



GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Reference: Gaut 002/14-15/0015
Telephone: (011) 240 - 3389
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Ergo Mining (Pty) Ltd
P. O. Box 12442
Selcourt, Springs
1667

Attn: Mr. Henry Gouws
Fax: (011) 742 1044
Tel: (011) 742 1003

PER FACSIMILE / REGISTERED MAIL

Dear Sir,

AUTHORISATION GRANTED FOR THE PROPOSED CONSTRUCTION OF A PIPELINE FOR TREATED SEWAGE WATER FROM THE RONDEBULT TREATMENT PLANT TO THE ELSBURG TAILINGS COMPLEX ON VARIOUS FARMS OF KLIPPOORTJIE 110 IR, LEEUWPOORT 113 IR AND RODEBULT 136 IR, EKURHULENI METROPOLITAN MUNICIPALITY

With reference to the above-mentioned application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation 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 12 calendar days of the date of this letter, of the Department's decision in 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 wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 calendar days of the date of this letter, by means of one of the following methods:

By facsimile: (011) 240 - 3222;
By post: P.O. Box 8769, Johannesburg 2000; or
By hand: 11 Diagonal Street, Diamond Building, Newtown, Johannesburg.

Should you decide to appeal, you must serve a copy of your Notice of Intension 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. The prescribed appeal form is available on the Department's website; www.gdard.gpg.gov.za.

Yours faithfully,

Ms. T.R. Mbassa-Sigabi
Head: Agriculture and Rural Development

Date: 9/10/10
11 Diagonal Street, Diamond Building, Newtown, Johannesburg, 2000. Tel: 011 240 25000, Fax: 011 240 2700
Website: www.gdard.gpg.gov.za

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Office of the HOD

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GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

Reference Number: Gaut 002/14-15/0015

Holder of authorisation: Ergo Mining (Pty) Ltd.

Location of activity: Portion 31 of the farm
Klippoortjie 110 IR

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1. Decision

The Department is satisfied, on the basis of information available and subject to compliance with the 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 1.

2. Activity authorised

By virtue of the powers conferred by the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations, 2010, the Department hereby authorises Ergo Mining (Pty) Ltd, with the following contact details –

Ergo Mining (Pty) Ltd
P. O. Box 12442
Selcourt, Springs
1667

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Office of the HOD

14-12-23 000003

Attn: Mr. Mr. Henry Gouws

Fax: (011) 742 1044

Tel: (011) 742 1003

to construct a 8.5km long buried pipeline to pump treated sewage water from the Rondebult Wastewater Treatment Plant (WTP) to the Elsburg Reclamation site for purposes of reclaiming the existing tailings facility. The site falls within the jurisdiction of Ekurhuleni Metropolitan Municipality.

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

3. Conditions

3.1 Specific conditions

- a) Authorisation is granted for the proposed 8.5 kilometer long buried pipeline with a capacity to pump approximately 116 liters of wastewater per second and an internal diameter of 338 mm (0.338 m) with two (2) meter servitude.
- b) The proposed pipeline will be welded with a High Density Polyethylene (HDPE) liner for purposes of minimizing potential leakages.
- c) The pipeline will cross a wetland along its route and it will be attached to the existing Heidelberg Road Bridge and culverts by brackets on the side of the bridge for purposes of crossing the subject northern wetland system marked as such on Plan 1, Appendix A of the report.
- d) An approximate 1 meter deep of trench will be dug to lay the pipeline for purposes of crossing the riverine system marked as southern bridge structure in the report.
- e) The structure covering the pipeline at the proposed riverine crossing must be at least at the same level as the stream/river bed or below the steam/river bed in order to allow free flow of the system.

3.2 Management of the activity

- a) Adequate measures to collect, remove and safely dispose of waste must be implemented during each stage of the proposed development, from site preparation to final construction and operation. Proper waste handling facilities must be provided for on the construction site and emptied at prescribed intervals.
- b) Sufficient ablution facilities must be provided for construction workers operating on the site. Such facilities must be maintained and no chemical or wastewater must be allowed to contaminate the site of development and adjacent areas. Sanitary arrangements must be to the satisfaction of the local authority.

- c) Should municipal sewerage network not be readily available, the applicant must ensure that appropriate infrastructure is established on the site and such infrastructure conforms to the applicable engineering standards for such infrastructure.
- d) The Environmental Management Programme (“EMPr”) submitted as part of the Basic Assessment Report received by this Department on 17 July 2014 is approved. All recommendations and mitigation measures included in the EMPr must be adhered to.
- e) Compliance with the approved EMPr above is considered an extension to the conditions of the authorisation. The contents of the EMPr and its objectives must be made known to all contractors, subcontractors, agents and other people working on the site.
- f) Only indigenous plant species, preferably species that are endemic to the area, may be used for rehabilitation purposes.
- g) Implementation of all recommendations/comments outlined in the following Specialist reports and letters are considered an extension to the conditions of this authorisation:
 - Wetland delineation report dated October 2013.
 - Heritage Report dated May 2014.
 - Comments from Ekurhuleni Municipality: Environmental Resource Management
 - Comments from Ekurhuleni Municipality: Roads and Stormwater Department.

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3.3 Monitoring and reporting

- a) Departmental official must be given access to the property referred to above, for the purpose of ascertaining and/ or monitoring compliance with the conditions contained in this authorisation at all reasonable times.
- b) Fourteen (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.

3.4 General conditions

- a) Conditions of this authorisation are binding on the holder of the authorisation, including 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.
- b) The activity which is authorised may only be carried out at the property or site indicated above.
- c) 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.
- d) The activity must commence within a period of five (5) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses, a new application for environmental authorisation must be made in order for the activity to be undertaken.
- e) If the proponent anticipates that commencement of the activity would not occur within five (5) year period, he/she must apply and show good cause for an extension of the Environmental Authorisation six (6) months prior to its expiry date.
- f) 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.
- g) A copy of this authorisation must be kept at the site 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.
- h) Where any of the applicant’s contact details changes, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must inform the Department as soon as the new details become known to the applicant in order for the Department to advise if an amendment application is necessary prior to effecting such changes.
- i) The holder of the authorisation must notify the Department, in writing and within reasonable timeframe, if conditions of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.

- j) 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 (as amended) and the regulations.

3.5 Appeal of authorisation

- a) The holder of the authorisation must notify all registered interested and affected party, in writing and within 12 days of receiving notice of the Department's decision to authorise the activity.
- b) The notification referred to above must –
- specify the date on which the authorisation was issued;
 - inform the registered interested and affected party of the appeal procedure provided for in Chapter 7 of the regulations; and
 - advise the registered interested and affected party that a copy of the authorisation and reasons for the decision will be furnished on request.

Date of environmental authorisation:

9/10/14

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Annexure 1: Reasons for Decision

1. Background

The applicant, Ergo Mining (Pty) Ltd, applied for authorisation to undertake the following activities-

Listed Activity 9: The construction of facilities or infrastructure exceeding 1 000 m in length for the bulk transportation of water, sewage or storm water –

- i. *With an internal diameter of 0.36 metres or more; or*
- ii. *With a peak throughput of 120 litres per second or more, excluding where:*
 - *Such facilities or infrastructure are for bulk transportation of water, sewage or storm water drainage inside a road reserve; or*
 - *Where such construction will occur within urban areas but further than 32 metres from a watercourse, measured from the edge of a water course*

Listed activity 11: The construction of:

- i. *Canals;*
- ii. *Channels;*

Where such construction occurs within a watercourse or within 32 metres of such watercourse, measured from the edge of a watercourse.

Listed Activity 18: The infilling or depositing of any material of more than 5 cubic metres into, or the excavation, removal or moving of soil and sand of more than 5 cubic metres from:

- i. *A watercourse*

The applicant appointed Digby Wells Environmental to undertake the Basic Assessment process.

Public Participation Process and the Basic Assessment Report were compiled and submitted to the Department for review. No exemption was granted during the process

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 Basic Assessment Report received by the Department on 17 July 2014, and application form received on 25 April 2014.
- b) The comments received from registered interested and affected parties as included in the Environmental Impact Assessment Report (EIAR).
- c) Relevant information contained in the Departmental information base including the Conservation Plan Version 3.3 (C-Plan 3.3) and Geographic Information System (GIS).
- d) 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).
- e) The findings of the site inspection undertaken by Sentle Seditso, Bob Sekgobela, Sheila Muthivhi and Livhuwani Demana of the Department on 20 August 2014.

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.

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- a) The Public Participation Process was carried out according to the requirements of the Environmental Impact Assessment Regulations, 2010 and all objections received from registered interested and affected parties were addressed accordingly.
- b) The need for the proposed activity was adequately demonstrated by the applicant from a socio-economic context.

4. Findings

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

- a) Ekurhuleni Environmental Management Framework (2008) and C-Plan 3.3 define the site as sensitive due to important area, and dolomite on the area, however, mitigation measures have been proposed to address negative impacts to an acceptable level.
- b) All alternatives were adequately assessed and the proposed alternative was deemed to be the most environmentally acceptable.

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 activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.

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