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2015-04-22

DREAD Ref: NWP/EIA/25/2012
Our Ref: 1200057

Dear Stakeholder

AFPLATS (PTY) LTD

APPLICATION FOR AN ENVIRONMENTAL AUTHORISATION FOR LEEUWKOP PLATINUM MINE EIA AMENDMENT TO CATER FOR A NEW WASTE ROCK DUMP, THE DEVELOPMENT OF WATER HOLDING FACILITIES, THE EXPANSION OF WATER MANAGEMENT FACILITIES, THE LENGTHENING OF AN ACCESS ROAD WHICH TRIGGERS ACTIVITIES 11, 12, 41 AND 47 OF GOVERNMENT NOTICE NUMBER R. 545 AND LISTED ACTIVITY 14(a)(i) OF GOVERNMENT NOTICE NUMBER R. 546 OF JUNE 18 2010 ON THE FARM LEEUWKOP 402 JQ, RUSTENBURG AND MADIBENG LOCAL MUNICIPALITIES, NORTH WEST PROVINCE.

NOTICE OF ENVIRONMENTAL AUTHORISATION

The Department of Rural, Environment and Agricultural Development (DREAD) has evaluated the information submitted in support of the above-mentioned application to cater for a new waste rock dump, the development of water holding facilities, the expansion of water management facilities, the lengthening of an access road, at Leeuwkop Platinum Mine on the farm Leeuwkop 402 JQ, Rustenburg and Madibeng Local Municipalities, North West Province.

You are hereby informed that DREAD issued an Environmental Authorisation (EA) on 09 April 2015 which was received by Afplats on 17 April 2015. The reasons for the decision is as follows:

- (a) *The identification and assessment of the impacts are detailed in the Environmental Impact Assessment Report received by the Department on 27 June 2013 and additional information received by the Department on 29 January 2015 (This additional information included the changes to the waste rock dump dimensions. Interested and affected parties were notified of these changes in December 2014) and sufficient assessment of the key identified issues and impacts have been completed.*
- (b) *The Department of Rural Development & Land Reform confirmed that there was a land claim on the farm Kareepoort 407 JQ which has been currently referred to court, and that there was no land claim lodged on the farm Wolwekraal 408 JQ, however another name for which the property is known must be submitted to the said Department.*

DIRECTORS: Fuzile Felix Fongoqa (Executive Chairman), Loyiso Dotwana (Deputy Chairman), Moira Tlhagale*, Thembi Jacobs*, Clint Koopman (CEO), Eldred Boonzaaier, Komenthren Govender, Hans Hartung, Seniel Pillay, Colin Raman, Prof. Martin van Veelen, Tony White
ILISO Consulting (Pty) Ltd - Reg. No.: 2000/015708/07 | VAT No.: 4760191033 | ISO 9001: 2008 CERTIFIED | (*non-executive)

- (c) *the walled site identified on Leeuwkop should be fenced off before any earth moving, trenching or mining activities take place. This fence should be 20m from the perimeter of the site and no mining should occur within this buffer zone as indicated by SAHRA.*
- (d) *The proposed mitigation measures of impacts are acceptable and practical implementation to curtail identified impacts.*
- (e) *Environmental Management Programme measures for the operation and rehabilitation phases of the development were proposed and included in the Environmental Impact Assessment Report and will be implemented to manage the identified environmental impacts.*

Formal appeals regarding the EA can be directed to the MEC for DREAD within twenty (20) days from the date of this notification. Such an appeal must be lodged in terms of Chapter 2 of the National Appeal Regulations, 2014. The procedure to appeal is contained in Annexure 1 that is attached to this notice.

The Appeal Administrator/Member of Executive Council
Department of Rural, Environment and Agricultural Development
Agricentre Building
Cnr, Dr. James Moroka & Stadium Road
Private Bag X 2039
MMABATHO
2735

Tel no.: (018) 389 5688/5056

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Should you have any queries please do not hesitate to contact Deon Esterhuizen at deon@iliso.com or 012 685 0900.

Yours sincerely,

P.P. 

Mr Deon Esterhuizen
for ILISO Consulting (Pty) Ltd

ANNEXURE 1

**ADMINISTRATION AND PROCESSING OF APPEALS IN TERMS OF CHAPTER 2 OF THE
NATIONAL APPEAL REGULATIONS, 2014 UNDER GOVERNMENT NOTICE NO.993 TO BE
FOLLOWED BY THE APPLICANT, AND INTERESTED AND AFFECTED PARTIES UPON
RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION**

Appeal submission

4. (1) An appellant must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and any organ of state with interest in the matter **within 20 days** from:
 - (a) the date that the notification of the decision for an application for an environmental authorisation was sent to the registered interested and affected parties by the applicant; or
 - (b) the date that the notification of the decision was sent to the applicant by the competent authority, issuing authority or licensing authority, in the case of decisions other than those referred to in paragraph (a).
- (2) An appeal submission must be-
 - (a) submitted in writing in the form obtainable from the appeal administrator; and
 - (b) accompanied by-
 - (i) a statement setting out the grounds of the appeal;
 - (ii) supporting documentation which is referred to in the appeal submission; anda statement, including supporting documentation, by the appellant to confirm compliance with regulation 4(1) of these Regulations.

Responding statement

5. The applicant, the decision-maker, interested and affected parties and organ of state must submit their responding statement, if any, to the appeal authority and the appellant within 20 days from the date of receipt of the appeal submission.

Appeal panel

6. (1) If the appeal panel reasonably believes that expert advice must be sought or that an appeal panel must be appointed, the appeal administrator must source an independent expert or constitute an independent appeal panel, or both, within 10 days from the date of the receipt of an instruction from the appeal authority,
- (2) The appeal panel contemplated in subregulation (1) may consist of such a number of independent experts and with such expertise as the Appeal Authority may deem necessary under the circumstances;

- (3) The expert or appeal panel must provide advice to the appeal administrator within 10 days from the receipt of an instruction from the appeal administrator.

Recommendations and decisions on appeals

7. (1) The appeal administrator must make a recommendation on the appeal to the appeal authority within 30 days of the responding statement referred to in regulation 5 of these Regulations, in the event that an independent expert has not been sourced or an independent appeal panel has not been constituted.
- (2) The appeal administrator must make a recommendation on the appeal to the appeal authority within 10 days of receipt of the advice referred to in regulation 6(2) of these Regulations, in the event that an independent expert has been sourced or an independent appeal panel has been constituted.
- (3) The appeal authority must reach a decision on an appeal, and notify the appellant, applicant, and any registered interested and affected party, within 20 days of the recommendation on the appeal by the appeal administrator.
- (4) The decision contemplated in subregulation (3) must contain written reasons for the decision.

Communication

8. (1) A person may deliver documents in terms of these regulations by using one of the delivery methods referred to in section 47D of the Act, which are:
 - (i) by faxing a copy of the notice or other document to the person, if the person has a fax number;
 - (ii) by e-mailing a copy of the notice or other document to the person if the person has an e-mail address; or
 - (iii) by posting a copy of the notice or other document to the person by ordinary mail, if the person has a postal address;
- (2) In order to meet the time periods determined in these regulations, the person referred to in subregulation (1) must also email, fax, or hand deliver the document to the recipient, if the document is delivered by ordinary mail or registered mail.