



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

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Reference:
Date:

EC 30/5/1/3/3/2/1/0426 EM
24 June 2010

South African Heritage Resources Agency
P.O. Box 758
GRAHAMSTOWN
5200

Case ID: 2183

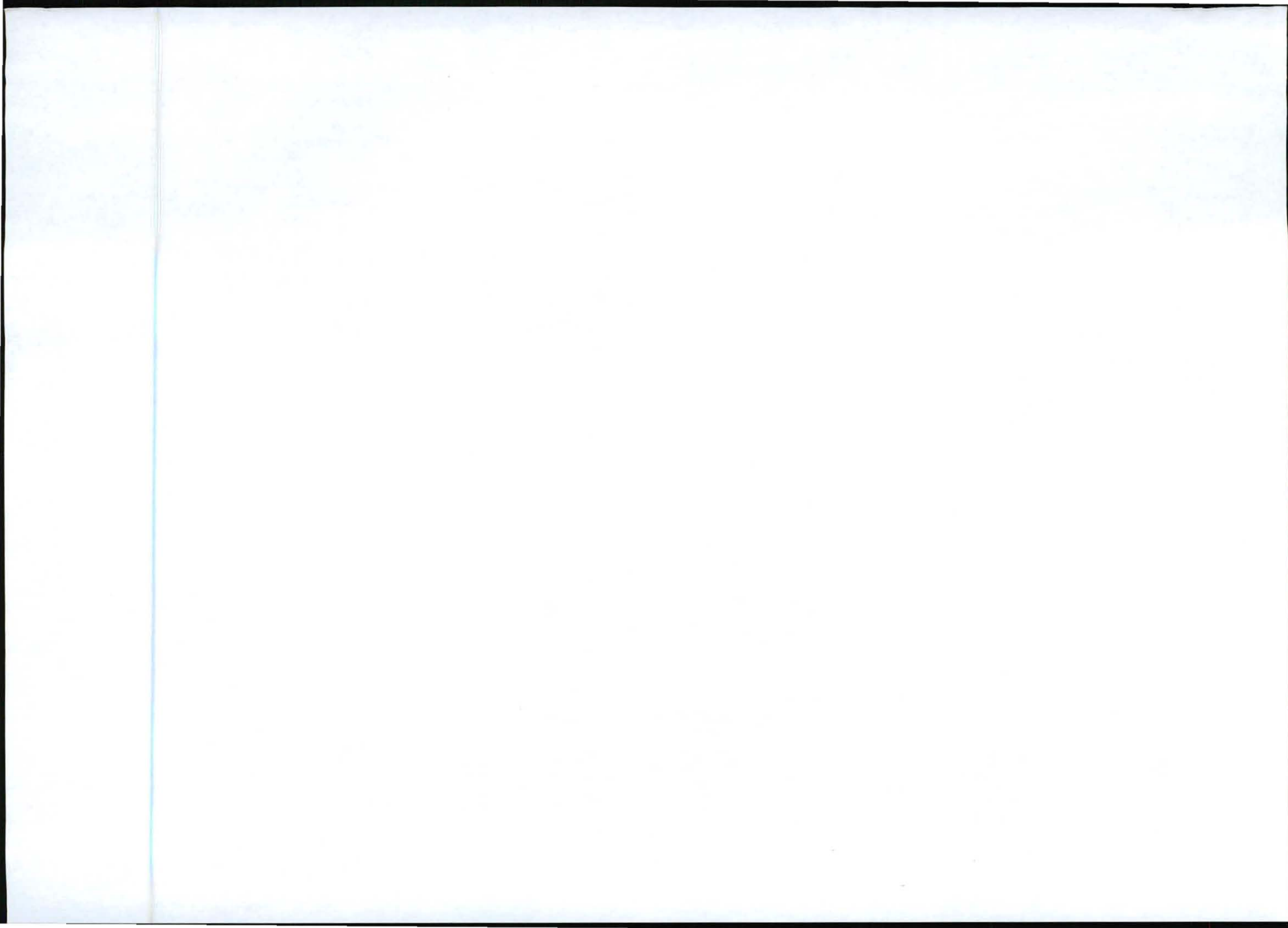
Sir

**CONSULTATION IN TERMS OF SECTION 40 OF THE MPRDA OF 2002:
ENVIRONMENTAL MANAGEMENT PLAN FOR MINING PERMIT FOR PROPOSED
BORROW PIT AND QUARRY FOR THE UPGRADING OF THE N2 SECTION 14
BETWEEN GREAT FISH RIVER PASS & THE KEISKAMMA IN EASTERN CAPE.**

1. SANRAL has applied for a mining permit on the above-mentioned area.
2. Attached is the EMP for your comment.
3. Please forward any written comments or requirements your department may have on this application, to this office no later than **22 August 2010**. Failure to do so will lead to the assumption that your Department has no objection(s) or comments with regards to the application.
4. Consultation on this application has been initiated with other relevant State Departments.
5. Kindly quote the relevant file reference number in all correspondence.

Sincerely,

**REGIONAL MANAGER
EASTERN CAPE**



THE IMPROVEMENT OF FISH RIVER TO KEISKAMMA BRIDGE.

BY:
Makana Heritage Solutions

Research. Exhibitions. Designs.



**Makana
Heritage
Solutions.**

Ashwell Adriaan
23 Leicester Street, Flat 14, Grahamstown, 6139
E-mail : ashed@telkomsa.net - ashadriaan@yahoo.com
Tel : 046 636 2662 Cell : 083 715 2172
Reg. no. 2006/183750/23

FOR:
**Coastal & Resource Management,
4 York Road,
Vincent,
5247.**

Application received in terms of the Mineral and Petroleum
Resources Development Act, 2002 (Act 28 of 2002)
EASTERN CAPE REGION

23 JUN 2010

Print Name: *S. Lukwemba*

Signature: *[Signature]*

DEPARTMENT OF MINERALS AND ENERGY

D/2010/06/23/001
Ec 30/5/1/3/2/0445 MP

REGIONAL-MANAGER
MINERALS AND ENERGY
EASTERN CAPE REGION
PRIVATE BAG / PRIVAATSAK X5076

2010-06-23

PORT ELIZABETH, 6000
STREEKBESTUURDER
MINERALE EN ENERGIË
OOR-KAAPSTAD

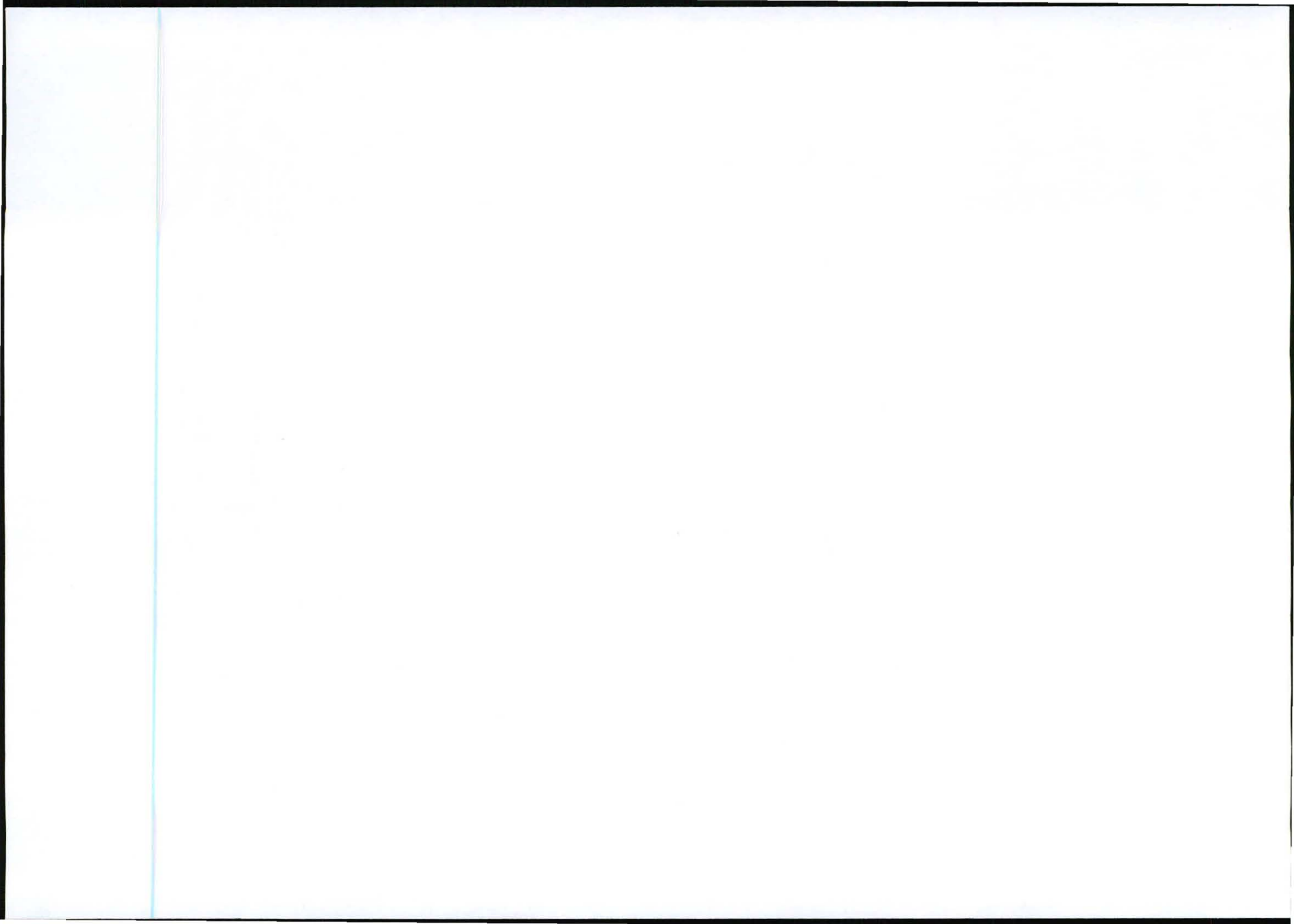
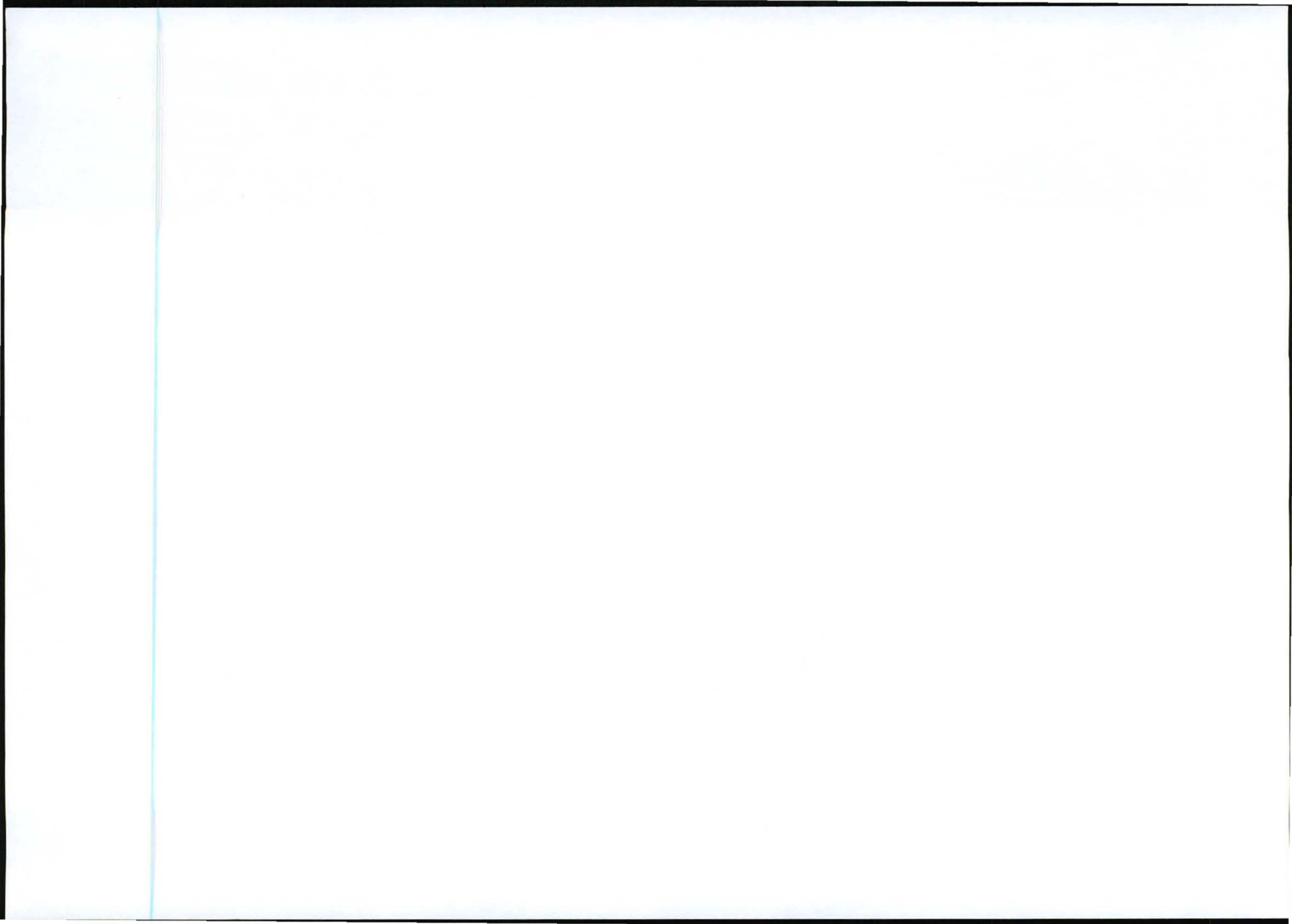


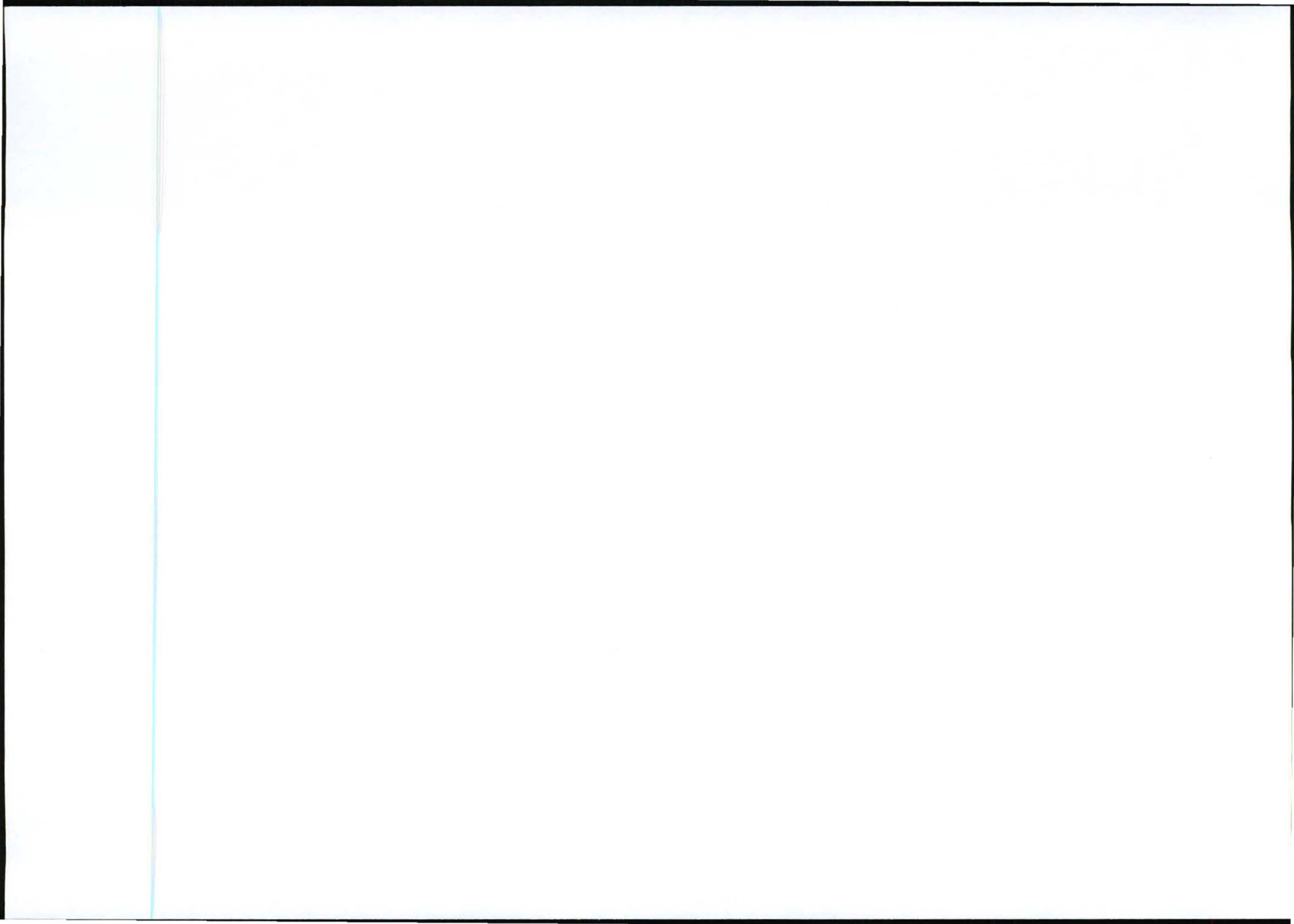
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1. Glossary of Terms, Abbreviations, and Acronyms

- **DEDEA** Department of Economic Development and Environment Affairs.
- **EIA** Environmental Impact Assessment.
- **ECPHRA** Eastern Cape Provincial Heritage Resources Authority.
- **IKS** Indigenous Knowledge System Bill.
- **HIA** Heritage Impact Assessment.
- **NEMA** National Environmental Management Act.
- **NHRA** National Heritage Resources Act.
- **SAHRA** South African Heritage Resources Agency.
- **SAPS** South African Police Services.



2. Management Summary

- 2.1 **Makana Heritage Solutions** was appointed by **Coastal and Resource Management** to undertake heritage impact assessment of a proposed National Route 2 Section 14 from between Keiskamma Bridge and the Great Fish River. In terms of the provisions of National Heritage Resources Act No 25 of 1999 the route was inspected on 09 of May 2010 and completed a controlled-exclusive surface survey and database search.

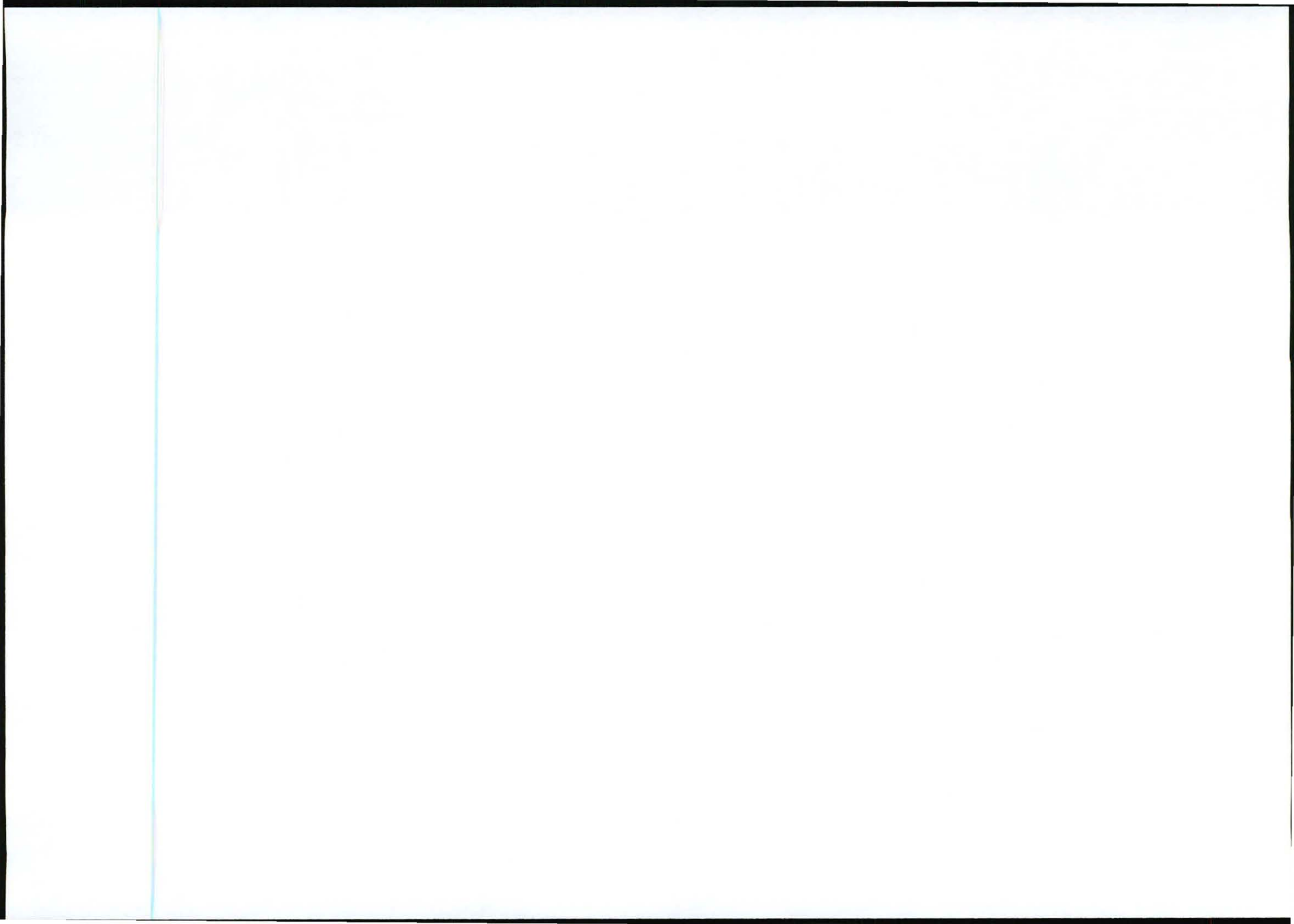
The proposed upgrade is approximately 26.6km – long stretch of the N2 from the top of the Great Fish River pass to the beginnings of the Keiskamma Pass (Kms5.05 to 31.67) No heritage resources within the proposed development area were identified and communities along the road are uncertain about any heritage resources along the study route. No specific places associated with living heritage were identified within the proposed development areas, although the general region is one of living heritage, particularly spiritual sites and burial sites. This HIA excludes archaeological and palaeontology assessments, in the event that any heritage resources are uncovered during construction, the act stipulates that a heritage resources authority should be consulted. Public participation with communities didn't identify any potential sites associated with spiritual sites, living heritage and burial sites.

The landscape within which the proposed road extension will occur has an existing road and is characterized by bushy areas and extensive grazing lands. Infrastructure includes gravel and tarred national roads, power lines, water pipelines, and telecommunication lines and towers. The visual impact on this landscape will be long term to permanent, but in keeping with existing infrastructure. There are no visible burial grounds located on the proposed project area and this is re-confirmed by communities.

It is recommended that the development proceed with the proposed heritage resource mitigation:

1. Consultation and meetings were held with the communities, councilors and elders.
2. They identified graves that the project would not have impact on it.
3. The graves will be re-in-fenced at the cost of the developer.
4. Furthermore, I visited six borrow pits and a quarry and there were no human remains identified.

The relevant SAHRA officer is Mr. Thanduxolo Lungile (*telephone: 046 622 8310/2*). If permission is granted for the development to proceed and any heritage resources are discovered during the course of development activities, the client will be guided by and prevailing legislation is the National Heritage Resources Act (Act 25 of 1999).



3. Introduction

- 3.1. Makana Heritage Solutions was appointed by Coastal and Resource Management to conduct a Heritage Impact Assessment (HIA) study, for the National Route 2 Section 14 between Keiskamma Bridge and the Great Fish River.

- 3.2. The central objective of the Heritage Impact Assessment is to provide alternatives and options when heritage resources in and around the site are adversely affected by the development and provide mitigation measures. In terms of National Heritage Resources Act (NHRA) no. 25 of 1999 and Eastern Cape Heritage Resources Act (2003), both acts stipulate that recognition must be given to all forms of heritage resources, e.g. intangible and tangible aspects of heritage resources. As a result of this scope of work, the research went beyond the traditional approach of HIA that mainly focuses on Archaeological and built environment. The cultural value and significance of the site might be unique and located within the N2 Road. The majority of village dwellers along the N2 have been interviewed/consulted and only a demarcated burial site which is 900 meters from N2 road was identified at Nobumba. Immediate communities play a dominant role in identifying the burial site within the study area. They contributed by saying the burial site is far and the development won't impact on it.

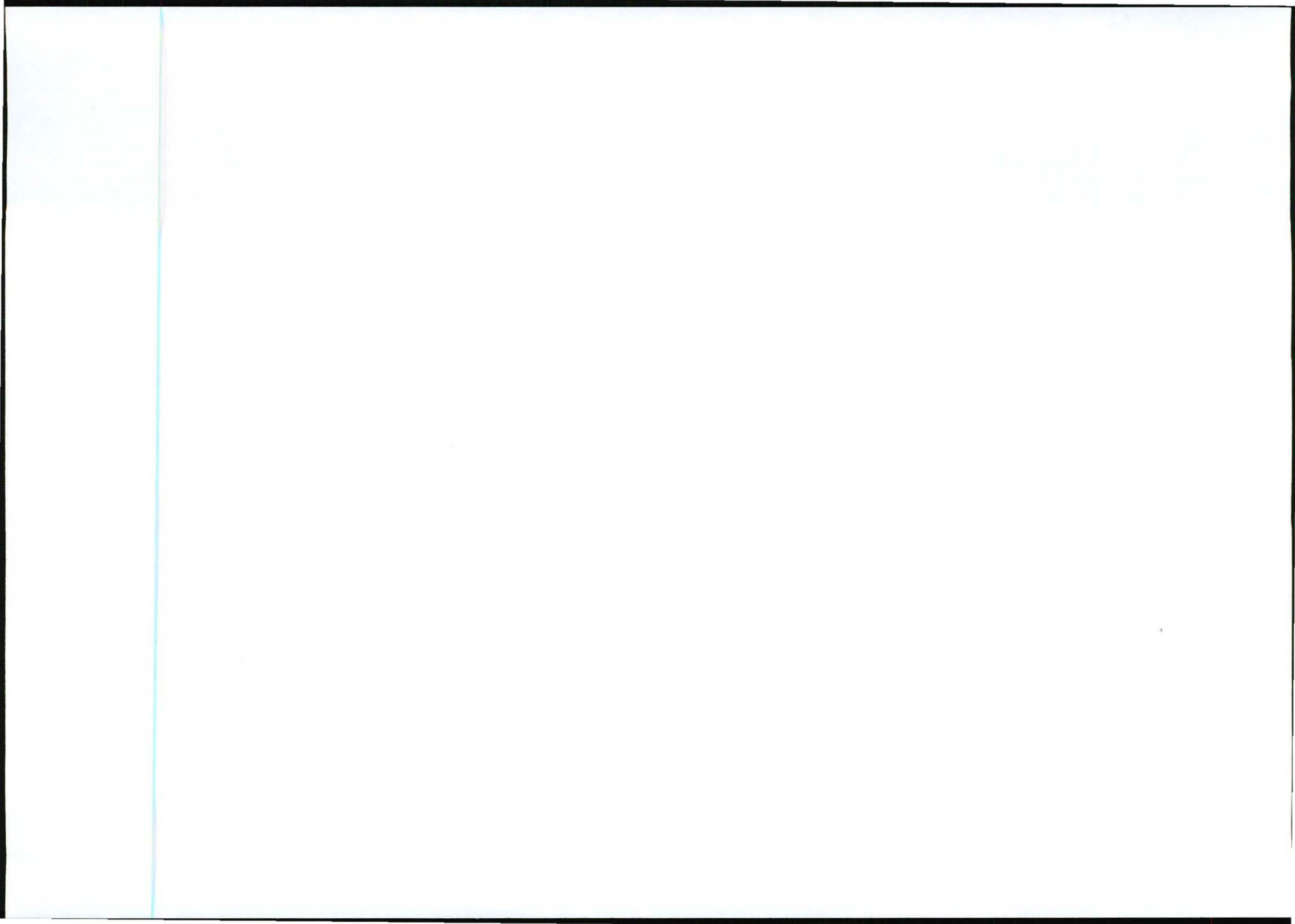




Figure 1: Locality plan

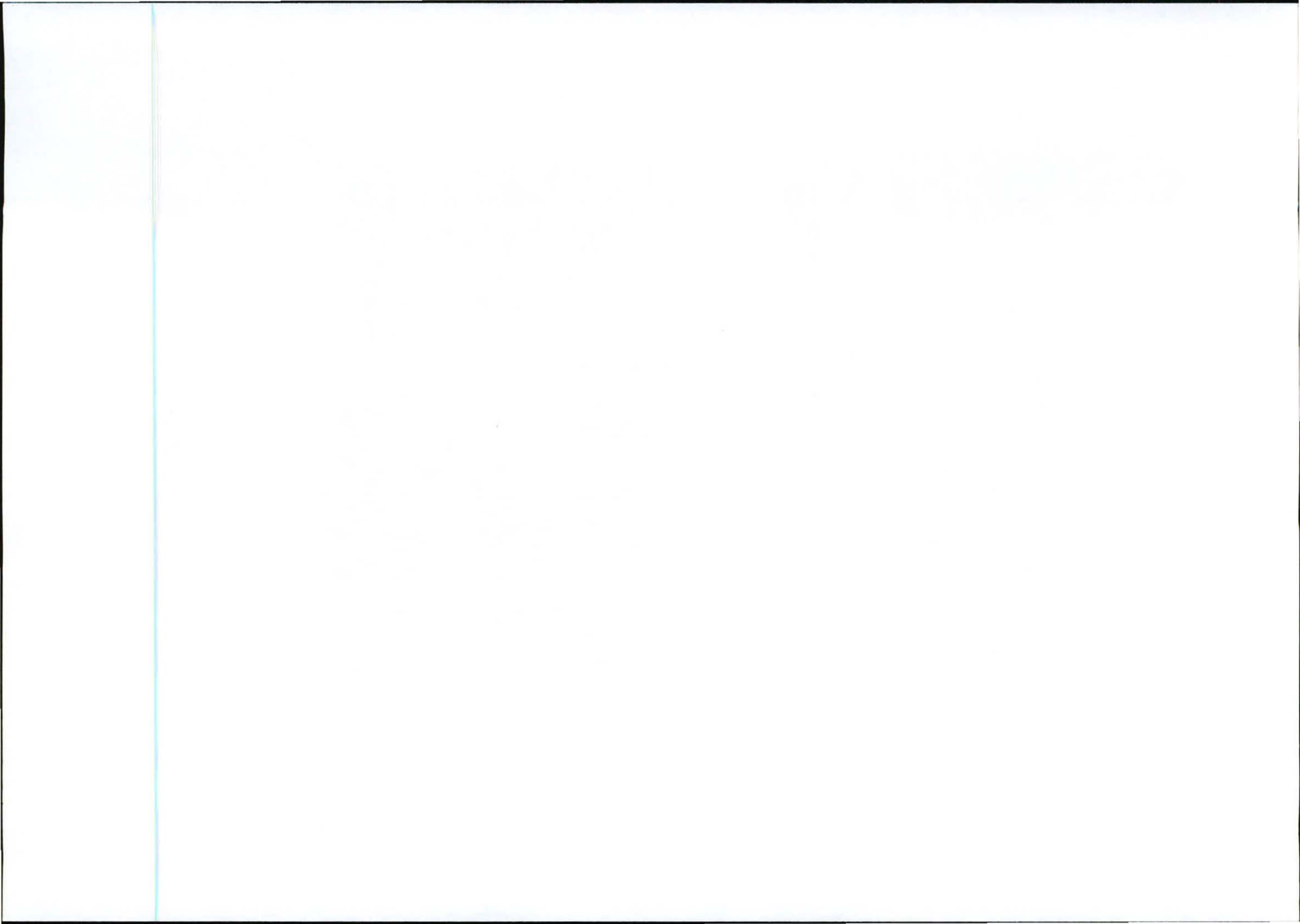




Figure 2: Graves



Figure 3: Not Demarcated Grave About 700m from the Quarry Site



4. The South African Heritage Resources Act (no. 25 of 1999)

- 4.1 The National Heritage Resources Act (no. 25 of 1999) provides provisions for a compulsory Heritage Impact Assessment when an area exceeding 5000m² is being developed. The act determines if the area contains any heritage resources, the developer will have to take the necessary steps to ensure all the mitigation circumstances are taken into consideration.

In terms of section 36 of NHRA, burial grounds and graves are protected. The act stipulates that no person may, without a permit issued by a relevant heritage authority and the South African Heritage Resources Agency:

- (a) Destroy, damage, or exhume the grave of the victim of conflict;
- (b) Destroy, damage, or exhume any grave of burial ground older than 60 years, which is situated outside formal and informal cemetery administered by relevant authority.

- 4.2 In terms of the same Act, it stipulates that:

A “**place**” is defined as:

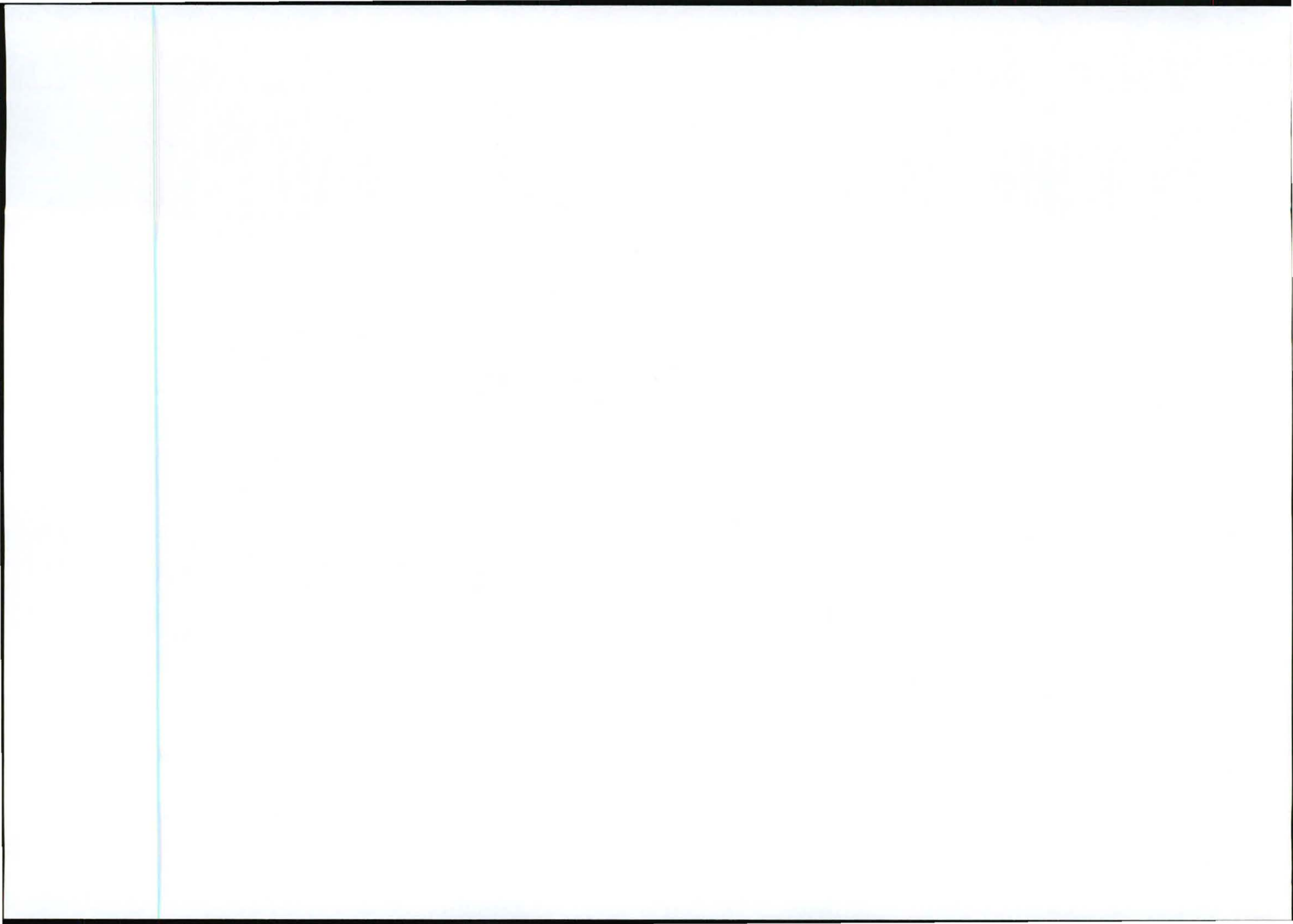
- a site, area, or region;
- a building or other structure (which may include equipment, furniture, fittings and articles associated with or connected with such buildings or other structures);
- a group of buildings or other structures (which may include equipment, furniture, fittings and articles associated with or connected with such a group of buildings or other structures); and
- an open space, including a public square, street or park; and in relation to the management of a place, includes the immediate surroundings of a place.

“**Structures**” means any building, works, device, or other facility made by people and which is fixed to land and any fixtures, fittings and equipment associated therewith older than 60 years.

“**Archaeological**” means:

- material remains resulting from human activity which are in a state of disuse and are in or on land and are older than 100 years, including artifacts, human and hominid remains and artificial features and structures;
- rock art, being a form of painting, engraving or other graphic representation on a fixed rock surface or loose rock or stone, which was executed by human agency and is older than 100 years including any area within 10m of such representation; and
- features, structures and artifacts associated with military history which are older than 75 years and the sites on which they are found.

“**Palaeontological**” means any fossilized remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilized remains or trace.



"Grave" means a place of interment and includes the contents, headstone or other marker of and any other structures on or associated with such place.

- 4.3 The South African Heritage Resources Agency will only issue a permit for the alteration of a grave if it is satisfied that every reasonable effort has been made to contact and obtain permission from the families concerned. The following procedures are usually required in the event of exhumation and re-interment:

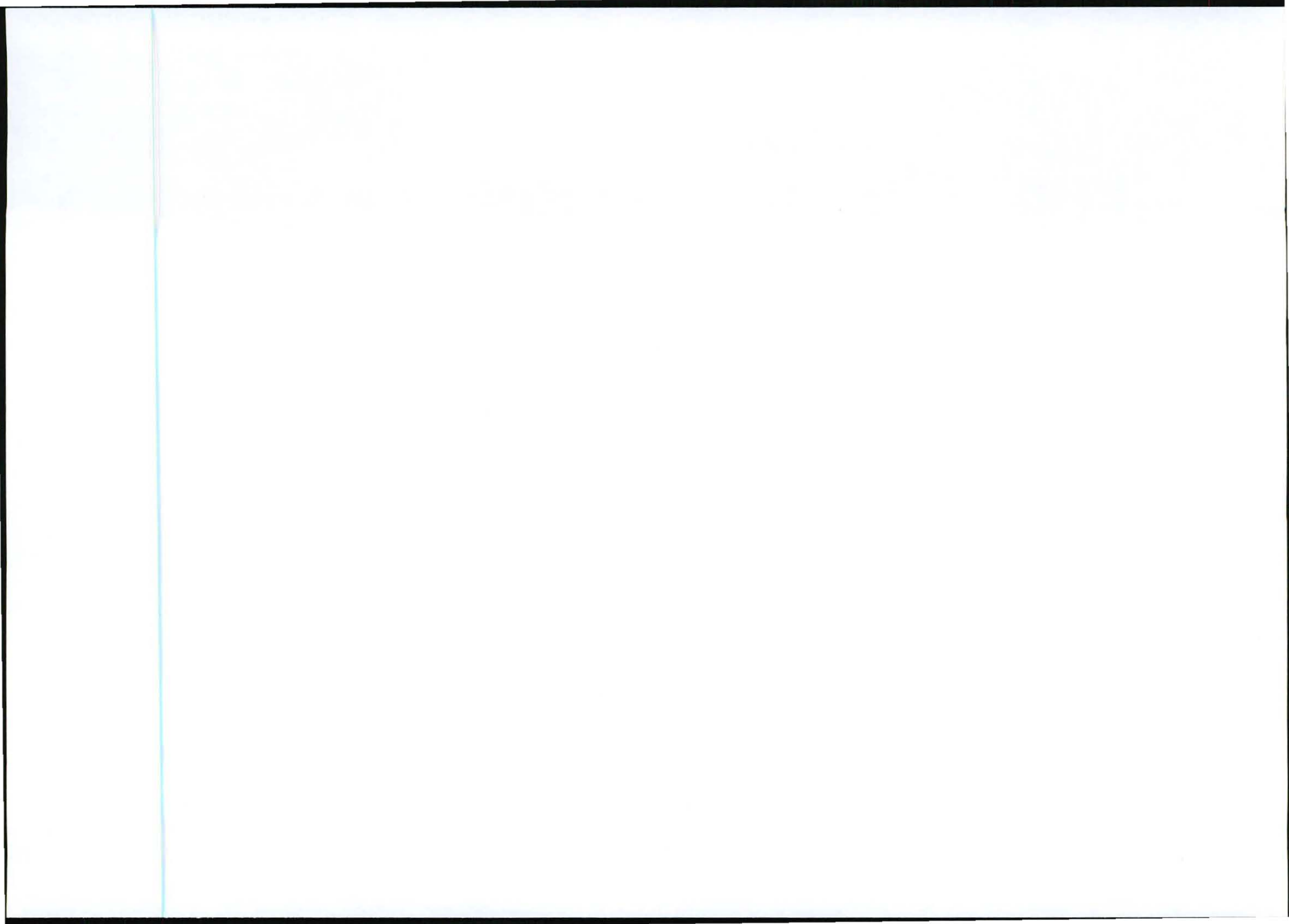
Subject to the provision of any other law, any person who conducts or in the course of development discovers the location of a grave, the existence which was previously unknown, must immediately cease such activity and report the discovery to the relevant heritage authority which must, in co-operation with South African Police Services (SAPS) and in accordance with regulations of the responsible heritage authority carry out an investigation to determine whether the grave is protected in terms of the act or is of significance to any communities.

Section 34 of the NHRA stipulates that no person may alter or demolish any structure or part of the structure, which is older than 60 years without a relevant permit issued by a heritage authority. In the event that this development will impact on the old structures, a relevant permit must be requested from appropriate heritage resources authority.

The National Heritage Resources Act (no. 25 of 1999) defines **living heritage** as including cultural tradition, oral history, performance, ritual, popular memory, skills and techniques, indigenous knowledge systems and the holistic approach to nature, society and social relationships. The impact on cultural space of indigenous people, at all times must be properly mitigated.

In terms of the above Act (NHRA), and proposed expansion and upgrading of the N2 Section 14 of the Great Fish River Pass to Keiskamma Pass, a Heritage Impact Assessment must be conducted in order to ascertain the nature and evaluate its mitigation circumstances. Furthermore, the mitigation circumstances on the cultural heritage resources must be thoroughly addressed. This Heritage Impact Assessment will seek to propose the best alternatives and practices for the development area if the need arises.

On the other hand, development on the larger scale must be monitored and regulated with the provisions of the NHRA.



5. The National Environmental Management Act (no. 107 of 1998)

- 5.1 The NEMA makes provisions for environmental impact assessment, these reports concern the impact on the environment of activities identified and prohibited in terms of NEMA, EIA regulations July 2006. It must evaluate the impact the development may have on the natural and human made environment. Furthermore, the developers will site the EIA separately.

In terms of the SAHRA internal policies of living heritage and indigenous knowledge systems bill, the aspects of intangible heritage resources, plays a dominant role in rural heritage and requires special attention. In this case, rural communities are required to amplify their voices if the intangible aspects of heritage resources will be adversely affected. They must be informed about the mitigation measures that will be carried out by developers. In order to implement this policy, public participation meetings were held by CRM on 25 February 2010...



Figure 4: Rural Community Inhabitant

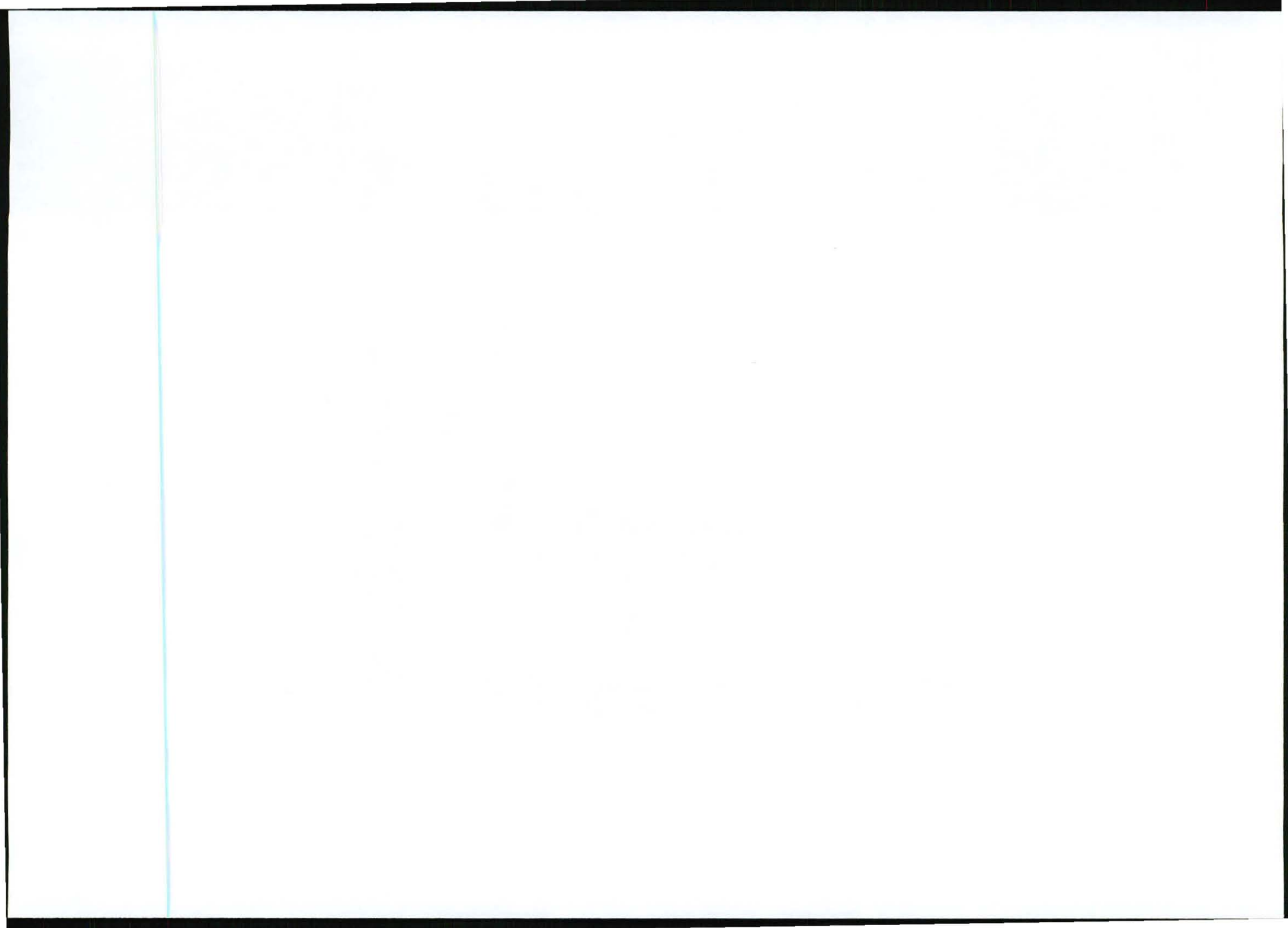
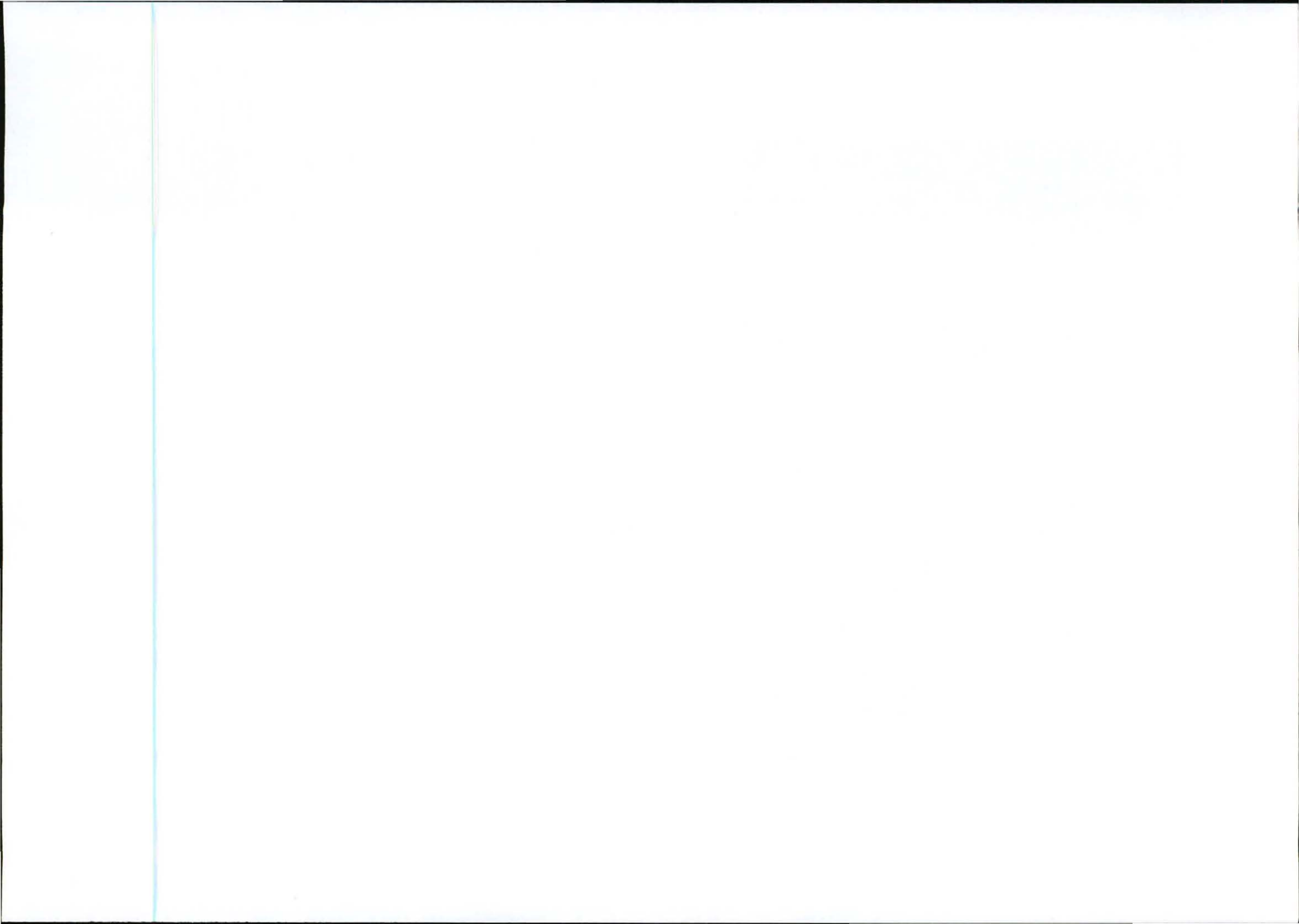




Figure 5: View of the Road



6. The Site Description

6.1 Eastern Cape Province, South Africa.

Location and heritage issues:

The proposed development route is the N2 Section 14 of the Road.

The following co-ordinates and photograph shows existing location of the site.

Global Positioning System (Co-ordinates)

Point	Latitude	Longitude
155	-33.152	27,150
156	-33.152	27,149
157	-33.152	27,149
158	-33.152	27,150
159	-33.152	27,150
160	-33.151	27,145
161	-33.150	27,144
162	-33.151	27,144
163	-33.150	27,142



Figure 6: Quarry Plan



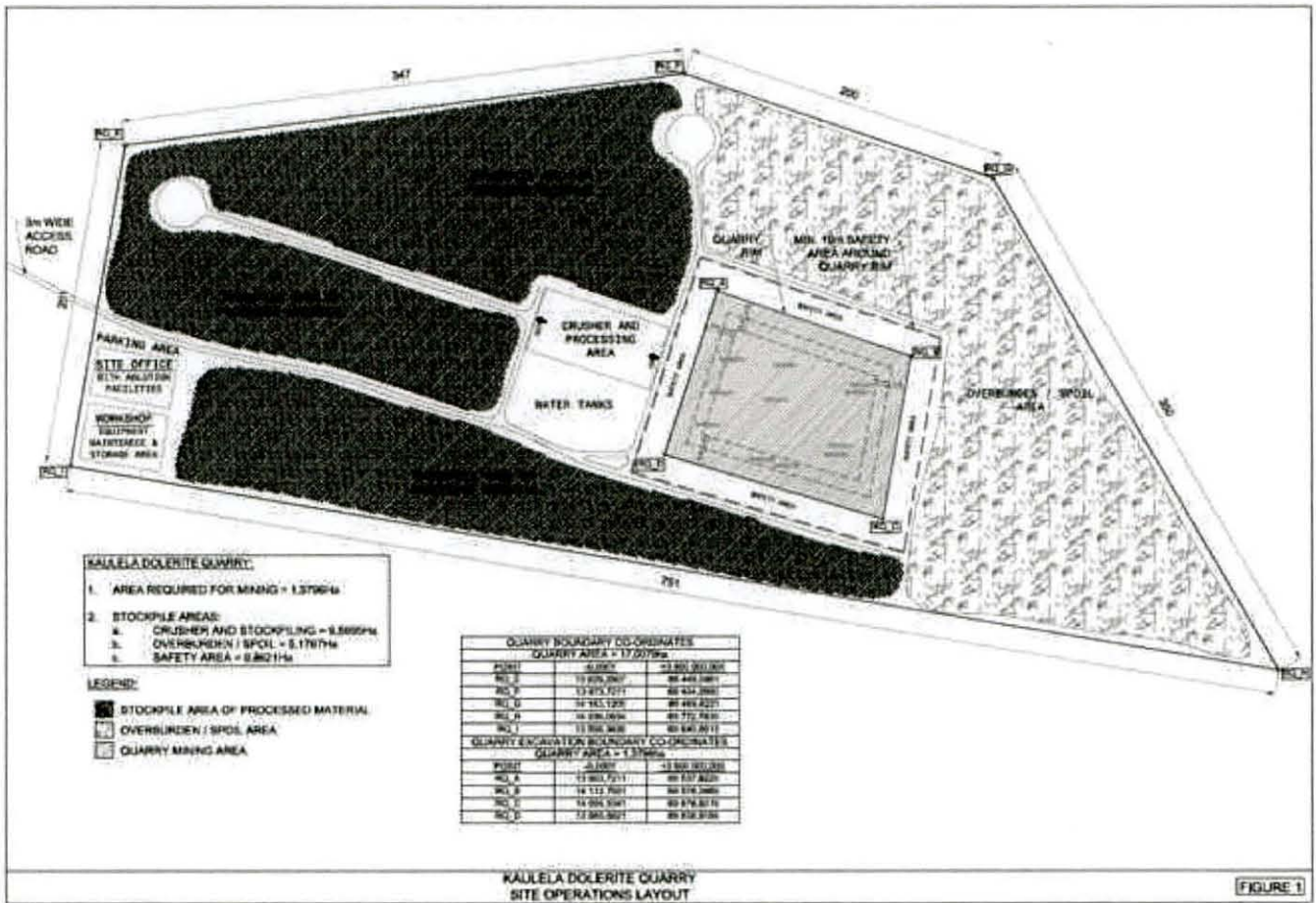
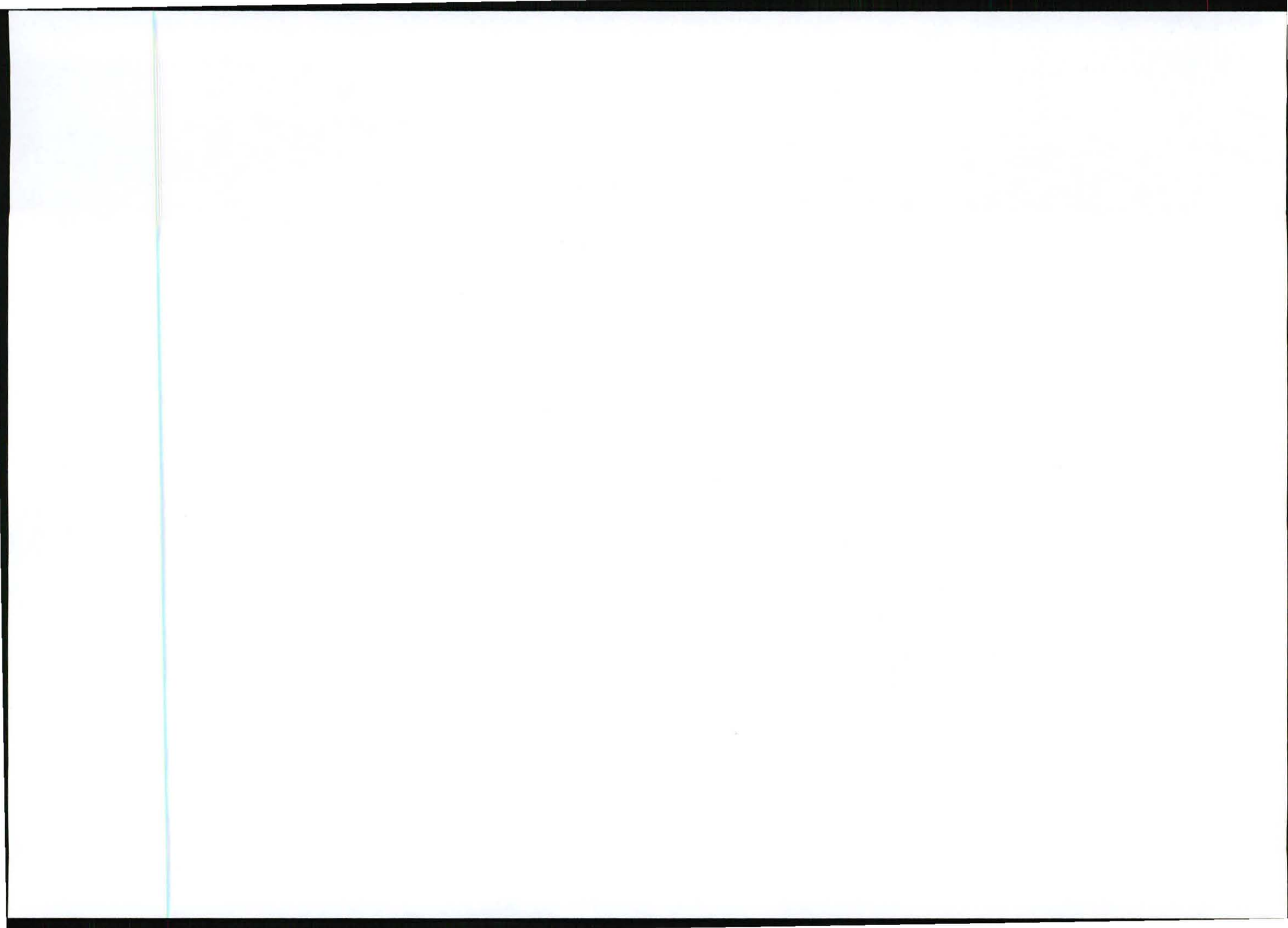


Figure 7: Quarry Site



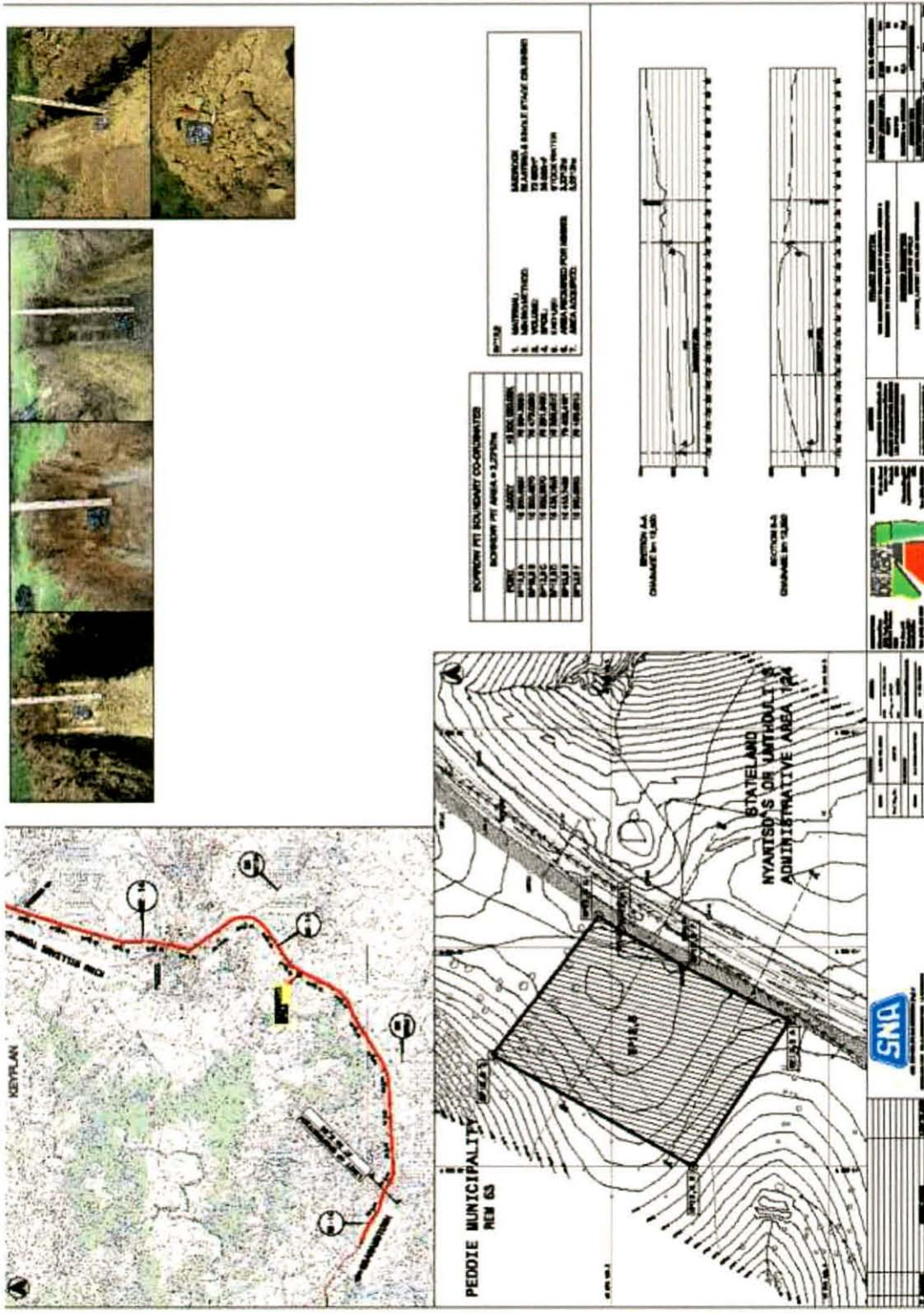


Figure 8: Borrow Pits

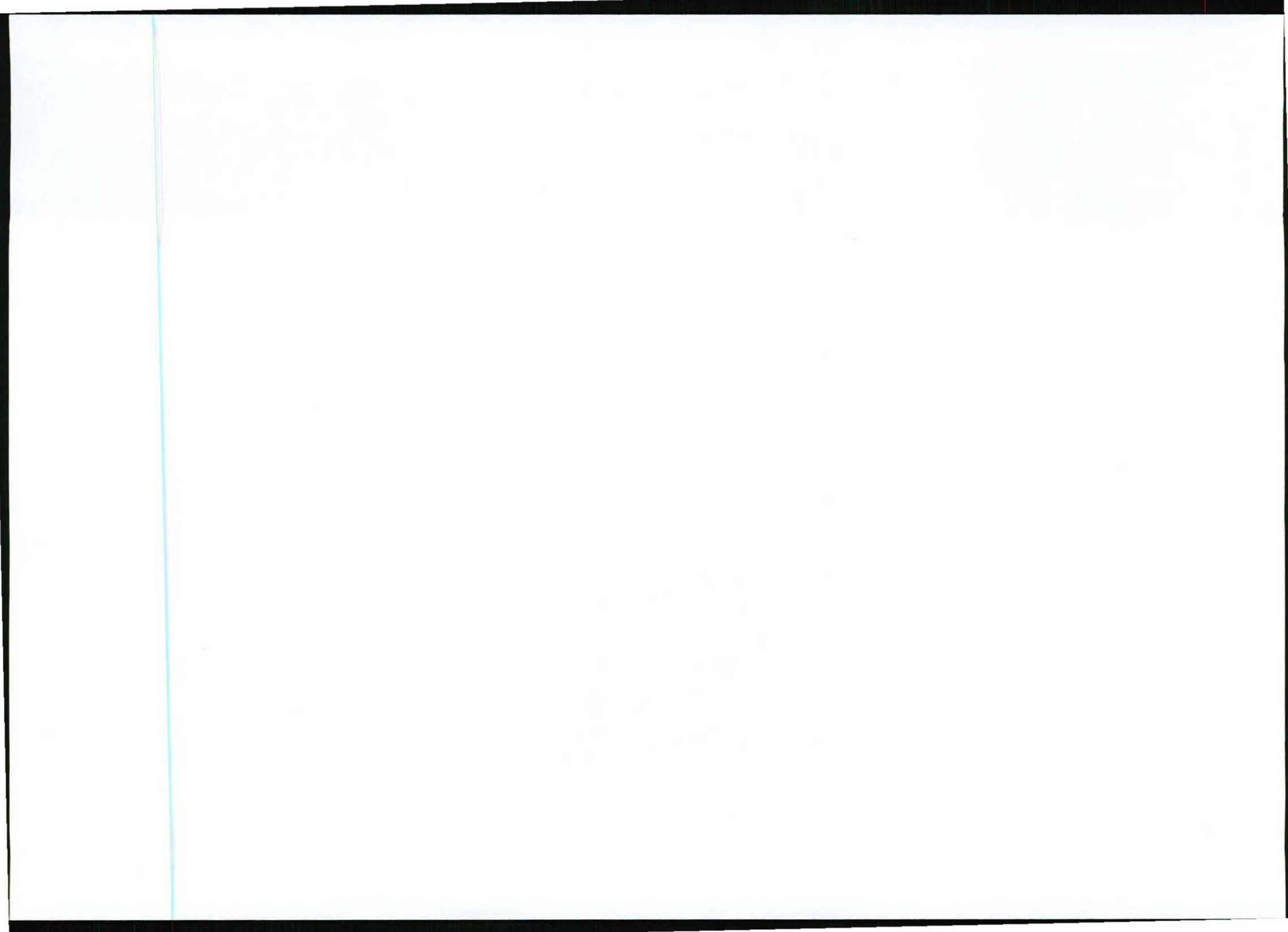




Figure 9: Aloes are harvested for medicinal use but can be accessed nearby.



Figure 10: Graves

The site is relatively level and is at present used although there is evidence that it was used for agriculture in the past. Vegetation on the site consists of uniform grassland. A number of potential environmental and heritage issues have already been identified and are listed below, with mitigation measures where these have already been identified.

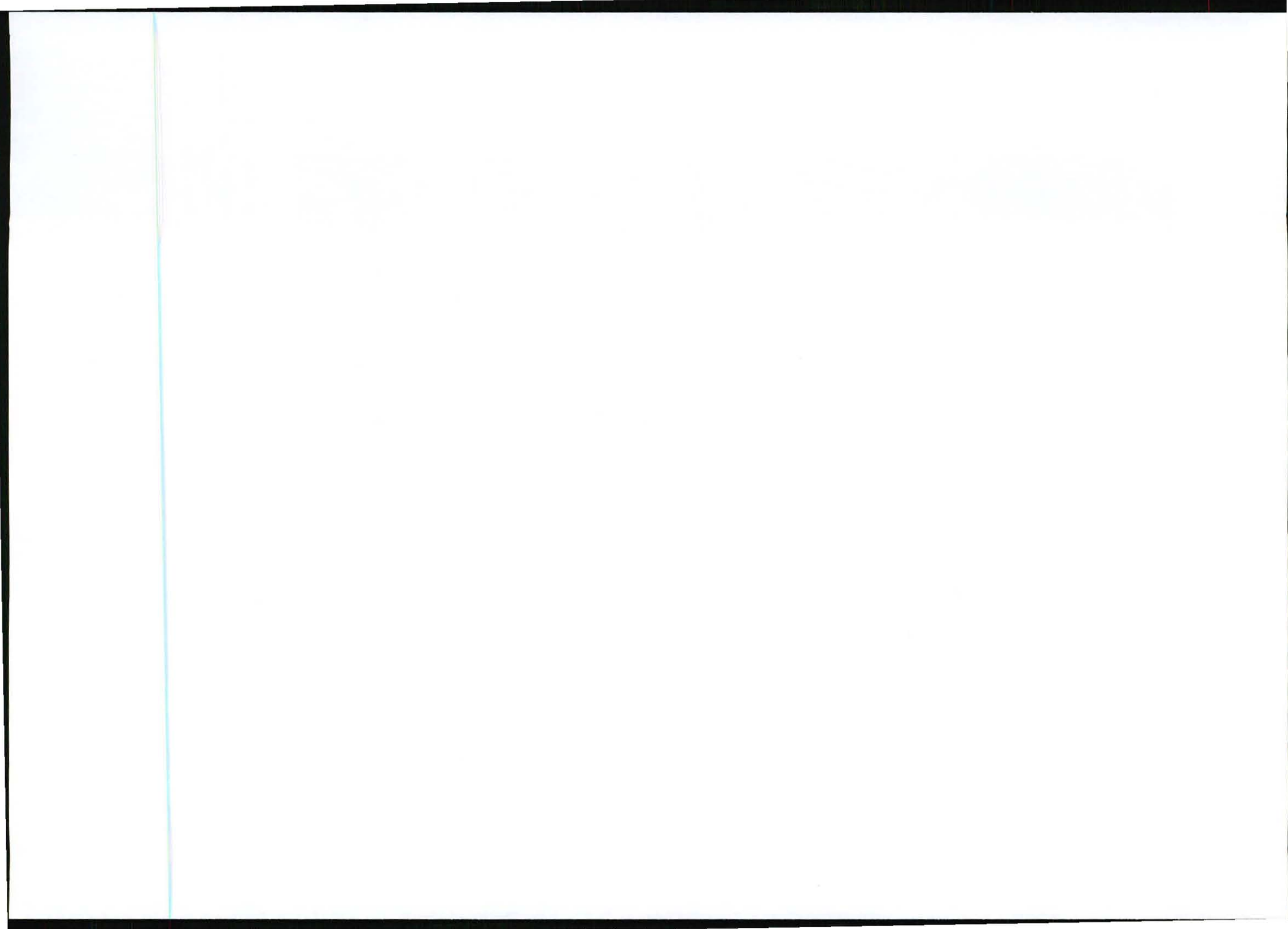




Figure 11: Grassland

During Operation

Increased storm water runoff:

It is envisaged that a storm water management plan will be developed before the construction commences.

Aesthetic or visual impacts arising from the road construction:

It is inevitable that during construction the road will have a visual impact. However there are no nearby residential or tourism activities that would be adversely affected by such visual impact. Only road users will be marginally affected during construction.

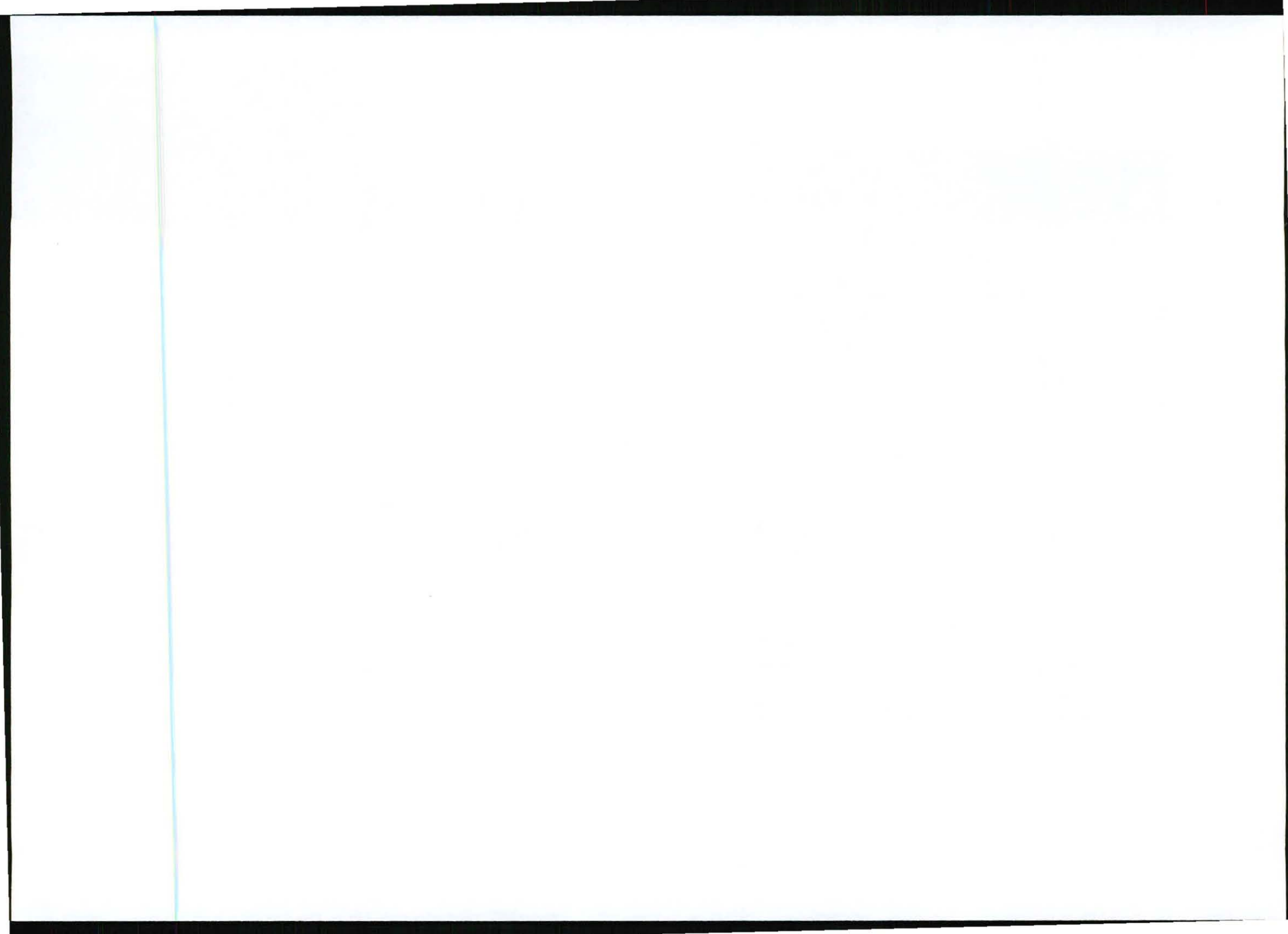
Impact on local and regional economy:

Local and immediate communities will be employed on the site during during construction. This will be directly benefits the local and regional economy;

- a) Job creation
- b) Change of their lives
- c) Improvement of the road that will allow easier access.

Vegetation on Route:

Vegetation on site will be covered by Environmental Study of the area.



7. Legal Framework

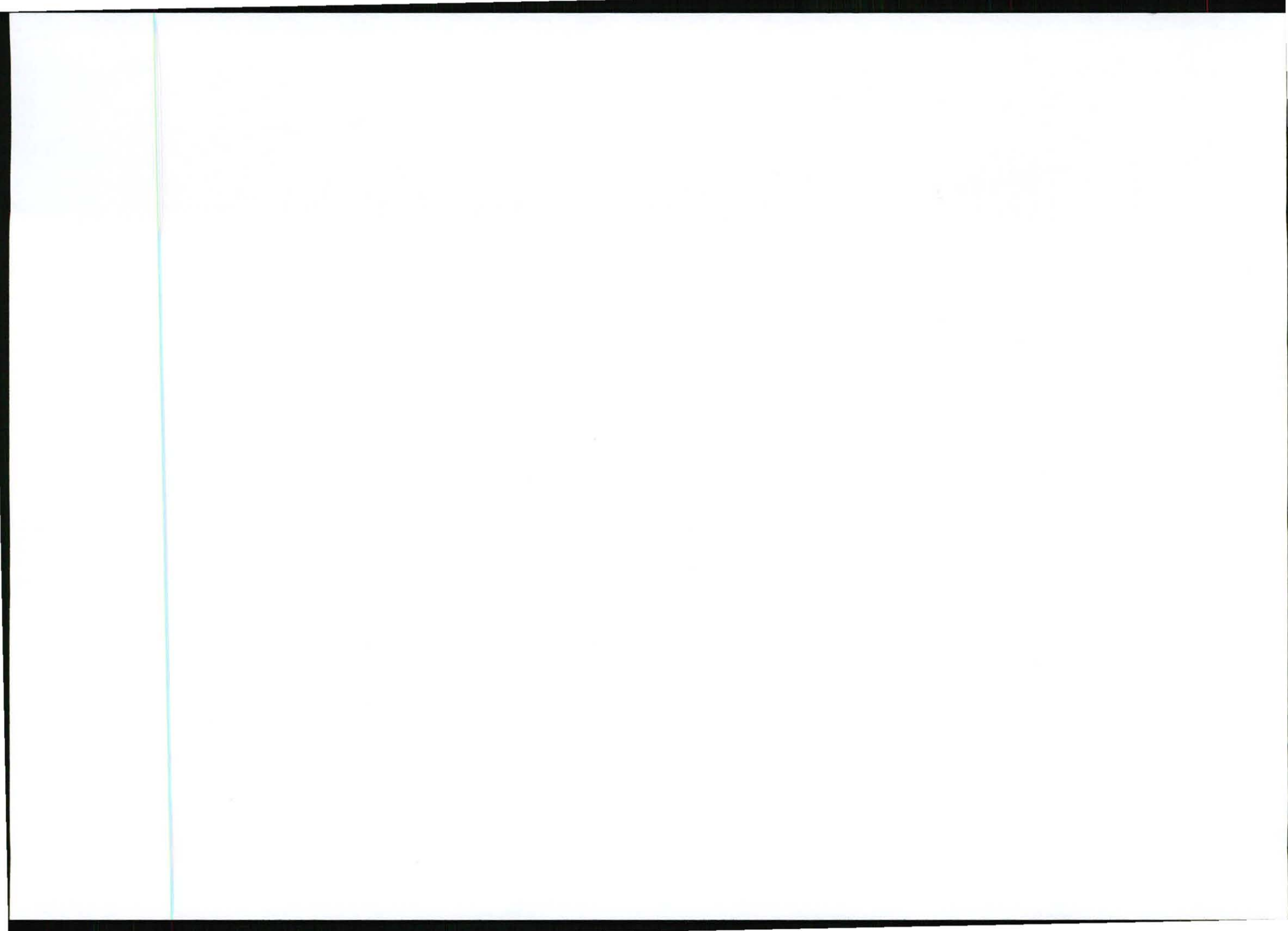
Preamble

This legislation aims to promote good management of the national estate and to enable and encourage communities to nurture and conserve their legacy so that it may be bequeathed to future generations. Our heritage is unique and precious and it cannot be renewed. It helps us to define our cultural identity and therefore lies at the heart of our spiritual well being and has the power to build our nation. It has the potential to affirm our diverse cultures, and in so doing shape our national character. Our heritage celebrates our achievements and contributes to redressing past inequities. It educates, it deepens our understanding of society and encourage us to empathize with the experience of others. It facilitates healing and material and symbolic restitution and it promotes new and previously neglected research into our rich oral traditions and customs.

However, Section 5 (c) of the NHRA stipulates that heritage resources have the capacity to promote reconciliation, understanding and respect, and contribute to the development of a unifying South African identity. Furthermore section 5(5) states that heritage resources contribute significantly to research, education and tourism and they must be developed and presented for these purposes in a way that ensures dignity and respect for cultural values. This emphasis contributes to the restoration of cultural heritage of the affected community. In the light of the above, the reconstruction of the site makes sense to the production of tourism and addresses the social needs to rural communities.

Cultural heritage management of a site plays a significant role in the reconstruction of the site. The heritage site is important because of historic events and artifacts around it. These artifacts have meaning when they are interpreted within the space of local communities. In memorializing the space through the intended development, communities also play a dominant role. Involvement of communities is done at a level of interviewing, soliciting information about living heritage sites from community leaders and immediately communities about this imminent development.

As the result of the need for the expansion of the road, communities and leaders are of the view that development should take place in sensitive manner. In other words, heritage resources within the study area need to be properly preserved especial unidentified graves.



8. Methodology

Two staff members from **Makana Heritage Solutions** attended a meeting and conducted interviews on the study area on 12 May 2010 with community members of Peddie villages along the N2 road to the CISIRHA village. A controlled-exclusive surface survey was completed, where 'sufficient information exists on an area to make solid and defensible assumptions and judgments about where [heritage resource] sites may and may not be' and 'an inspection of the surface of the ground, wherever this surface is visible, is made, with no substantial attempt to clear brush, turf, dead fall, leaves or other material that may cover the surface and with no attempt to look beneath the surface beyond the inspection of rodent burrows, cut banks and other exposures that are observed by accident'. Various provincial databases were consulted, including historical, archaeological and geological sources and sourced a concise account of South Africa's pre and postcolonial history (available on request). The value and significance of heritage resources were assessed, as defined in the Heritage Resources Act 1999 and the criteria contained in Appendix A. Culturally significant landscapes were assessed according to the criteria in Appendix B.

A statement of independence and a summary of our ability to undertake this heritage impact assessment are available on request. Furthermore, attendance register and contact details of the participants is also available on request.

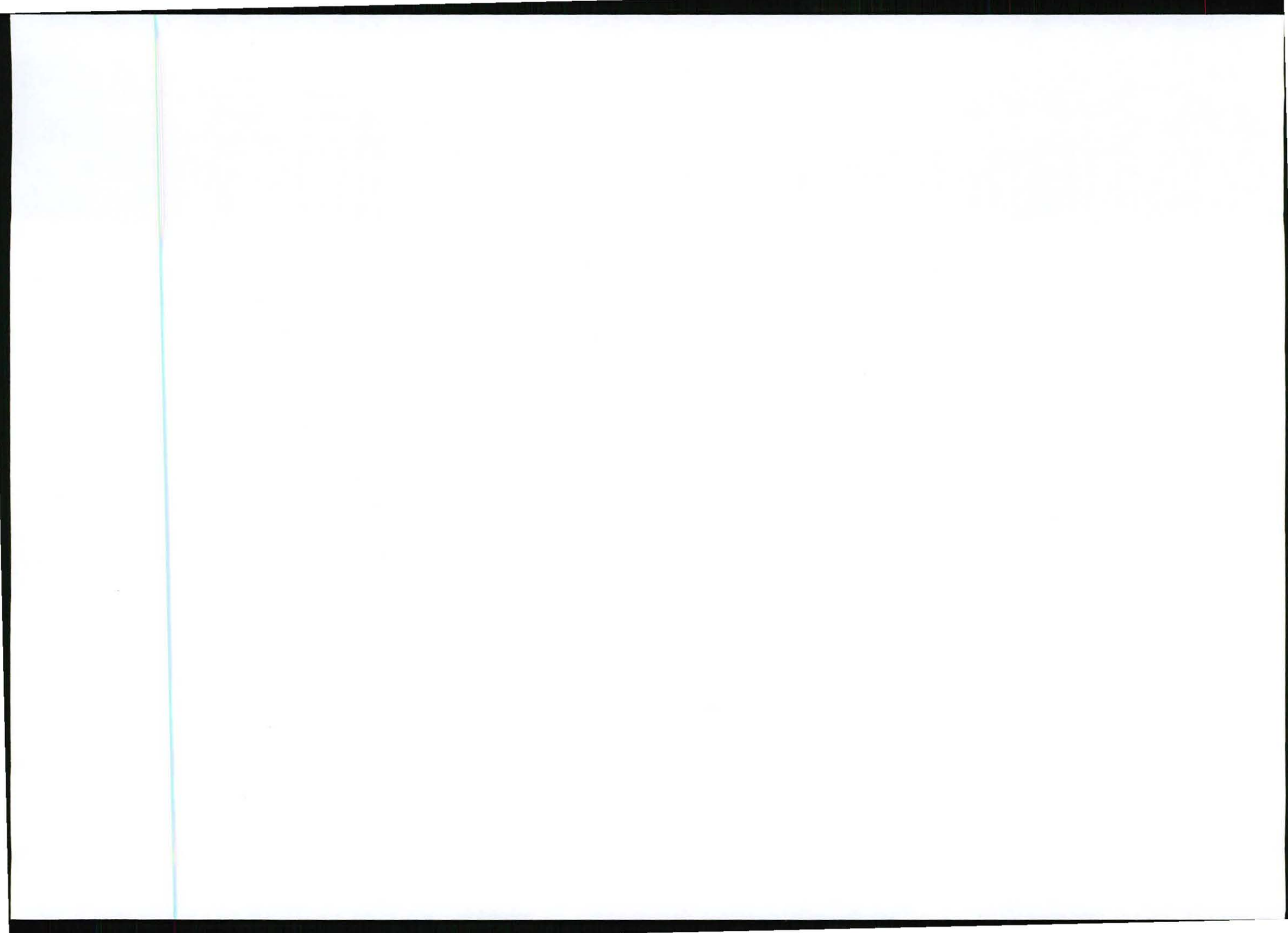
All the interviewed village residents claimed that the graveyards are not closer to the development area and it would not have an impact on the graves.

The assumptions and limitations of this heritage impact assessment are as follows:

- We have assumed that the description of the proposed project, provided by the client, is accurate.
- The public consultation process was undertaken by Makana Heritage solutions.
- Assessment is sufficient and adequate and does not require repetition as part of the heritage impact assessment.
- Soil surface visibility was moderate overall.
- No subsurface investigation (including excavations or sampling) was undertaken, since a permit from SAHRA is required to disturb a heritage resource. Accordingly, subsurface heritage resources might be present and will be dealt with according to The Act.

The following Peddie Councilors were interviewed after the public participation meetings and they explicitly explained the significance of graves on the study area as **very low** or of no significance at all. The councilors are presently well informed about the possibility of any intangible heritage on the site. According to them no intangible heritage is currently known about, as this area was and still is, being used for grazing.

Name	Surname	High	Low	None
Cllr. M	Faltein		Very	
Cllr. SE	Ndwayana		Very	
Cllr. V.	Mayizolo		Very	
Cllr. MA	Goniwe		Very	
Cllr. NV	Mhlakana		Very	



The identified grave is approximately 900 meters away from the N2 road at Nobumba. This effectively means that the project will have no impact on the grave as per the Heritage Act.

The following questions were asked to the villagers who attended the public participation meeting in Peddie.

1. Ngobani ingama lakho? Uzalelwe Apho? Mingaphi iminyaka yakho?

What is your name? Where were born? How old are u?

2. Kudala ngakanani uhlala apha? ?

How long you have been staying here?

3. Ingaba lento yokulungiswa kwendleala izakucaphazela?

Is the road expansion going to affect you and how?

4. Zintoni izinto zengcumeke ezinokuphazamiseka kukwakhiwa kwendlela?

Are there any cultural/heritage resources that could be affected by this road expansion?

5. Ingaba amangcwaba akhona na ecaleni kwndlela?

Are there any burial sites along the road?

6. Ungazuza ntoni xana kusakhiwa ledlela?

What will you benefit on the construction of the road?

7. Zeziphi ezinye izinto ocinga ukuba zikhona ngaphadle kwanagcwaba?

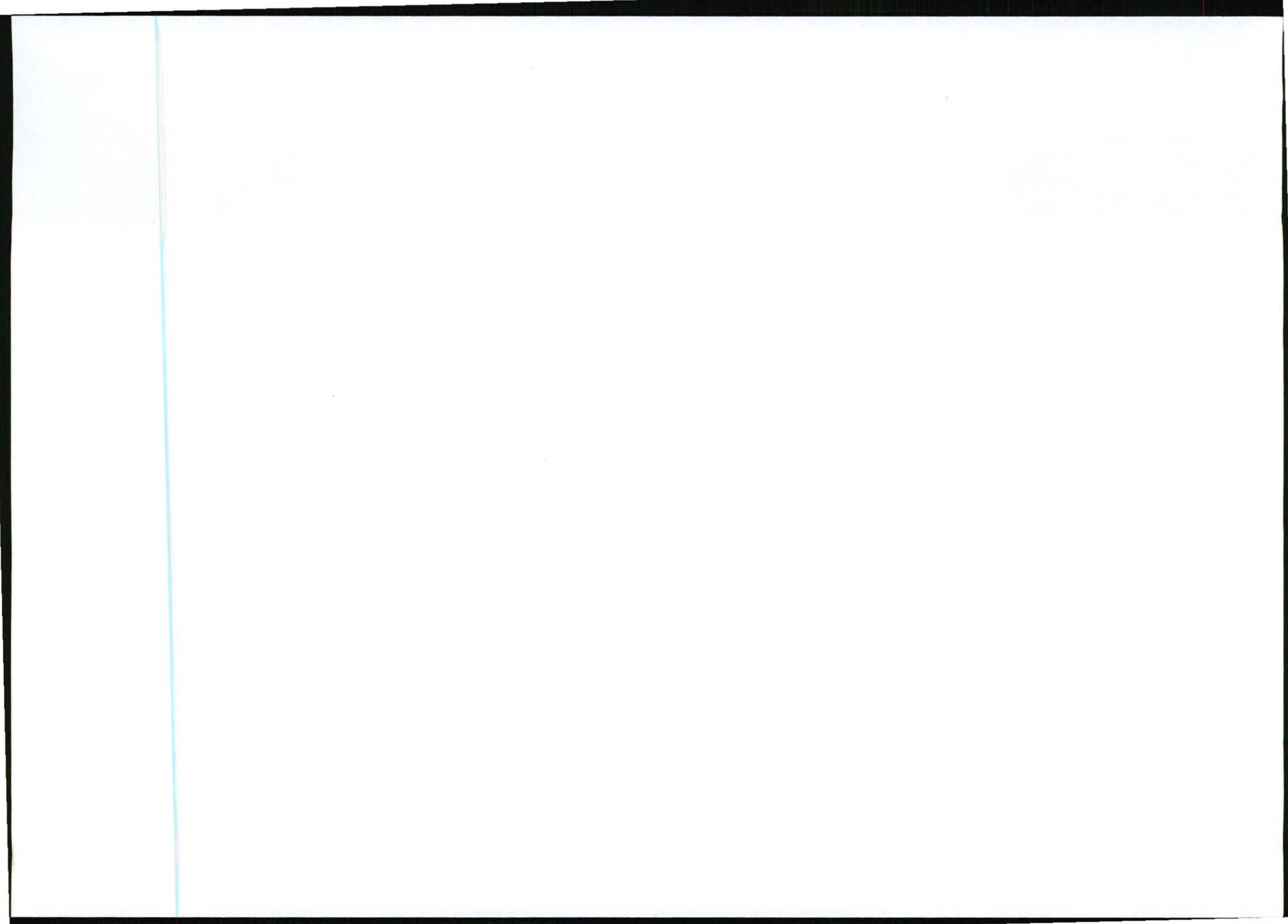
Are there other heritage Resources that might be adversely impacted besides graves and burial sites?

8. Ndiyabulela ngoncedo lwakho? Enkosi.

Thank you for your co-operation.

Summary of findings in terms of the Heritage Resources Act 1999 Section 38(3)

- (a) the identification and mapping of all heritage resources in the area affected



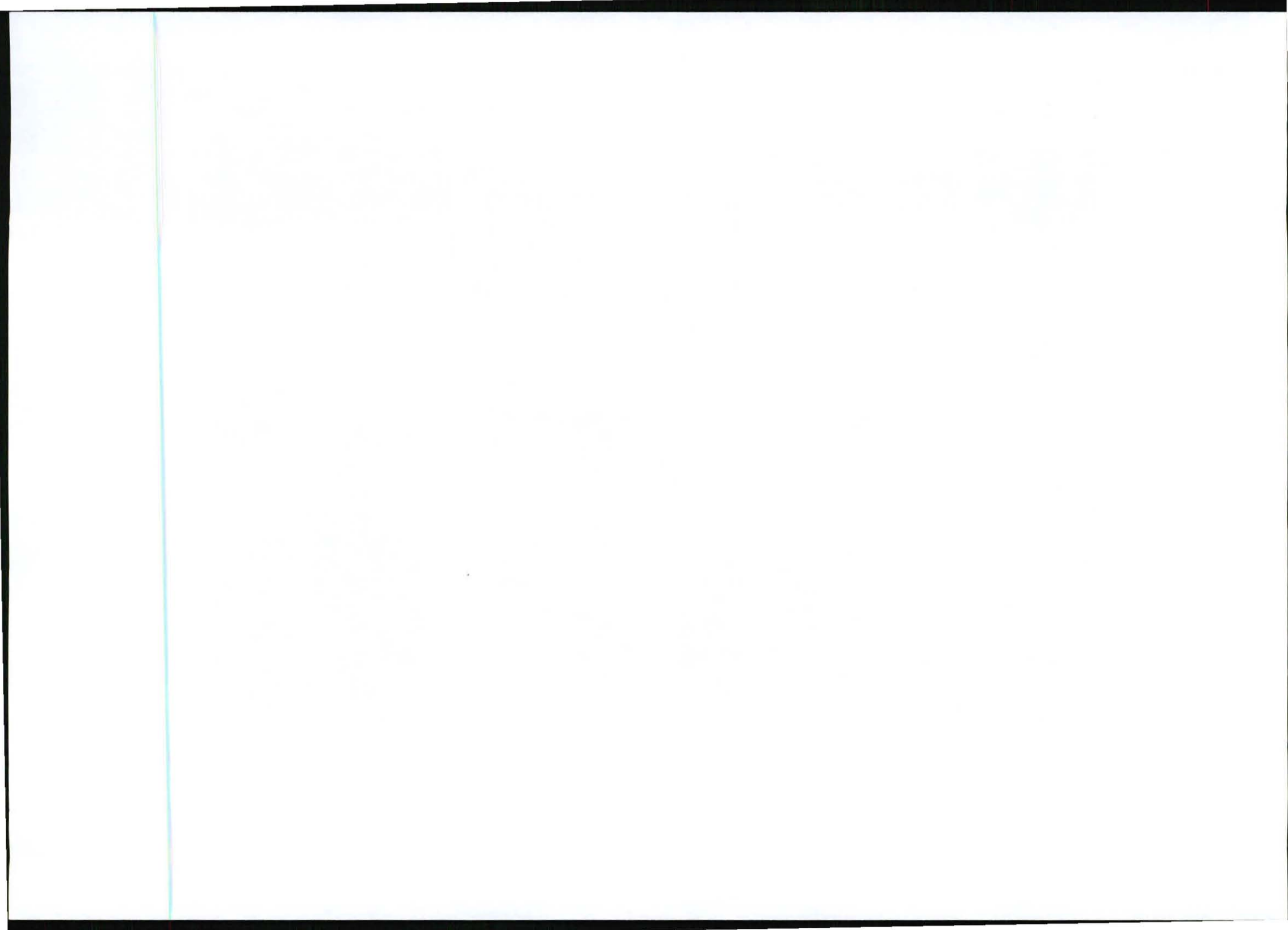
No heritage resources, tangible or intangible, were identified on the site except graves which is 700m from the intended quarry. It is clearly demarcated.



Figure 12: Fill Station along the N2.



Figure 13: Road sign indicating Peddie, King William's Town, Hamburg, and Port Alfred



- (b) an assessment of the significance of such resources in terms of the heritage assessment criteria set out in regulations
- No significance, as there is none.
- (c) an assessment of the impact of development on such heritage resources
- No impact at all.
- (d) an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development
- The economic spin-offs are the employment of local communities on the development zone. It will improve the lives of the communities as long as the road permanently constructed, since it will create a much better road access as the present one is a narrow and have no shoulders. This development would improve the use to motorist as well as the community. Finally, the will be less accidents.
- (e) The results of consultation with community leaders, elders and communities members, which was undertaken in terms of statutory requirements by the client, who retains the relevant documentation affected by the proposed development and other interested parties, regarding the impact of the development on heritage resources, was that, at this stage, they can not foresee any human remains or any other heritage resources being uncovered that they know off, as mentioned previously, this area is used as informal grazing.
- (f) In the event that heritage resources will be adversely affected by the proposed development, then consideration of alternatives will be looked at. Based on the consultation with the communities, elders and councilors, this is most unlikely to happen.
- (g) Plans for mitigation of any unknown adverse effects during and after completion of the proposed will be developed.
- If permission is granted for development to proceed, the client will act in goodwill with the understanding that such a possibility, after all the studies and consultations has been concluded, in the unlikely event, will follow the guidance of the National Heritage Resources Act (no.25 of 1999).





Figure 14: Road



Figure 15: Road

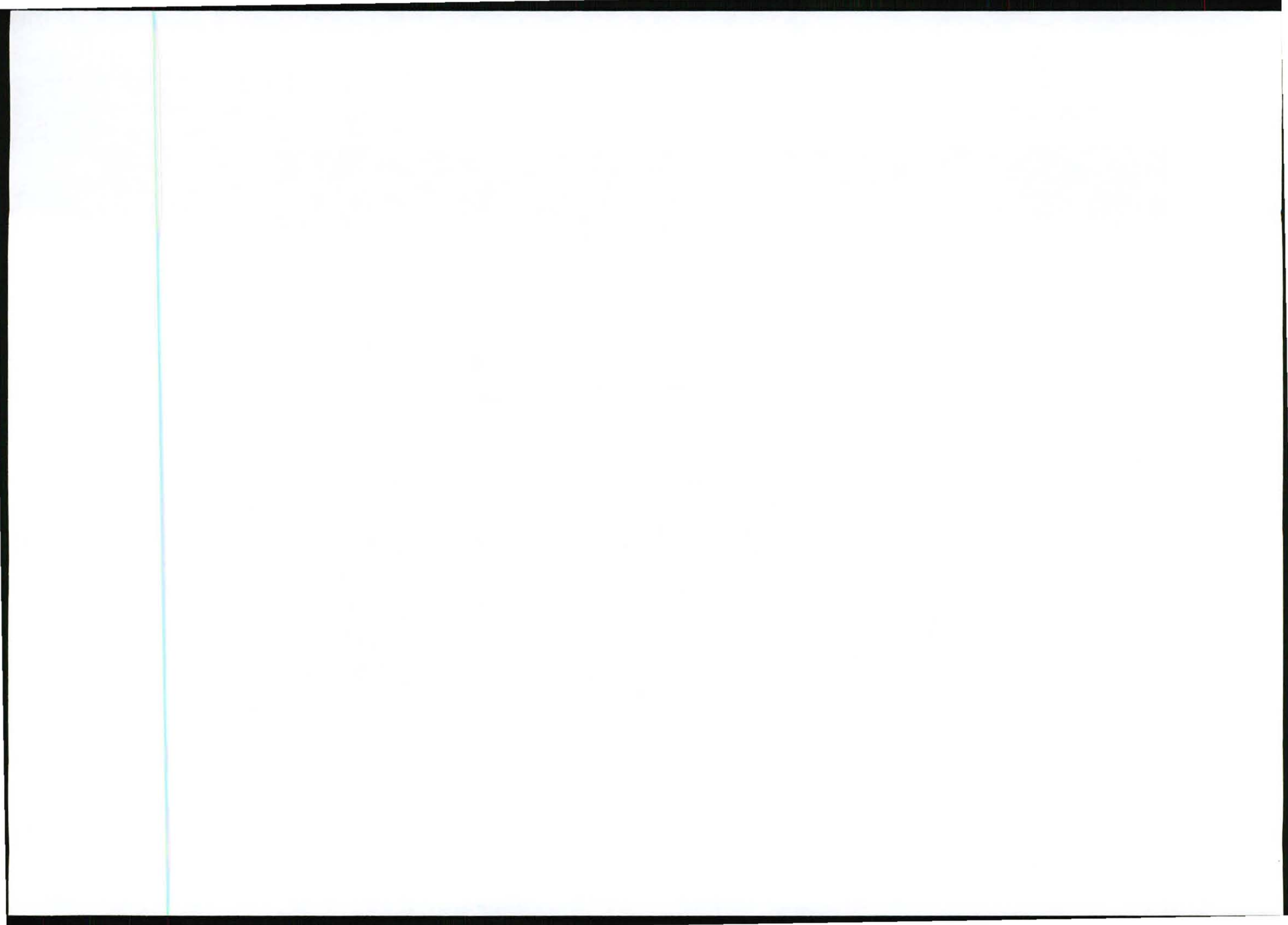
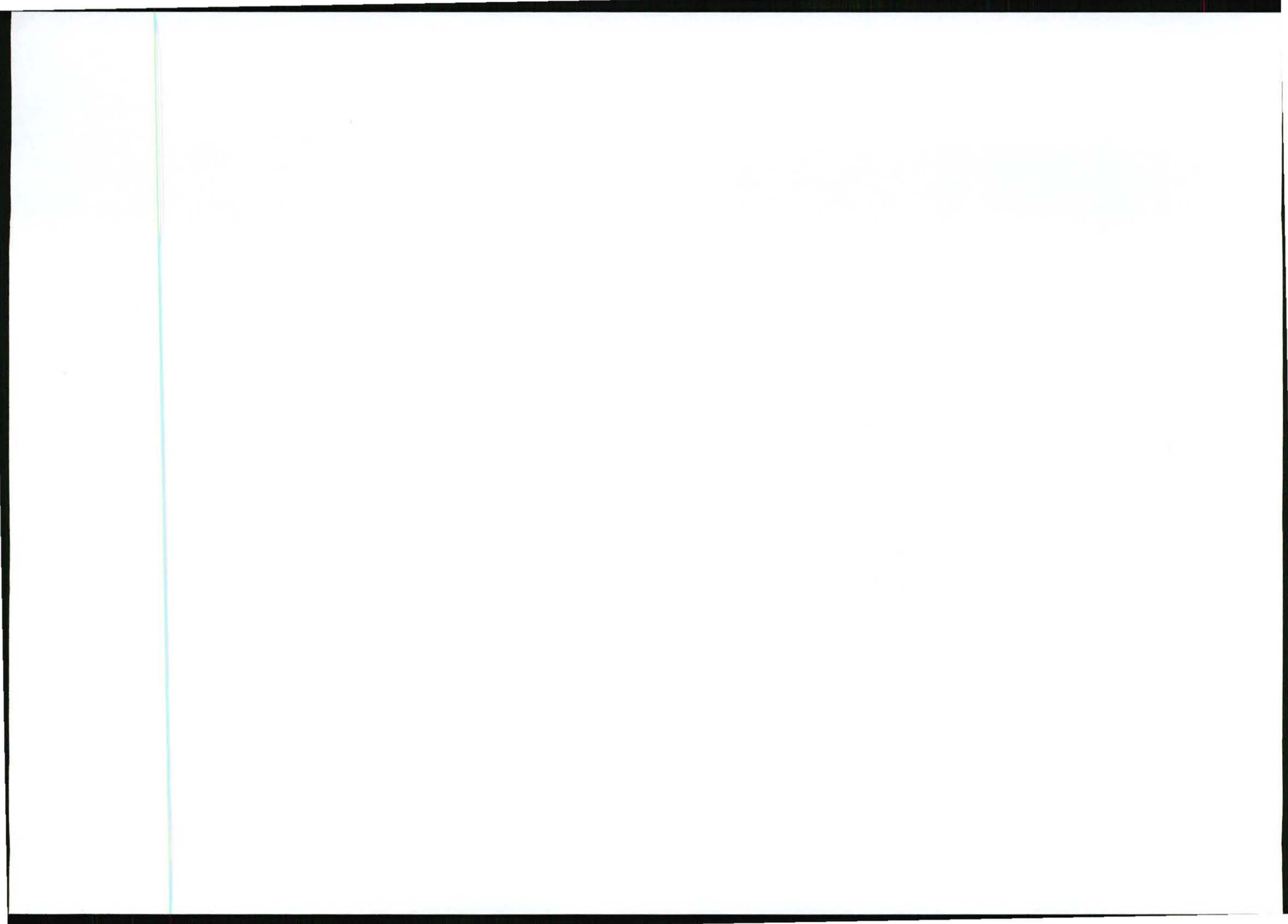




Figure 16: Road Sign Indicating the Great Fish River

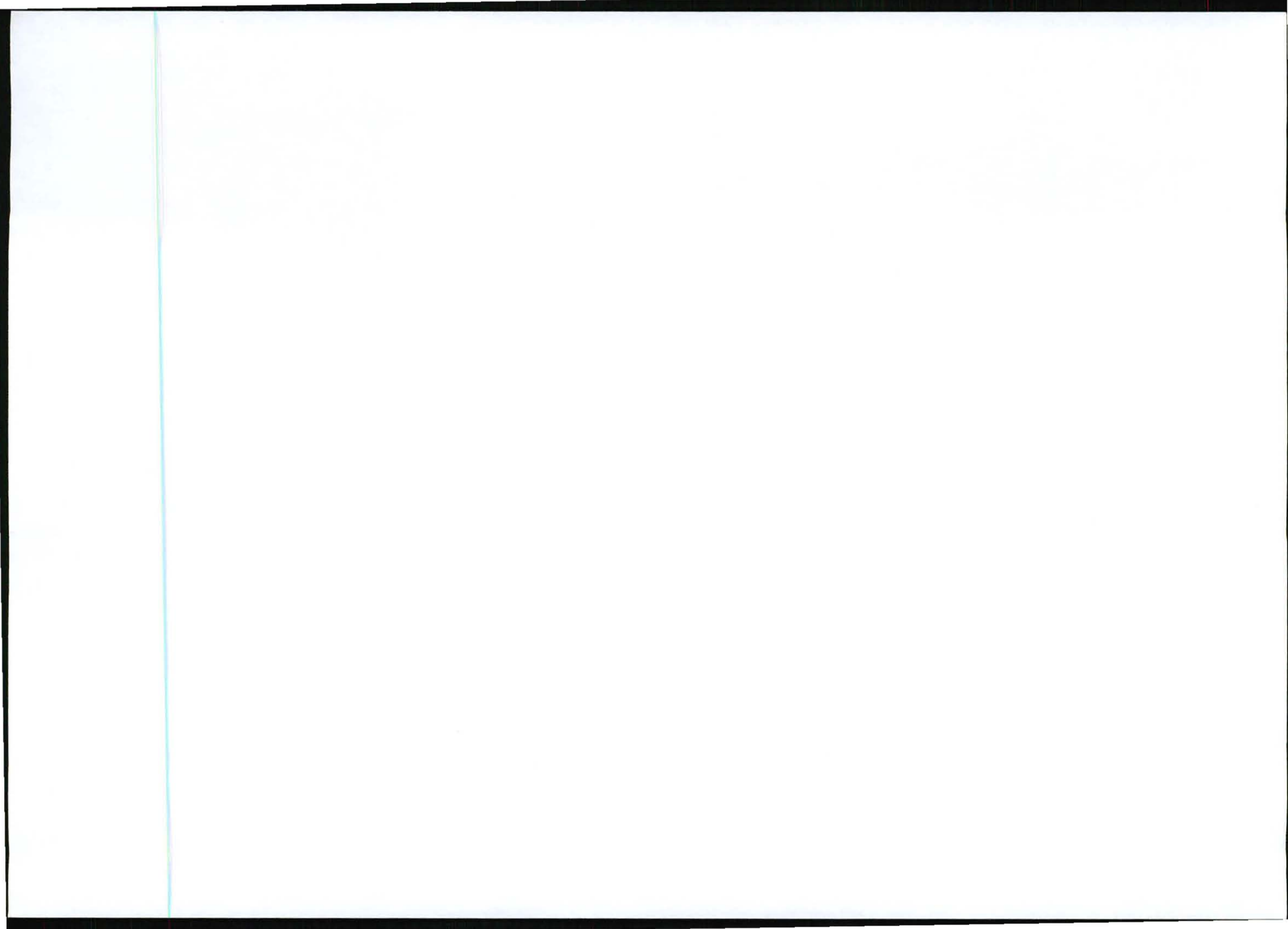


9. Executive Summary

The objectives of this Heritage Impact Assessment (HIA) study is to locate, identify, evaluate, mitigate objects, living heritage and historic structures of cultural significance found within the study area in which the proposed development will take place.

Based on what was observed, found and evaluated, it is recommended that the proposed development can continue in the identified area, on condition of acceptance of the following recommendation:

According to this HIA study, the proposed development will automatically result in minimal if no impact to the heritage resources. However, any construction or excavation may impact on the unknown and unidentified heritage resources. In the event that the development impact on un-identified and unknown heritage resources, e.g. graves and burial sites or other heritage resources the client will be guided by the National Heritage Resources Act (Act 25 of 1999) and its provisions.



10. References and Sources of Information

- 10.1 **National Heritage Resource Act (no. 25 of 1999)** – Government Gazette No. 19974 dated 28 April 1999, and associated Proclamation Notice R. 18, 2000 as Published in Government Gazette No. 21051 Of 31 March 2000.
- 10.2 **Provincial Heritage Resources Act (2003)**
- 10.3 Ken Donaldson **South African Who's who 1941**, Johannesburg 1941
- 10.4 **East London and Frontier Red Book 1908**, Standard Printing Co, East London 1908
- 10.5 **East London and Frontier Red Book 1912**, Standard Printing Co, East London 1912
- 10.6 **History and Heritage, Investigating Fabric and Heritage Curtilages** New South Wales, 1996
- 10.7 Malan, T and Hattingh, P. S. : **Black Homelands in SA** Africa Institute of South Africa, 1976
- 10.8 **South Africa Who's Who 1941.** Ken Donaldson, Johannesburg, 1976



ATTENDANCE REGISTER

VENUE: N. MUNICIPAL

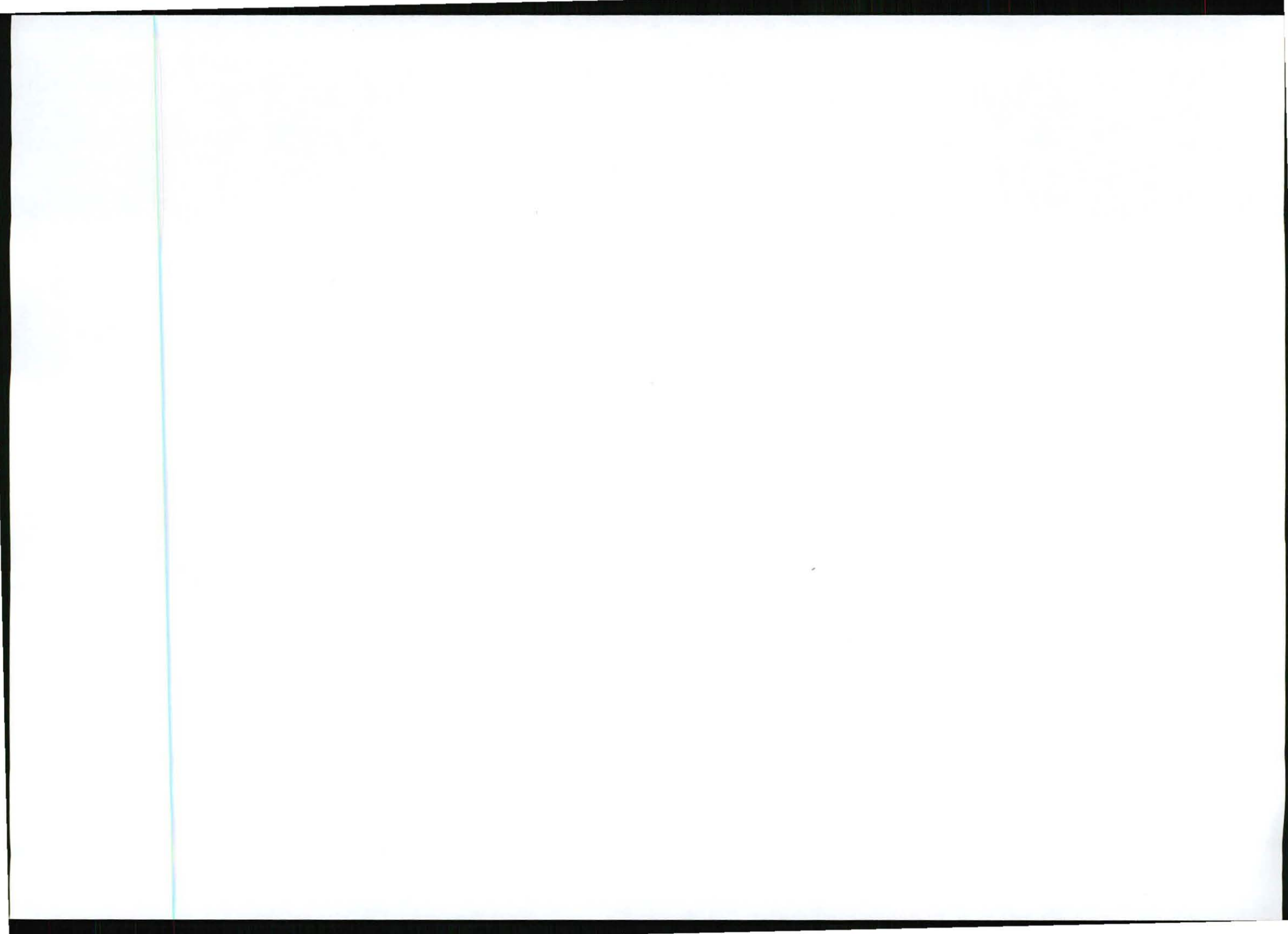
MEETING AT NBOUSHWA MUNICIPALITY

10/05/12

DATE: 12-05-10

NAME:	SURNAME	ORGANISATION-	CONTACT→
- SHABI SANDIE	HABANA	(MHS interpreter)	0726130510
Adriaan Adwell		HABANA	
M. F. HON		M. F. HON	0833903592
S. E. NDWATANA		NBOUSHWA	0833090252
V. MOZORO		" "	0786687213
M. A. GONWE		" "	075 2433 618
N. V. MHLAKANE		" "	072 838 5730

Figure 17: Attendance Register





Private Bag X 9467, Polokwane, 0700.
101 Dorp Street, Polokwane, 0699
Tel no: (015) 287 4700; Fax no: (015) 287 4729

Directorate Minerals Regulations: Limpopo Region

Enquiries: A Nel
E-mail address: Anna.Nel@dmr.gov.za
Reference nr: LP30/5/1/3/3/2/1(1794) EM

REGISTRED MAIL

caseid: 2245

**The Manager:
The Provision- SAHRA Limpopo
P. O. Box 137
Polokwane
0700**

Attention: Mr. Donald Lithole

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 IN RESPECT OF THE REMAINING EXTENT OF THE FARM DOORINGSLOOT 36 KR, SITUATED IN THE MAGISTERIAL DISTRICT OF WATERBERG: LIMPOPO REGION.

**APPLICANT: LIMPOPO DEPARTMENT OF ROADS AND TRANSPORT
(4206/2010/11)**

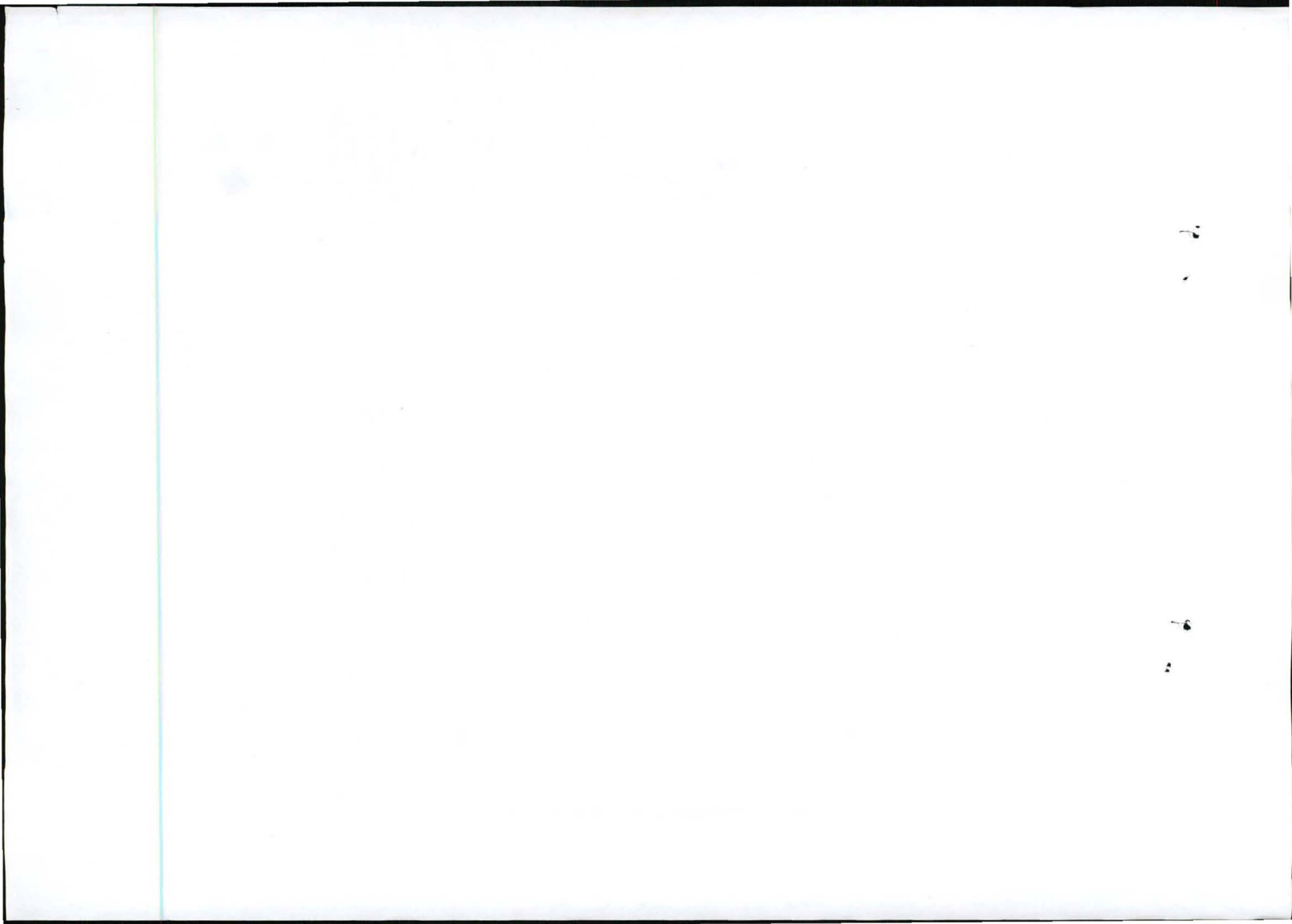
Attached herewith, please find a copy of an EMP received from the above-mentioned applicant, for your comments.

It would be appreciated if you could forward any comments or requirements your Department may have in the case in hand to this office and to the applicant within 30 days as from **21 July 2011 to 21 August 2011**, failure of which will lead to the assumption that your Department has no objection(s) or comments with regard to this application and this Department will in that instance proceed with the finalisation thereof.

Your co-operation will be appreciated.



**THE REGIONAL MANAGER
LIMPOPO REGION – POLOKWANE
21 July 2011**



ENVIRONMENTAL MANAGEMENT PLAN (EMPlan)
FOR
THE PROPOSED BORROW PIT FOR THE PREVENTATIVE
MAINTENANCE OF ROADS FROM VAALWATER TO KLOOF PASS IN
THE WATERBERG DISTRICT OF LIMPOPO PROVINCE.

LDRT Project Ref. 4206/2010/11

<p>Applicant: Limpopo Department of Roads and Transport 40 Kruger Street & 39 Church Street Polokwane Private bag X9491, Polokwane 0700 Contact person: Ms. Thabelo Mulaudzi Tel: (015) 294 8402 Fax: (015) 294 8116 Cell: (082) 561 4758 Email: mulaudzit@drt.limpopo.gov.za</p>	<p style="text-align: center;"> LIMPOPO PROVINCIAL GOVERNMENT REPUBLIC OF SOUTH AFRICA</p> <p style="text-align: center;">DEPARTMENT OF ROADS & TRANSPORT</p> <p>MINISTER OF PRIVATE BAG X 9491 POLOKWANE 0700 REGIONAL MANAGER LIMPOPO REGION</p> <p>SIGNATURE: <i>[Signature]</i> DATE: 12/02/11</p> <p>NAME OF OFFICIAL:</p> <p style="text-align: center;"></p>
<p>Prepared by: Shumani SHE Specialists Suite 21, IT Park, 11 Pierre Street Bendor P.O Box 55904, Polokwane 0700 Contact Person(s): Tshilidzi Ronnie Ramushoana Tel: (015) 291 0956 Fax: (015) 291 0953 Cell: (076) 204 6728 E-mail: tshilidzi@shumanishe.co.za</p>	<p style="text-align: center;"></p>

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File

DEPARTMENT OF MINERAL RESOURCES

ENVIRONMENTAL MANAGEMENT

Submitted in support of application for a mining permit
Section 39 and Regulation 52 of the Minerals and Petroleum
Act, 2002 (Act 28 of 2002)



Application
for a:

Prospecting Right
Mining Permit

Applicant:

Limpopo Department of Roads and Transport

Farm:

Dooringsloot 36 KR

District:

Waterberg District

Mineral:

Gravel (to be used for preventative maintenance of
kloof-pass in Waterberg District Local Municipality)

Date:

19 April 2011

Environmental Management Plan: Mining Permit Application for the proposed
Local Municipality in the Waterberg District, Limpopo province. LDF

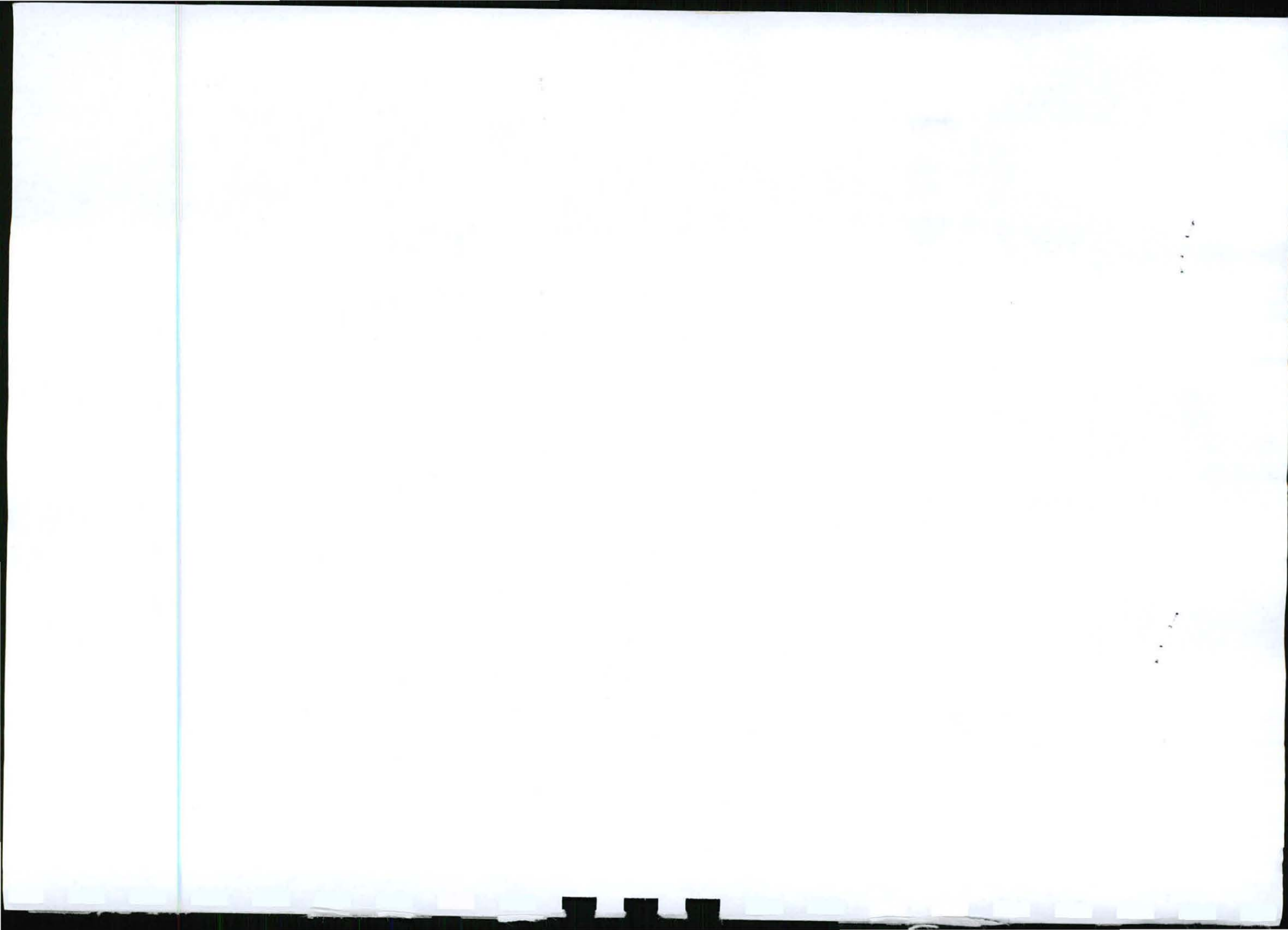
ENVIRONMENTAL MANAGEMENT PLAN (EMPlan)
FOR
THE PROPOSED BORROW PIT FOR THE PREVENTATIVE
MAINTENANCE OF ROADS FROM VAALWATER TO KLOOF PASS IN
THE WATERBERG DISTRICT OF LIMPOPO PROVINCE.

LDRT Project Ref. 4206/2010/11

<p style="text-align: center;">Applicant: Limpopo Department of Roads and Transport 40 Kruger Street & 39 Church Street Polokwane Private bag X9491, Polokwane 0700 Contact person: Ms. Thabelo Mulaudzi Tel: (015) 294 8402 Fax: (015) 294 8116 Cell: (082) 561 4758 Email: mulaudzit@drt.limpopo.gov.za</p>	<p style="text-align: center;"> LIMPOPO PROVINCIAL GOVERNMENT REPUBLIC OF SOUTH AFRICA</p> <p style="text-align: center;">DEPARTMENT ROADS & TRANSPORT</p> <p style="text-align: center;">MINISTER OF TRANSPORT PRIVATE BAG X9491 POLOKWANE 0700 REGIONAL MANAGER LIMPOPO REGION</p> <p style="text-align: center;">SIGNATURE:  NAME OF OFFICIAL: DATE: 12/02/11</p> <p style="text-align: center;"></p>
<p style="text-align: center;">Prepared by: Shumani SHE Specialists Suite 21, IT Park, 11 Pierre Street Bendor P.O Box 55904, Polokwane 0700 Contact Person(s): Tshilidzi Ronnie Ramushoana Tel: (015) 291 0956 Fax: (015) 291 0953 Cell: (076) 204 6728 E-mail: tshilidzi@shumanishe.co.za</p>	

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Shumani SHE Specialists

File number:.....

DEPARTMENT OF MINERAL RESOURCES

ENVIRONMENTAL MANAGEMENT PLAN

Submitted in support of application for a mining permit.

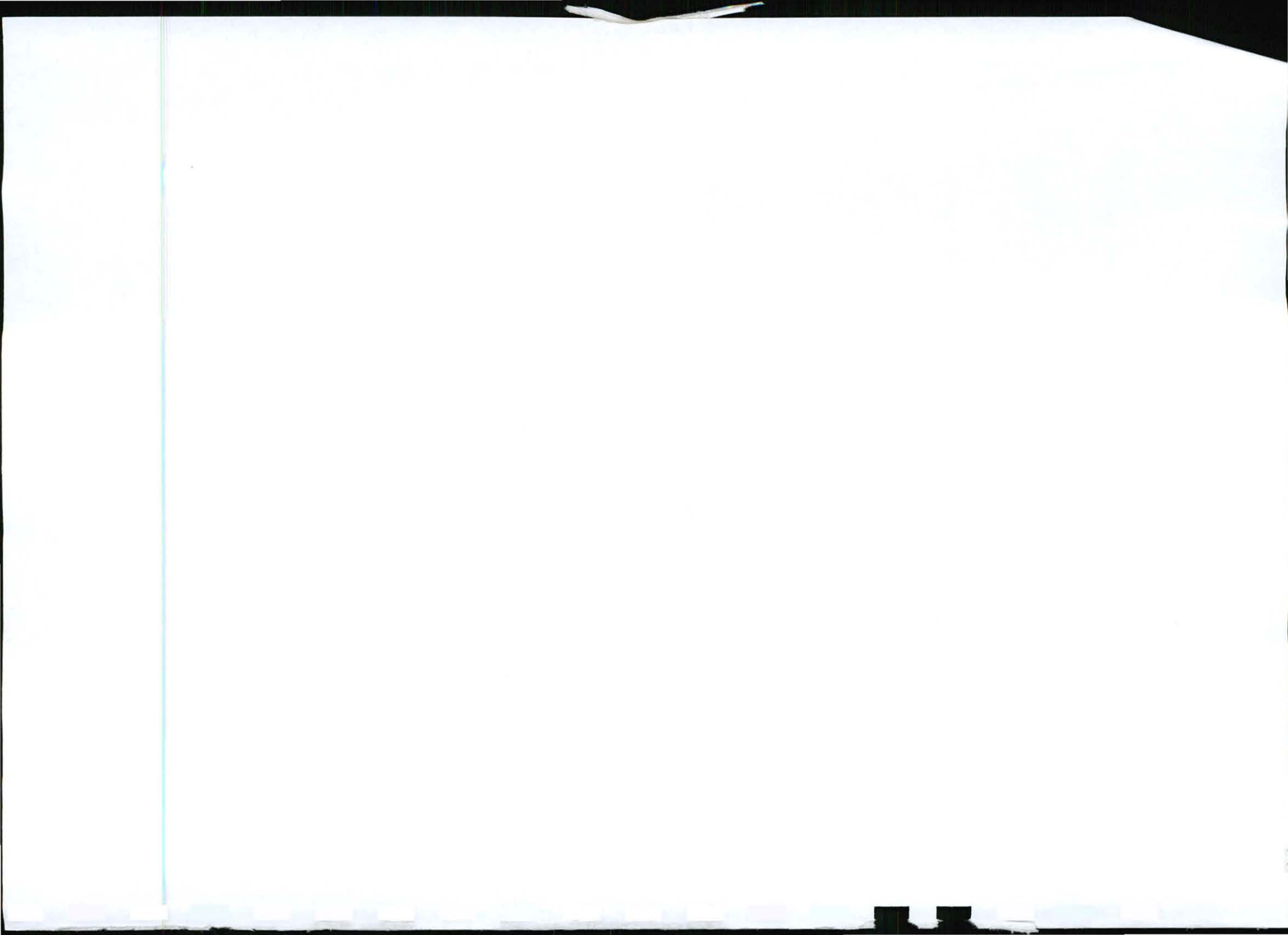
Section 39 and Regulation 52 of the Minerals and Petroleum Resources Development Act, 2002 (Act 28 of 2002)



Application for a:

Prospecting Right	
Mining Permit	X

Applicant: Limpopo Department of Roads and Transport (LDRT)
 Farm: Dooringsloot 36 KR
 District: Waterberg District
 Mineral: Gravel (to be used for preventative maintenance of roads-Vaalwater to kloof-pass in Waterberg District Local Municipality).
 Date: 19 April 2011





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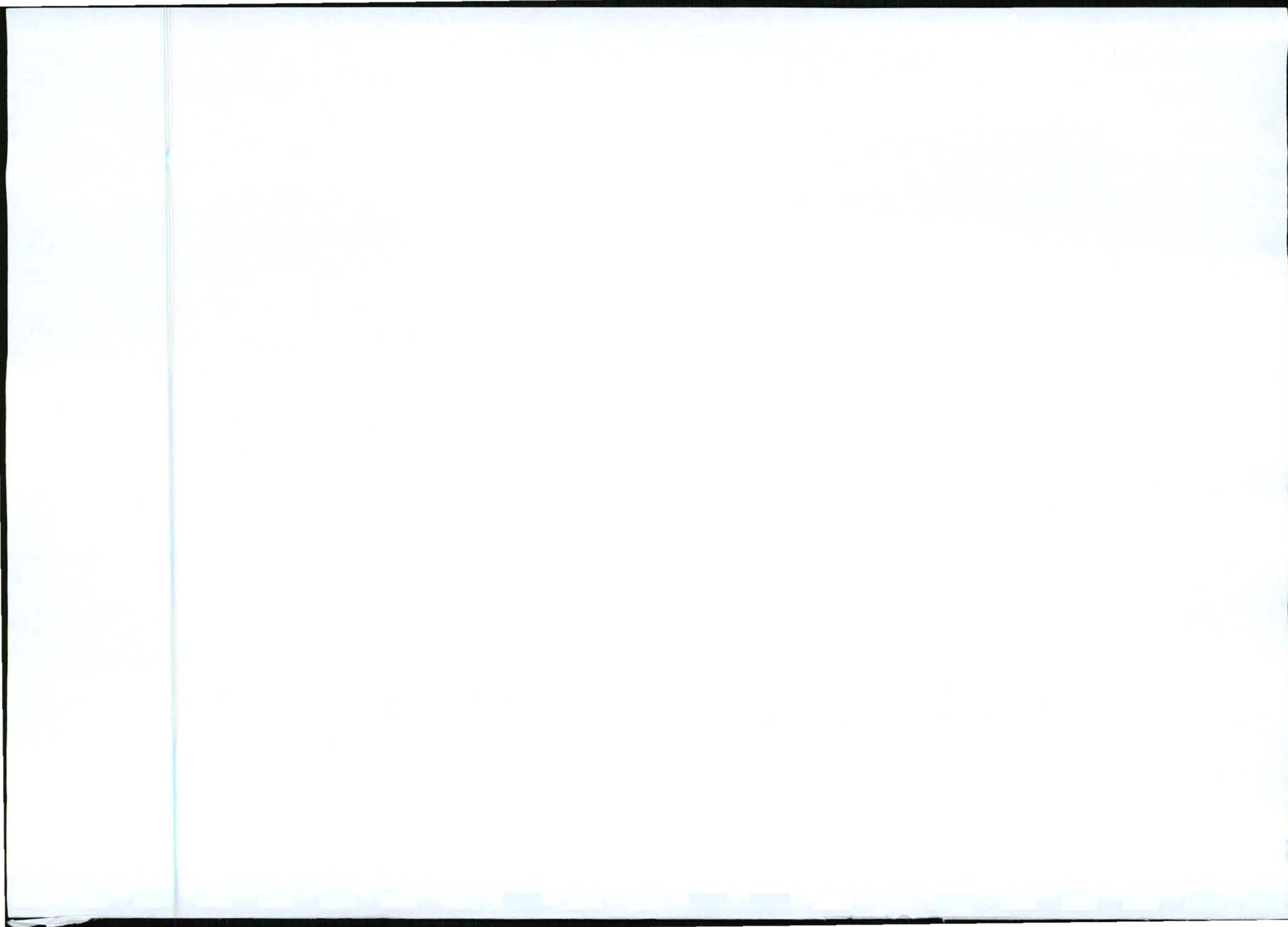
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A.1 INTRODUCTION

This document has been prepared for use as a guideline to the contractor during mining/borrow operations on the proposed borrow pit located on farm Dooringsloot 36 KR, in Vaalwater **within Modimolle Local Municipality in Waterberg District of the Limpopo Province** (see attached locality map in Appendix A). This document aims to provide a simplified national standard for applicants for 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

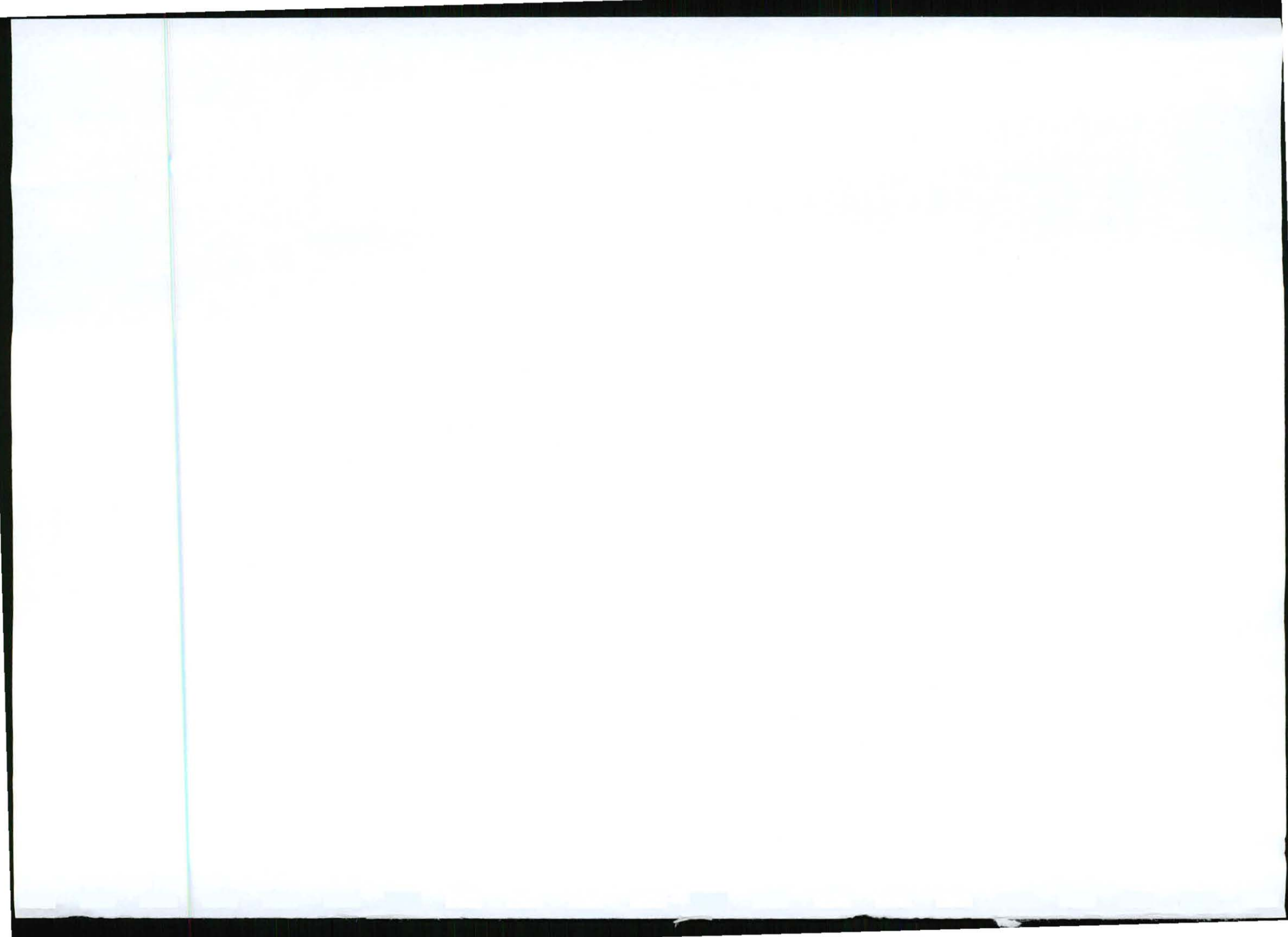
A.3 PURPOSE

This document aims to:

- Provide a national standard for the submission of Environmental Management Plans for the types of applications mentioned above.
- Ensure compliance with Regulation 52 of the MPRDA.
- Assist applicants by providing the information that the Department of Minerals and Energy (DME) requires in a simple language and in a structured, prescribed format, as contemplated in Regulation 52 (2) of the (MPRDA).
- Assist regional offices of the DME to obtain enough information about a proposed prospecting/ reconnaissance or mining permit operation to assess the possible environmental impacts from that operation and to determine corrective action even before such right is granted and the operation commences.

This document aims both to provide the DME regional offices with enough information about applicants for mining permits and applicants with guidance on environmental management matters pertaining to the mitigation of environmental impacts arising from their operations. Given this dual focus and the generic nature of the document, it might not be sufficient for all types of operations under various circumstances.

The document may therefore be altered or added to as the particular circumstances of the application in question may require.





A.4 USE OF THE DOCUMENT:

This document is designed for use by non-professionals and newcomers to the environmental management industry and it incorporates a *very simple* Environmental Impact Assessment (EIA). The EIA is contained in Section C of this document and was designed specifically with the target sectors of the mining industry (described in A.2 above) in mind.

The aim is ultimately to (a) gather information from applicants themselves; (b) to assess the impact of the operation based on that information and then (c) to guide the applicant to mitigate environmental impacts to limit damage to the environment.

Section B of the document gathers demographic information about the applicant. Section C gathers the information that will be used in the Environmental Impact Assessment. The applicant must complete the relevant sections of this document, but the regional office of the DME will do the scoring of these for the impact assessment rating in Section D.

Section F (the Environmental Management Plan) of the document is prescriptive and gives guidance to the miner or prospector on how to limit the damage of the operation on the environment. This part may be added to by the regional manager, who has the prerogative to decide whether this Environmental Management Plan will adequately address the environmental impacts expected from the operation or whether additional requirements for proper environmental management need to be set. Where these additional requirements are set, they will appear in Section G of this document. The Environmental Management Plan (Section F) of the document is legally binding once approved and, in the undertaking contained in Section H, the applicant effectively agrees to implement all the measures outlined in this Environmental Management Plan.

A.5 LEGISLATION/ REGULATIONS

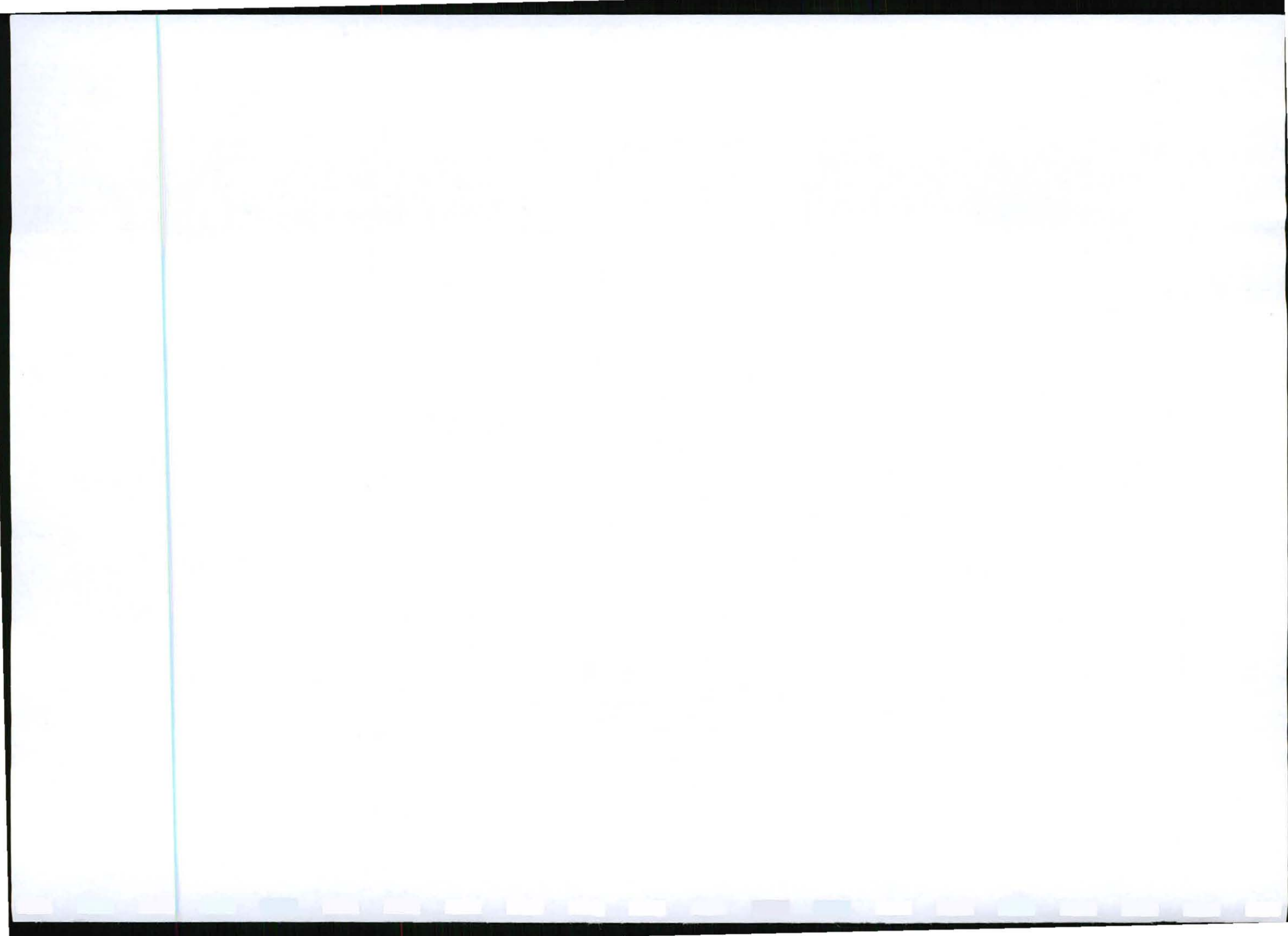
The relevant sections of Mineral and Petroleum Resources Development Act and its supporting Regulations are *summarised below* for the information of applicants. The onus is on the applicant to familiarise him/herself with the provisions of the full version of the Mineral and Petroleum Resources Development 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
Section of Act	Legislated Activity/ Instruction/ Responsibility or failure to comply	Penalty in terms of Section 99
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
All sections	Inaccurate, incorrect or misleading information	A fine or imprisonment of up to six months or both
All sections	Failure to comply with any directive, notice, suspension, order, instruction, or condition issued	A fine or imprisonment of up to six months or both





A.6 OTHER RELEVANT LEGISLATION

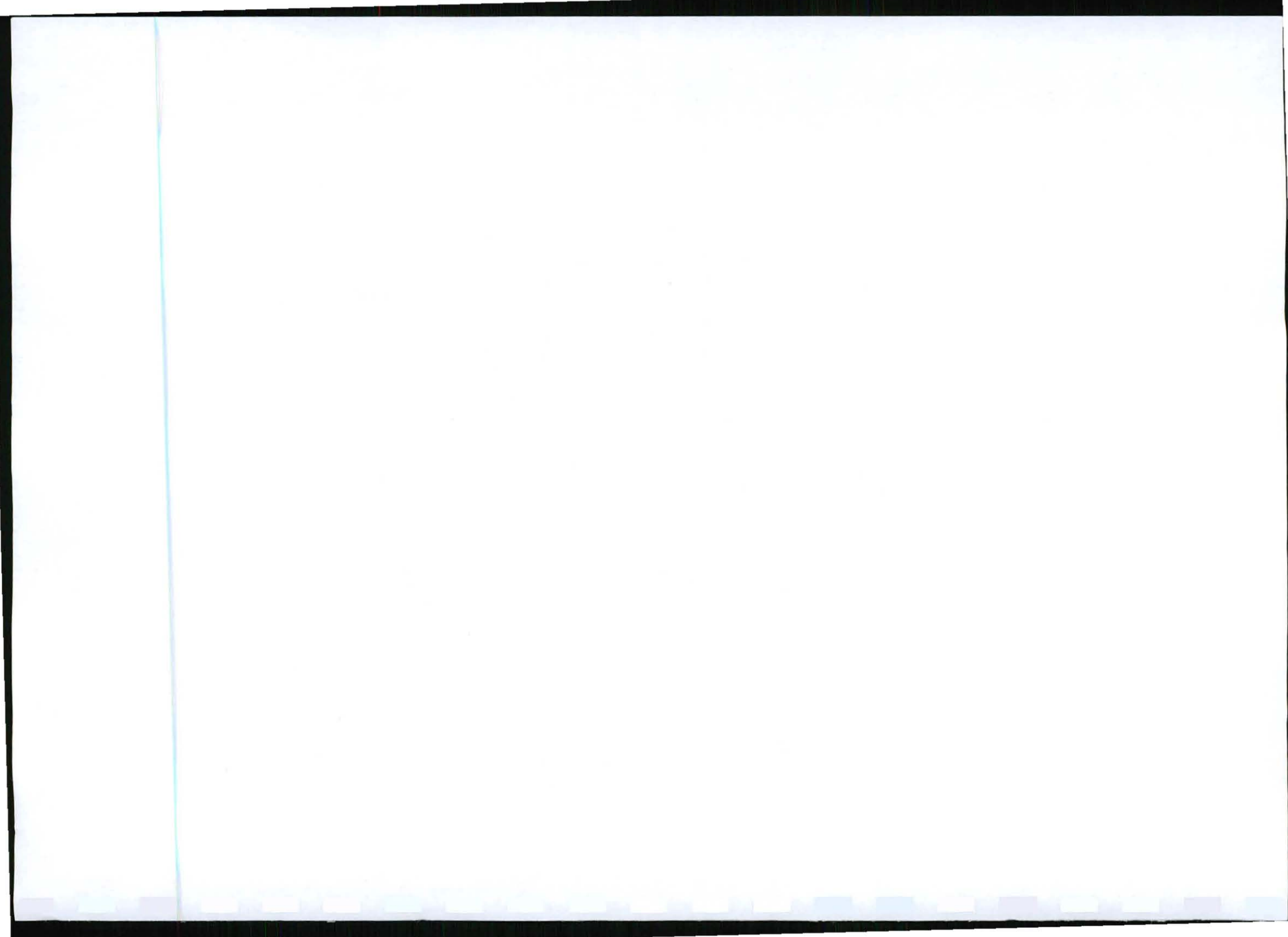
Compliance with the provisions of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and its Regulations does not necessarily guarantee that the applicant is in compliance with other Regulations and legislation. Other legislation that may be immediately applicable includes, but are not limited to:

- National Heritage Resources Act, 1999 (Act 25 of 1999)
- National Parks Act, 1976 (Act 57 of 1976)
- Environmental Conservation Act, 1989 (Act 73 of 1989)
- National Environmental Management Act, 1998 (Act No. 107 of 1998)
- Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965)
- The National Water Act, 1998 (Act 36 of 1998)
- Mine Safety and Health Act, 1996 (Act 29 of 1996)
- The Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).

A.7 WORD DEFINITIONS

In this document, unless otherwise indicated, the following words will have the meanings as indicated here:

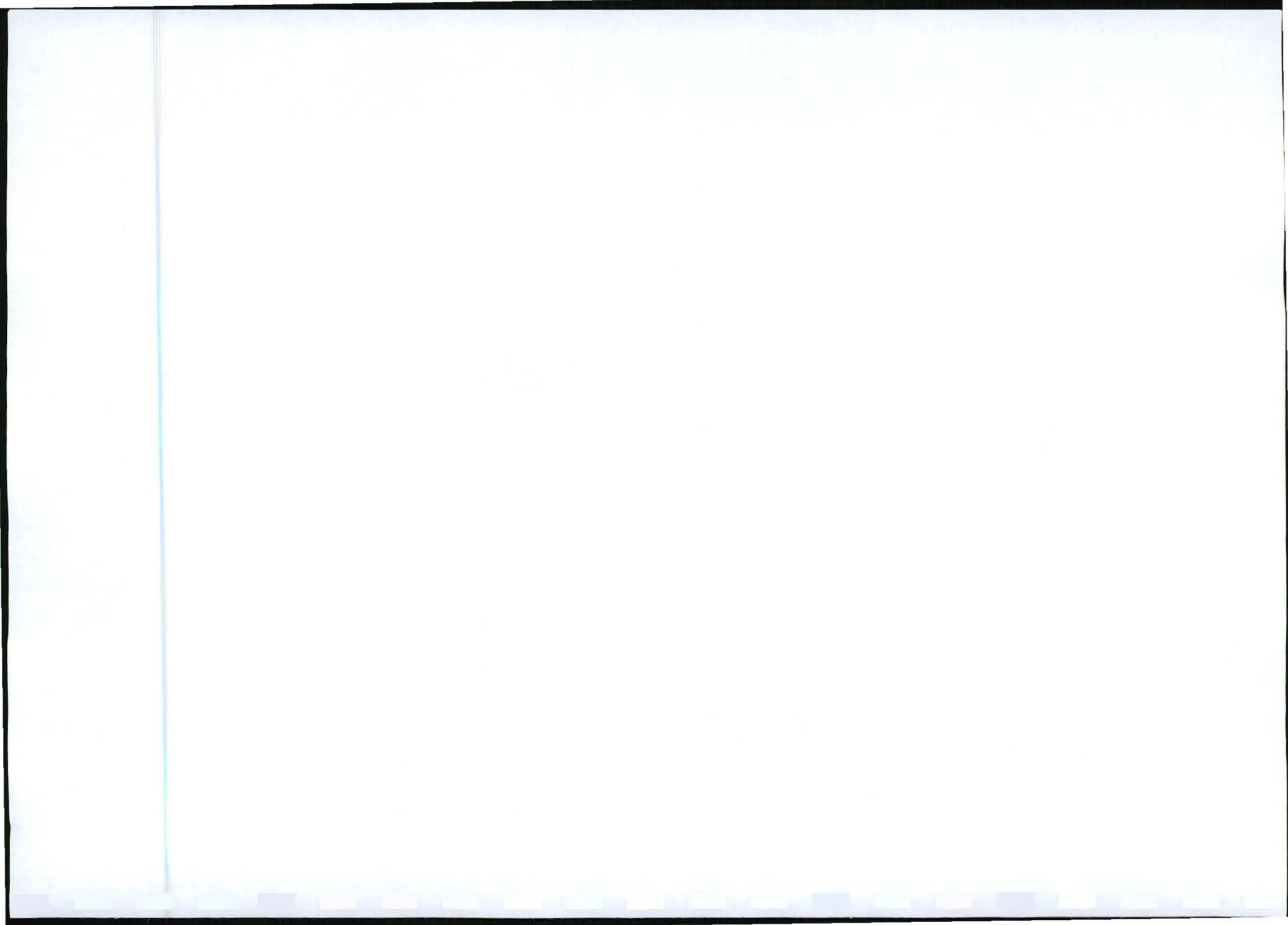
Act (The Act)	Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)
Borehole	A hole drilled for the purposes of prospecting i.e. extracting a sample of soil or rock chips by pneumatic, reverse air circulation percussion drilling, or any other type of probe entering the surface of the soil.
CARA	The Conservation of Agricultural Resources Act
EIA	An Environmental Impact Assessment as contemplated in Section 38(1) (b) of the Act
EMP	an Environmental Management Plan as contemplated in Section 39 of the Act
Fauna	All living biological creatures, usually capable of motion, including insects and predominantly of protein-based consistency.
Flora	All living plants, grasses, shrubs, trees, etc., usually incapable of easy natural motion and capable of photosynthesis.
Fence	A physical barrier in the form of posts and barbed wire and/or "Silex" or any other concrete construction, ("palisade"- type fencing included), constructed with the purpose of keeping humans and animals within or out of defined boundaries.
House	any residential dwelling of any type, style or description that is used as a residence by any human being
NDA	National Department of Agriculture
NWA	National Water Act, Act 36 of 1998
Pit	Any open excavation
"Porrel"	The term used for the sludge created at alluvial diamond diggings where the alluvial gravels are washed and the diamonds separated in a water-and-sand medium.
Topsoil	The layer of soil covering the earth which- (a) provides a suitable environment for the germination of seed; (b) allows the penetration of water; (c) is a source of micro-organisms, plant nutrients and in some cases seed; and (d) is not of a depth of more than 0,5 metres or such depth as the Minister may prescribe for a specific prospecting or exploration area or mining area.
Trench	A type of excavation usually made by digging in a line towards a mechanical excavator and not pivoting the boom – a large, U-shaped hole in the ground, with vertical sides and about 6 – 8 metres in length. As well as a prospecting trench.





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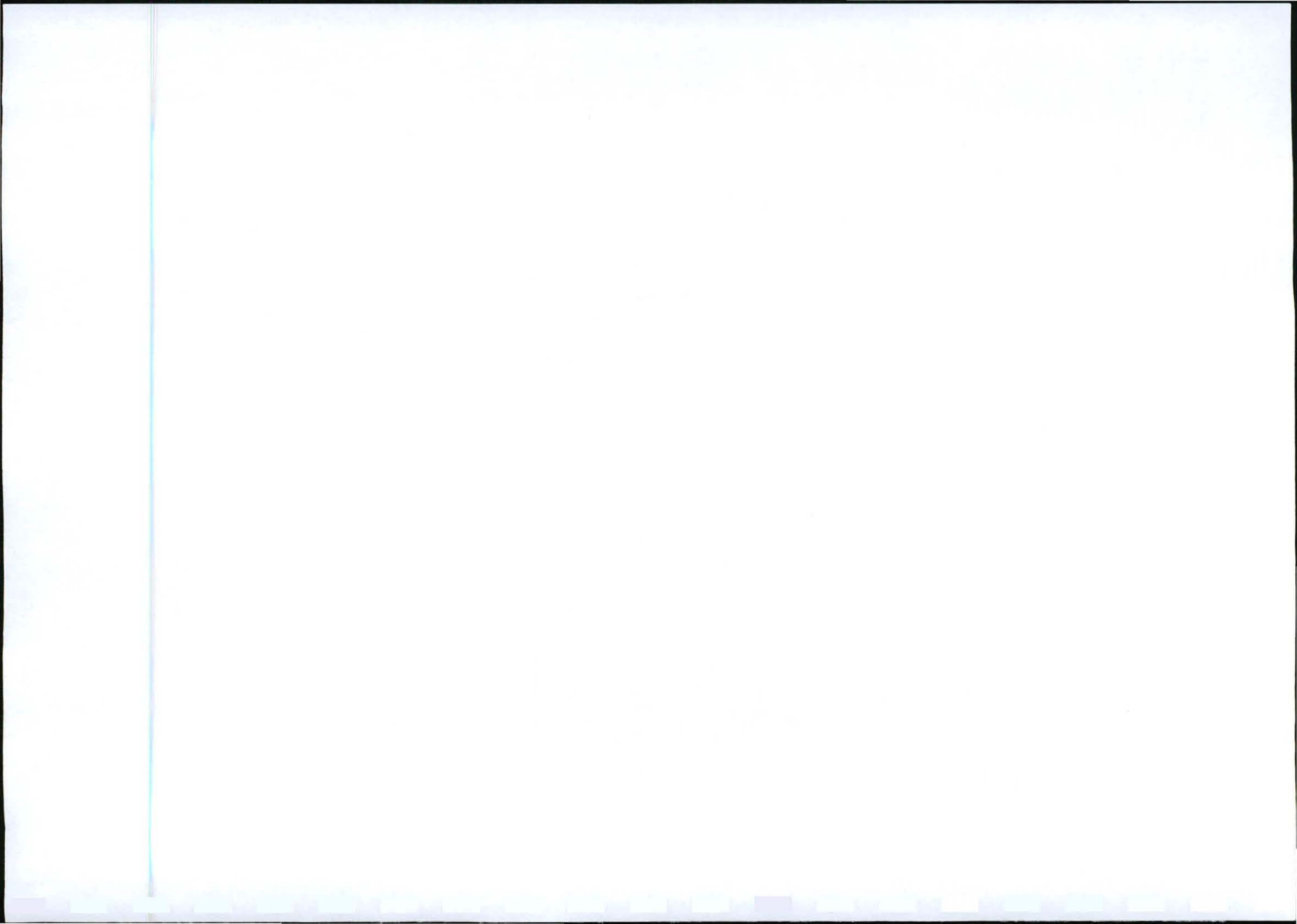
Vegetation	Any and all forms of plants, see also Fauna
DWAF	The Department of Water Affairs and Forestry – both national office and their various regional offices, which are divided across the country on the basis of water catchment areas.
MPRDA	the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)
EMPlan	An Environmental Management Plan as contemplated in Regulation 52 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) – this document.



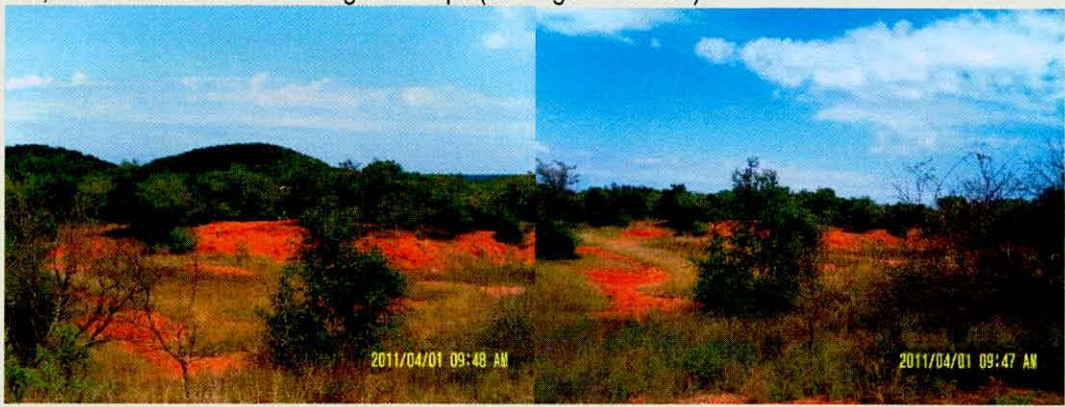


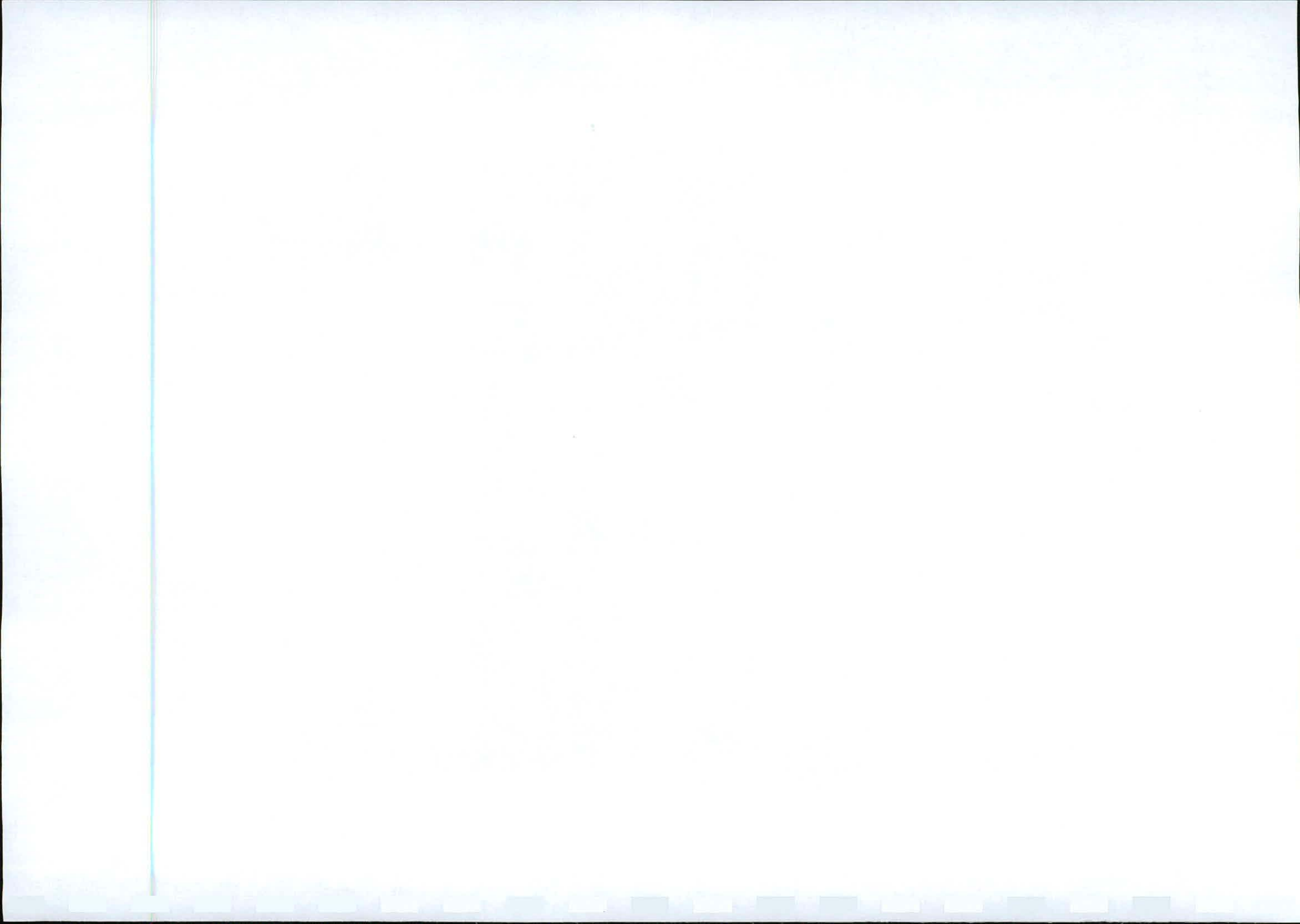
B. BIOGRAPHIC DETAILS OF THE APPLICANT:

B 1.1 Full name (and surname) of person or company applying for permit or right	Limpopo Department of Roads and Transport (LDRT).
B 1.2 ID number of person or company/ CC registration number	Not applicable.
B 1.3 Postal address	Private bag X9491 Polokwane 0700
B 1.4 Physical/ residential address	40 Kruger Street and 39 Church Street Polokwane 0699
B 1.5 Applicant's telephone/fax number	015 294 8402 / 015 294 8116
B 1.6 Applicant's cellular phone number	082 561 4758
B 1.7 Alternative contact's name	Thabelo Mulaudzi
B 1.8 Alternative contact's telephone/cell phone numbers	Cell: 082 561 4758 Tel: 015
B 2.1 Full name of the property on which mining/ prospecting operations will be conducted	Dooringsloot 36 KR
B 2.2 Name of the subdivision	Remaining extent
B 2.3 Approximate center of mining/prospecting area:	
Latitude	24° 01' 03.9" S
Longitude	28° 22' 55.8" E
B 2.4 Magisterial district	Waterberg
B 2.5 Name of the registered owner of the property	The land is communal-owned by the Matabane Communal Property Association. The tribe representative is Mr. Lesiba Matabane Motshegwa. At present, there is no agreement between the landowner and the applicant/contractor. The





	landowner has not yet signed the consent letter.
B 2.6 His/her Telephone/Cellphone number	Cell: 078 558 6508
B 2.7 His/ her Postal address	P O Box 987 Vaalwater 0530
B 2.8 Current uses of surrounding areas	The surrounding land-use comprises agricultural with few residential units within the farms/plots. The area is used for crop and stock farming. Cattle, sheep, goats etc. graze the land with some parts of the land cultivated (see Figure 1 below). There is an existing bore hole on site. A river is located approximately 100 metres West of the borrow pit site (see attached Google image in Appendix A).
B 2.9 Are there any other, existing land uses that impact on the environment in the proposed mining/ prospecting area?	Yes, the site features an existing borrow pit (see Figure 1 below).
	
Figure 1: Photos showing the existing borrow pit on site.	
B 2.10 What is the name of the nearest town?	The nearest town is Vaalwater situated approximately 22km on a Southerly direction from the borrow pit site.




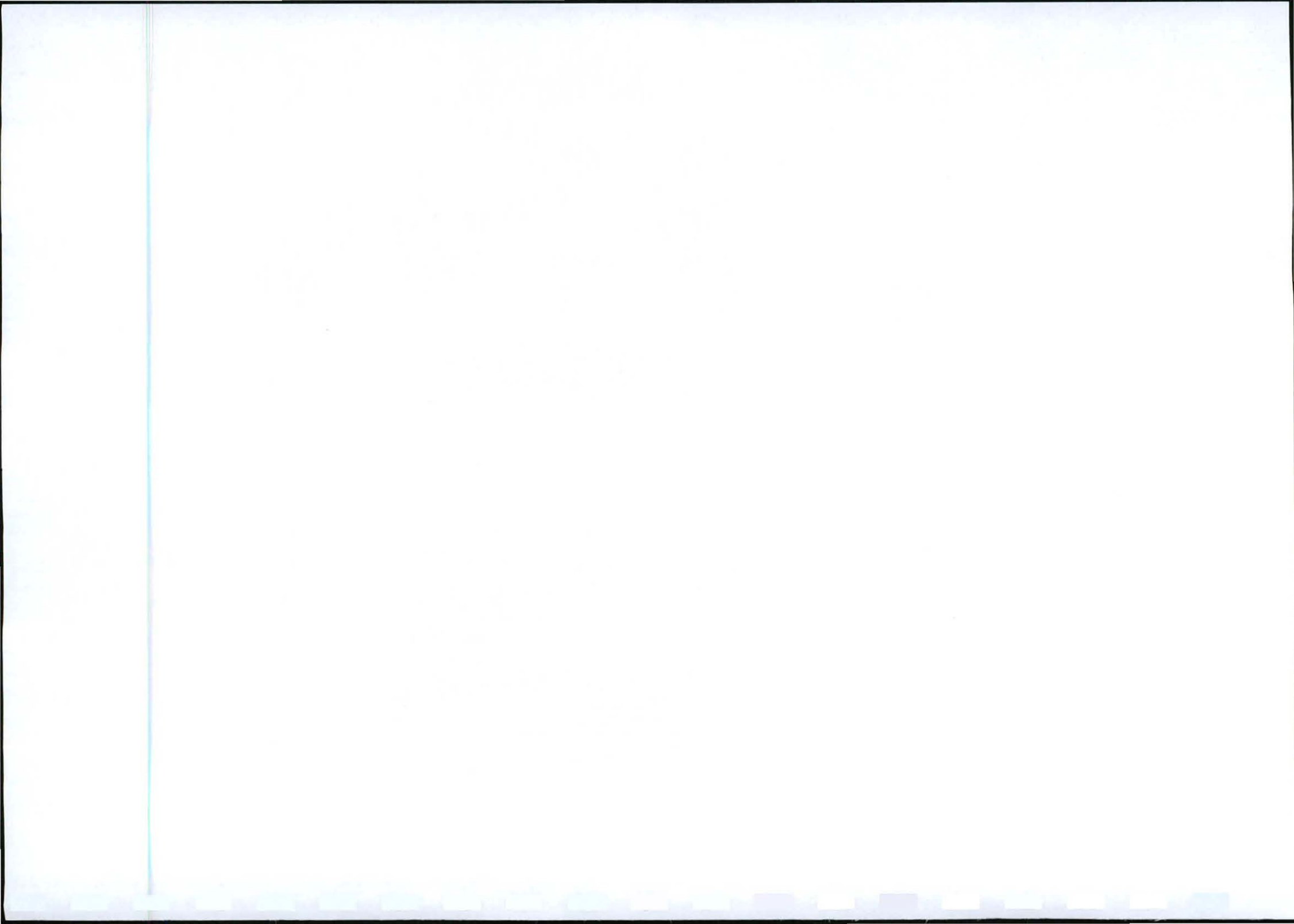


C. ENVIRONMENTAL IMPACT ASSESSMENT:

The information provided in this section will enable officials to determine how serious the impact of the prospecting/mining operation will be.

DESCRIBE THE ENVIRONMENT THAT WILL BE AFFECTED BY THE PROPOSED PROSPECTING/MINING OPERATIONS UNDER THE FOLLOWING HEADINGS:

C.1 DESCRIPTION OF THE ENVIRONMENT LIKELY TO BE AFFECTED BY PROPOSED PROSPECTING/MINING OPERATIONS: (REGULATION 52(2)(a))			
ENVIRONMENTAL ELEMENT/ IMPACTOR	VALUE	TICK	OFFICE USE
<p>C 1.1 What does the landscape surrounding the proposed operation look like? (Open veldt/ valley/ flowing landscape/ steep slopes)</p> <p>The general landscape of the area is characterized by steep slopes with elevation of about 1287m (see Figure 2 below).</p>			
			
<p>Figure 2: Shows the general landscape of the area.</p>			
<p>C 1.2 Describe the type of soil found on the surface of the site</p>	<p>Calcrete , lime rare or absent in upland soils but generally present in low-lying soils</p>		
<p>According to ENPAT data, the soils are generally red – yellow and grayish with low to medium base status. Also refer to Appendix B for the attached ENPAT generalized soil description for the Northern Province.</p>			
	VALUE	TICK	OFFICE





			USE
C 1.3 How deep is the topsoil?	0 – 300mm	X	8
< 450mm	300 – 600mm		4
	600mm +		2
Kindly note that this is an existing borrow pit and most of the top soil have been stripped during the previous mining/borrow activities.			
C 1.4 What <i>plants, trees and grasses</i> grow naturally in the area around the site?			
Few shrubs, acacia trees (<i>acacia smalli</i>) were noted on site with degraded grassland (see attached, ENPAT land cover map in Appendix B).			
C 1.5 What <i>animals</i> naturally occur in the area?			
Cattle, sheep and wild animals (mostly warthogs) occur in the area.			
	VALUE	TICK	OFFICE USE
C 1.6 Are there any <i>protected areas</i> (game parks/nature reserves, monuments, etc) close to the proposed operation?	Yes		4
	No	X	0
There are no protected areas near the site.			
C 1.7 What mineral are you going to prospect or mine for?			
Gravel.			
C 1.8 Describe the type of equipment that will be used:			
Excavators, front-end loaders and tipper trucks will be used during the operation.			
C.2 HOW WILL THE PROPOSED OPERATION IMPACT ON THE NATURAL ENVIRONMENT? (REGULATION 52(2)(b))			
	ENVIRONMENTAL ELEMENT/ IMPACTOR	VALUE	TICK
			OFFICE USE
C 2.1 What will the ultimate depth of the proposed prospecting/mining operations be?	0 – 5m		2
	6 – 10m	X	4
	10 – 25m		8
	25m +		10
The depth of the proposed mining operations is unknown at this stage. It should be noted that the site is an existing borrow pit with a depth exceeding 5m. However, it is anticipated the ultimate depth will not exceed 10m after mining operations.			