



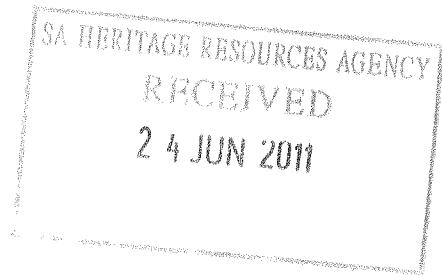
mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

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From: Directorate: Mineral Regulation: Northern Cape **Date:** 31 May 2011
Enquiries: Mr. N.V. Mula **E-mail:** vincent.Mula@dmr.gov.za
Ref No.: NC 30/5/1/3/3/2/1/2048EM

The Director
South African Heritage Resources Agency
PO Box 4637
CAPE TOWN
8000



Attention: Mrs Nonofho Ndobochani

CONSULTATION IN TERMS OF SECTION 40 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT 2002, (ACT 28 OF 2002) FOR THE APPROVAL OF AN ENVIRONMENTAL MANAGEMENT PLAN FOR MINING PERMIT ON A CERTAIN PORTION OF THE FARM MEY'S DAM, SITUATED IN THE MAGISTERIAL DISTRICT OF CARNARVON: NORTHERN CAPE REGION.

APPLICANT: NATIONAL RESEARCH FOUNDATION

Attached herewith, please find a copy of an EMP received from the above-mentioned applicant, for your comments.

It would be appreciated if you could forward any comments or requirements your Department may have to this office and to the applicant **29 July 2011** as required by the Act.

Consultation in this regard has also been initiated with other relevant State Departments. In an attempt to expedite the consultation process please contact **Vincent Mula** of this office to make arrangements for a site inspection or for any other enquiries with regard to this application.

Your co-operation will be appreciated.

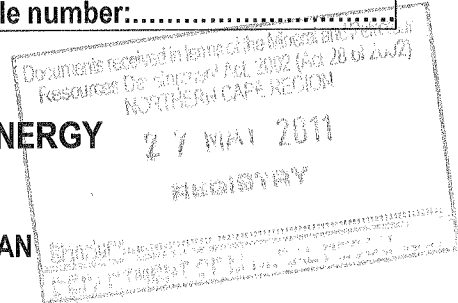
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**REGIONAL MANAGER: MINERAL REGULATION
NORTHERN CAPE REGION**

2048

File number:.....

DEPARTMENT OF MINERALS AND ENERGY

ENVIRONMENTAL MANAGEMENT PLAN



Submitted in support of application for a prospecting right

Section 39 and Regulation 52 of the Minerals and Petroleum Resources Development Act, 2002
(Act 28 of 2002)



Application for a:

Prospecting Right	
Mining Permit	X

Applicant: National Research Foundation (SKA SA) Quarry & Borrow pit

Farm: A Certain Portion of Farm Mey's Dam Nr 68

District: Carnarvon

Mineral: Granular materials (stone aggregate)

Date: May 2011

Section H:

H Undertaking Page 63

Section J:

J Approval Page 64

Annexures:

Annexure 1	-	Layout of the Prospecting Area
Annexure 2	-	Proof of Public Participation
Annexure 3		Mitigation Measures
Annexure 4		Cost Breakdown
Annexure 5		Environmental Features
Annexure 6		Photos of the Site
Annexure 7		Proof of no Land Claims

A.1 INTRODUCTION

This document aims to provide a simplified national standard for applicants for prospecting rights and mining permits to comply with the relevant legislation and environmental regulations as apply to their respective applications in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)(MPRDA).

Applicants in this sector of the mining industry typically disturb smaller surface areas of land, whether drilling boreholes, small trenches, or mining on a small area, less than 1,5 hectares of land, under a mining permit as contemplated in Section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)

A.2 SCOPE

This document is intended for use by applicants for mining permits and prospecting rights.

Typically, operations in this sector of the mining industry:

- Use little or no chemicals to extract mineral from ore,
- Work on portions of land of 1,5 hectares in size or smaller,
- Disturb the topography of an area somewhat but have no significant impact on the geology

contained in Section H, the applicant effectively agrees to implement all the measures outlined in this Environmental Management Plan.

A.5 LEGISLATION/ REGULATIONS

The relevant sections of Mineral and Petroleum Resources Development Act and its supporting Regulations are summarised below for the information of applicants. The onus is on the applicant to familiarise him/herself with the provisions of the full version of the Mineral and Petroleum Resources Development Act and its Regulations.

SECTION OF ACT	LEGISLATED ACTIVITY/ INSTRUCTION/ RESPONSIBILITY OR FAILURE TO COMPLY	PENALTY IN TERMS OF SECTION 99
5(4)	No person may prospect, mine, or undertake reconnaissance operations or any other activity without an approved EMP, right, permit or permission or without notifying land owner	R 100 000 or two years imprisonment or both
19	Holder of a Prospecting right must: lodge right with Mining Titles Office within 30 days; commence with prospecting within 120 days, comply with terms and conditions of prospecting right, continuously and actively conduct prospecting operations; comply with requirements of approved EMP, pay prospecting fees and royalties	R 100 000 or two years imprisonment or both
20(2)	Holder of prospecting right must obtain Minister's permission to remove any mineral or bulk samples	R 100 000 or two years imprisonment or both
26(3)	A person who intends to beneficiate any mineral mined in SA outside the borders of SA may only do so after notifying the Minister in writing and after consultation with the Minister.	R 500 000 for each day of contravention
28	Holder of a mining right or permit must keep records of operations and financial records AND must submit to the DG: monthly returns, annual financial report and a report detailing compliance with social & labour plan and charter	R 100 000 or two years imprisonment or both
29	Minister may direct owner of land or holder/applicant of permit/right to submit data or information	R 10 000
38(1)(c)	Holder of permission/permit/right MUST manage environmental impacts according to EMP and as ongoing part of the operations	R 500 000 or ten years imprisonment or both.
42(1)	Residue stockpiles must be managed in prescribed manner on a site demarcated in the EMP	A fine or imprisonment of up to six months or both
42(2)	No person may temporarily or permanently deposit residue on any other site than that demarcated and indicated in the EMP	A fine or imprisonment of up to six months or both
44	When any permit/right/permission lapses, the holder may not remove or demolish buildings, which may not be demolished in terms of any other law, which has been identified by the Minister or which is to be retained by agreement with the landowner.	Penalty that may be imposed by Magistrate's Court for similar offence
92	Authorised persons may enter mining sites and require holder of permit to produce documents/ reports/ or any material deemed necessary for inspection	Penalty as may be imposed for perjury
94	No person may obstruct or hinder an authorised person in the performance of their duties or powers under the Act.	Penalty as may be imposed for perjury
95	Holder of a permit/right may not subject employees to occupational detriment on account of employee disclosing evidence or information to authorised person (official)	Penalty as may be imposed for perjury