Department.

Non-compliance:

81. In the event of non-compliance by employees and contractors during the construction, operation and decommissioning phases of the project the applicant will be held liable.
82. The applicant shall be responsible for all the costs necessary to comply with the above conditions unless otherwise stated.
83. Provincial Government, Local Authority or committees appointed in terms of the application or any other public authority or organization shall not be held responsible for any damages or losses suffered by the developer or his/her successor in title in any instance where construction or operation subsequent to construction are to be temporarily or permanently stopped for reasons of non-compliance by the developer with conditions of approval as set out in the document or any other subsequent document emanating from this approval.

DURATION AND PERIOD OF VALIDITY

This activity(s) must commence within a period of three (3) years from the date of issue. If commencement does not occur within that period and the intention is to extend the validity period of the authorisation, an application for amendment to extend the validity period must be launched at least six months before the validity period lapses. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

APPEAL

In terms of Chapter 7 of Environmental Impact Assessment Regulations, 2010, if the applicant or a person affected by this Decision wishes to appeal this decision, a notice of intention to appeal must be lodged within Twenty (20) days after date of the decision, and an appeal must **be lodged within thirty (30) days after lapsing of 20 days contemplated in regulation 60 (1)** of lodging of the notice to appeal to:

The Member of the Executive Council
Ministry of Environment & Nature Conservation
Private Bag X6102
Kimberley
8300
Fax: (053) 8321032

Appeals must comply with the provisions of Chapter 7 of Environmental Impact Assessment Regulations, 2010 Government Notice No. R. 543 of 18 June 2010.



MR J.J MUTYORAUTA
DIRECTOR ENVIRONMENTAL QUALITY MANAGEMENT
DEPARTMENT OF ENVIRONMENT & NATURE CONSERVATION

DATE OF ENVIRONMENTAL AUTHORISATION: 30th July 2013

ANNEXURE 1: REASONS FOR DECISION

1. Background

The applicant, **Assmang Manganeses, Black Rock Mine Operations (BRMO)**, applied for authorisation to carry on the following activity –

The establishment of approximately 120 residential dwelling units at their operation in three phases, of 40 in each phase, on portion 3 of the Farm Nchwaning, John Taola Gaetsewe District Municipality, Northern Cape

Activity No. 22 of GN. R.544 of 18 June 2010:

The construction of a road, outside urban areas,

- (i) with a reserve wider than 13,5 meters or,
- (ii) where no reserve exists where the road is wider than 8 metres, or
- (iii) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Notice 545 of 2010.

Activity No. 23 of GN. R.544 of 18 June 2010:

The transformation of undeveloped, vacant or derelict land to –

(i) residential, retail, commercial, recreational, industrial or institutional use, inside an urban area, and where the total area to be transformed is 5 hectares or more, but less than 20 hectares, or

(ii) residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less than 20 hectares; -

except where such transformation takes place –

(i) for linear activities; or

ii) for purposes of agriculture or afforestation, in which case Activity 16 of Notice No. R. 545 applies.

Activity No. 56 of GN. R.544 of 18 June 2010:

Phased activities for all activities listed in this Schedule, which commenced on or after the effective date of this Schedule, where anyone phase of the activity may be below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold; - excluding the following activities listed in this Schedule: 2;11(i)-(vii); 16(i)-(iv); 17;1 9; 20; 22(i) & 22(iii); 25; 26;

Activity No. 14 of GN. R.546 of 18 June 2010:

(a) In Eastern Cape, Free State, KwaZulu-Natal, Gauteng, Limpopo, Mpumalanga, Northern Cape, Northwest and Western Cape: i. All areas outside urban areas.

The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:

(1) purposes of agriculture or afforestation inside areas identified in spatial instruments adopted by the competent authority for agriculture or Afforestation purposes;

(2) the undertaking of a process or activity included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the activity is regarded to be excluded from this list;

(3) the undertaking of a linear activity falling below the thresholds in Notice 544 of 2010.

The applicant appointed **Escience Associates (Pty) Ltd** to undertake an environmental impact assessment process.

Basic Assessment Process was followed.

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.
- b) The information contained in the Basic Assessment report,
- c) Cultural Heritage Impact by Dr. Udo Kusel and Dr maria van der Ryst of African Heritage Consultants CC dated 2009.
- d) Biodiversity impact assessment by Stephen van Staden, Natasha van de Haar and Nelanie Bezuidenhout of Scientific Aquatic Services CC dated 2011.
- e) Environmental management programme report by EScience associates dated March 2013.
- f) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and
- g) The findings of the site visit undertaken by Mr. M.H. Mathews and Mr B. Lekwa on 04 July 2013

3. Key factors considered in making the decision

All information presented to the Department was taken into account in 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 legal and procedural requirements have been complied with the information contained in the Basic Assesment report, and Appendices are to the satisfaction of the Department.
- b) Comments by interested and affected parties and other stakeholders.

4. Findings

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

- a) The application process was satisfactory in terms of the Regulation 36 of the EIA 2010 regulations.
- b) Adequate Public Participation Process took place.
- c) The legal and procedural requirements have been complied with and the information contained in the Environmental Assessment Report and Appendices is to the satisfaction of this Department.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The application is accordingly granted.