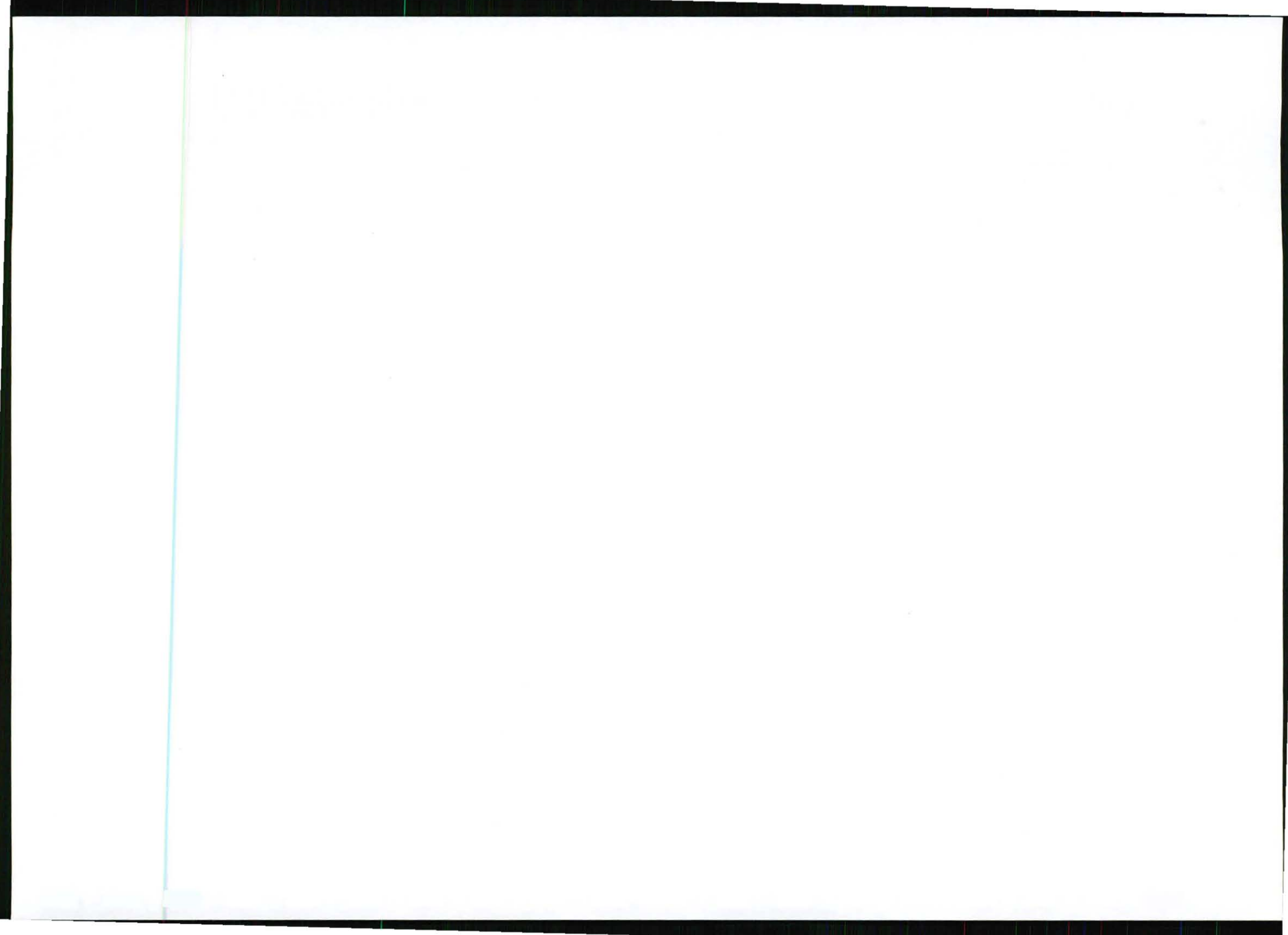
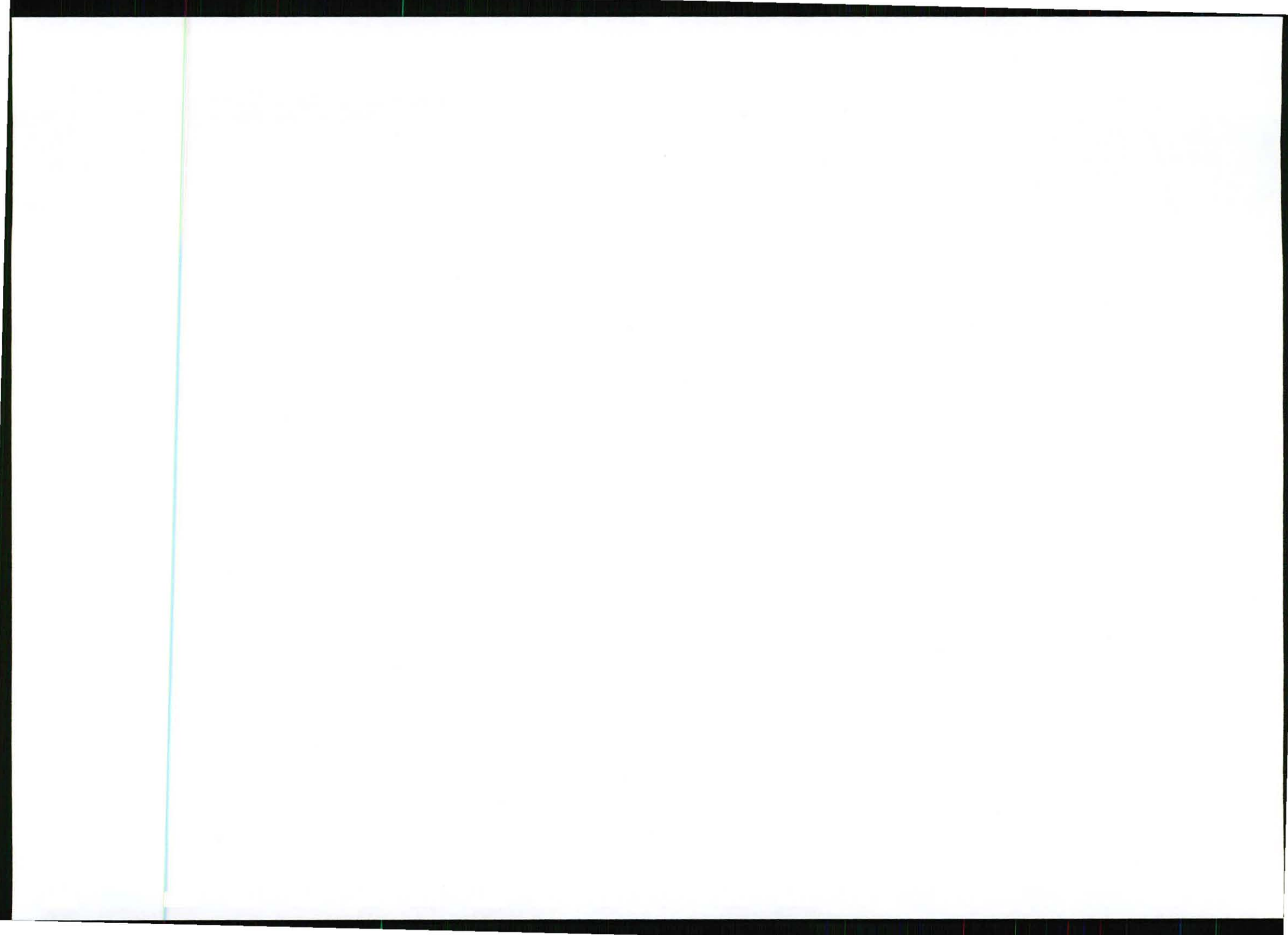


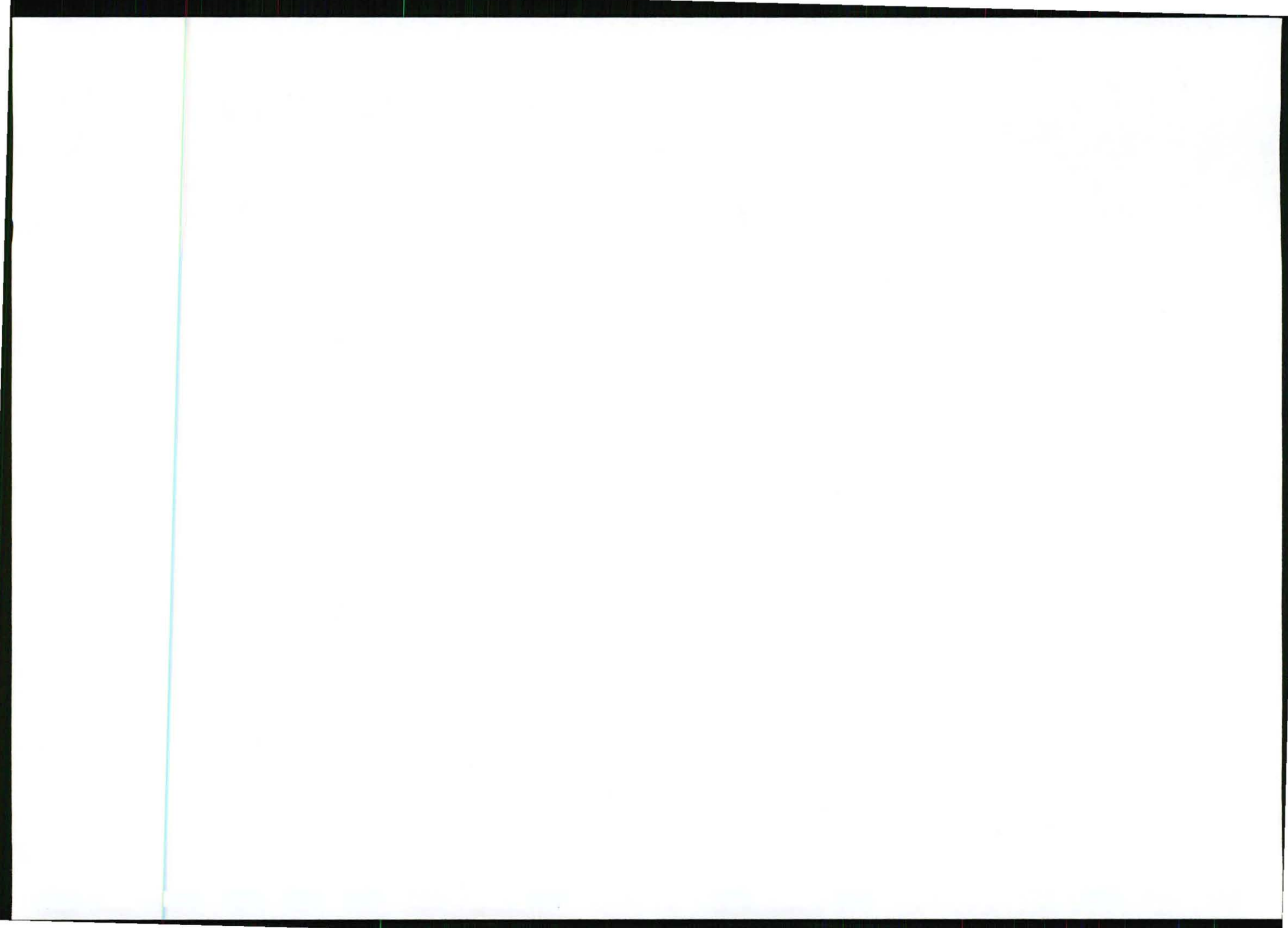
Activity:	Environmental Aspect:	Impact:	Significance:	Mitigation Measures:
	Noise:	Increased noise levels.	Low Impact	<p>These noise levels from machinery will attenuate to acceptable levels within a short distance (100m). Note that no significant noise increases are expected within a 500m radius of the activities, which may impact on surrounding residences. Personnel will be issued with the necessary protective gear to ensure their safety.</p> <p>All machinery will be kept in good working order, to ensure that no unwanted noise is generated. Noisy vehicles or machinery will be repaired immediately to dampen noise levels on site.</p>
Transport:	Air Quality:	Increased dust levels.	Low Impact	<p>The following steps will be taken:</p> <ul style="list-style-type: none"> <li>• A water cart must be present on site, and always in a working order, so that dust suppression can be practiced as frequently as necessary.</li> <li>• Speed limits will be instated within the boundaries of the site to minimize the dust impact as a result of heavy trucks.</li> <li>• If dust levels on site are significantly impacted on and the dust level rise above 10mg/m<sup>3</sup> dust masks must be made available to workers.</li> </ul>
	Noise:	Increased noise levels.	Low Impact	<p>These noise levels from machinery will attenuate to acceptable levels within a short distance (100m). Note that no significant noise increases are expected within a 500m radius of the activities, which may impact on surrounding residences. Personnel will be issued with the necessary protective gear to ensure their safety.</p> <p>All machinery will be kept in good working order, to ensure that no unwanted noise is generated. Noisy vehicles or machinery will be repaired immediately to dampen noise levels on site.</p>
Replacing Topsoil:	Topography:	Altered topography.	Medium Impact	After topsoil is replaced over a mined out area, a final void will remain.



Activity:	Environmental Aspect:	Impact:	Significance:	Mitigation Measures:
	Surface Hydrology:	Changed runoff.	Medium Impact	<p>The regulations promulgated in Government Notice No.704 of 4 June 1999, in terms of the NWA (the National Water Act, (Act No. 36 of 1998)) shall apply to the water management and pollution control at the mine.</p> <p>The run-off patterns will be restored (altered) during rehabilitation of each mined out area.</p>
	Air Quality:	Increased dust levels.	Low Impact	<p>The following steps will be taken:</p> <ul style="list-style-type: none"> <li>• A water cart must be present on site, and always in a working order, so that dust suppression can be practiced as frequently as necessary.</li> <li>• Speed limits will be instated within the boundaries of the site to minimize the dust impact as a result of heavy trucks.</li> <li>• If dust levels on site are significantly impacted on and the dust level rise above 10mg/m<sup>3</sup> dust masks must be made available to workers.</li> </ul>
	Noise:	Increased noise levels.	Low Impact	<p>These noise levels from machinery will attenuate to acceptable levels within a short distance (100m). Note that no significant noise increases are expected within a 500m radius of the activities, which may impact on surrounding residences. Personnel will be issued with the necessary protective gear to ensure their safety.</p> <p>All machinery will be kept in good working order, to ensure that no unwanted noise is generated. Noisy vehicles or machinery will be repaired immediately to dampen noise levels on site.</p>



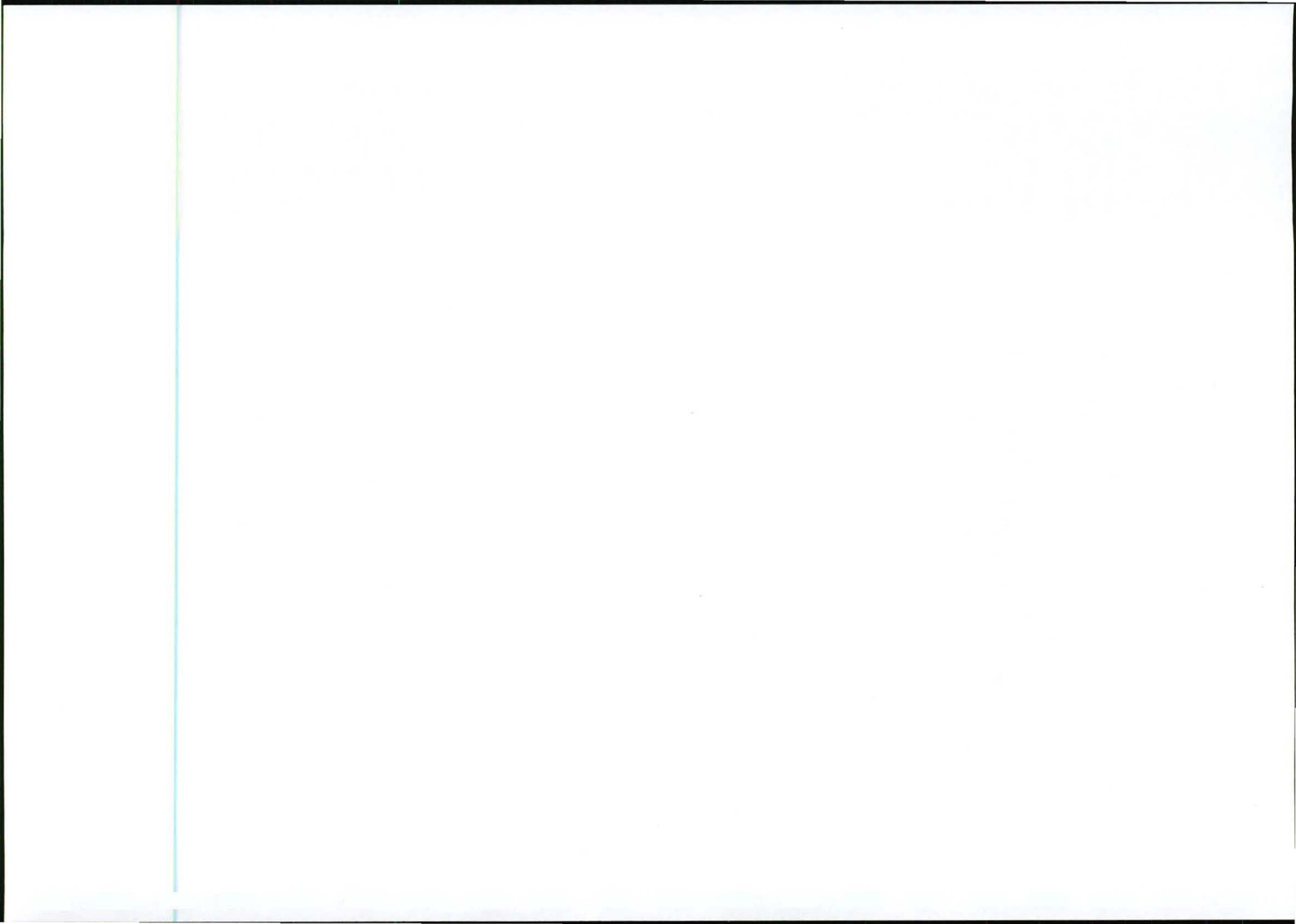
Activity:	Environmental Aspect:	Impact:	Significance:	Mitigation Measures:
Dust Suppression:	Noise:	Increased noise levels.	Low Impact	<p>These noise levels from machinery will attenuate to acceptable levels within a short distance (100m). Note that no significant noise increases are expected within a 500m radius of the activities, which may impact on surrounding residences. Personnel will be issued with the necessary protective gear to ensure their safety.</p> <p>All machinery will be kept in good working order, to ensure that no unwanted noise is generated. Noisy vehicles or machinery will be repaired immediately to dampen noise levels on site.</p>



**Knowledge Gaps:**

The environment that is likely to be affected by the proposed mining activities is detailed in **Chapter 4**. As no sensitive environmental features were identified on the site, no knowledge gap exists in terms of the current state of the environment.

A site visit conducted by the DMR during May 2010 resulted in the appointment of Dr Johan Binneman of Eastern Cape Heritage Consultants to assess the need for a full Heritage Assessment with regards to the project (see **Annexure A – Heritage Investigation**). In accordance with the findings of this investigation, no knowledge gap exists in terms of the Archaeological or Cultural state of the site.





## CHAPTER 8 – REHABILITATION:

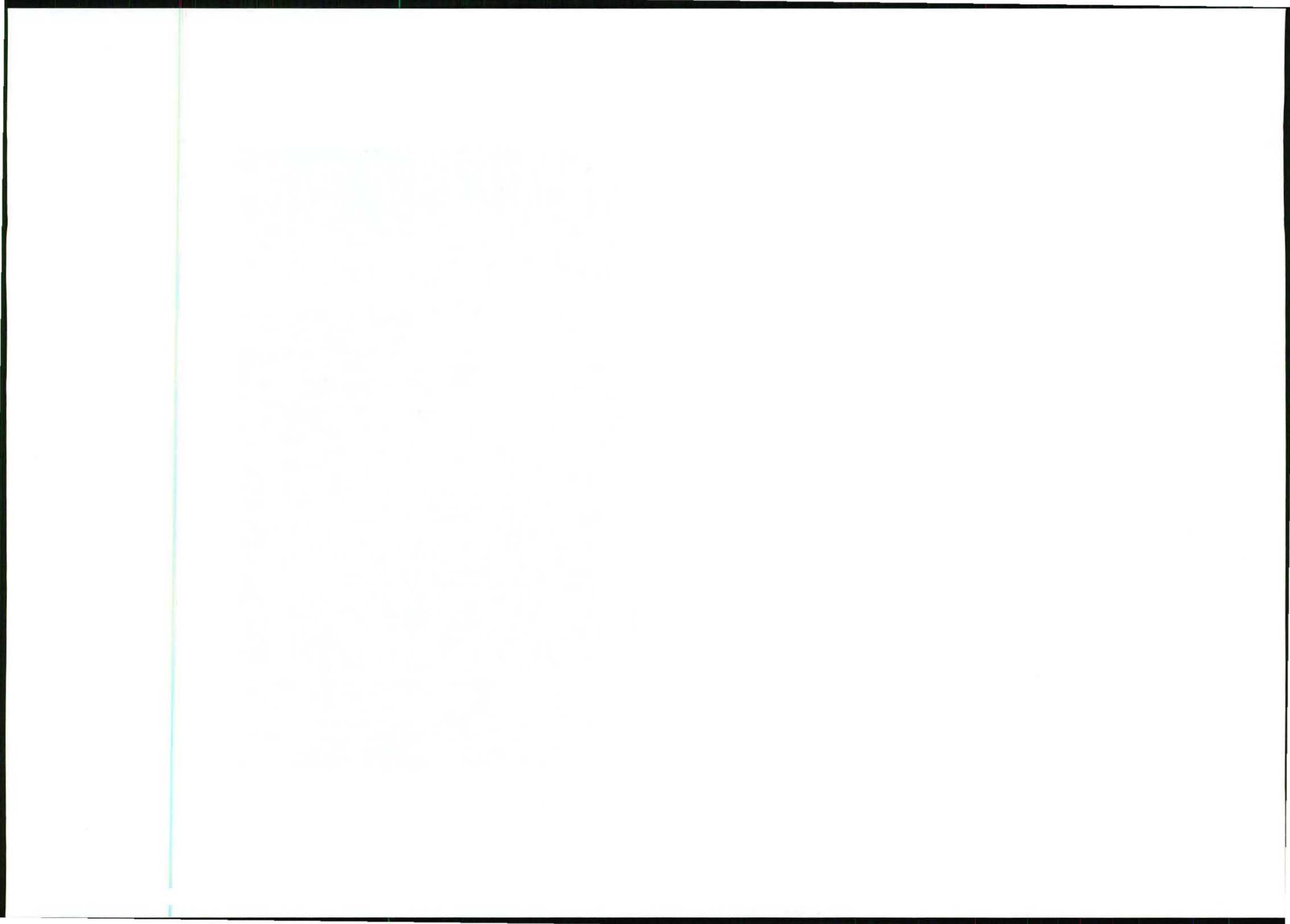
### Rehabilitation Plan:

Concurrent rehabilitation will be applied as follows:

- Topsoil will be removed from Phase 1 according to the Soil utilisation Guide and stored in the 9m mine boundary pillar.
- When Phase 1 is mined out, 85% of the topsoil from Phase 2 will be used to cover Phase 1, with the rest (15%) stored in the 9m boundary pillar to supplement the loss of topsoil of Phase 1 due to historical mining activities.
- When Phase 2 is mined out, 85% of the topsoil from Phase 3 will be used to cover Phase 2, with the rest (15%) stored in the 9m boundary pillar to supplement the loss of topsoil of Phase 1 due to historical mining activities.
- When Phase 3 is mined out, 85% of the topsoil from Phase 4 will be used to cover Phase 3, with the rest (15%) stored in the 9m boundary pillar to supplement the loss of topsoil of Phase 1 due to historical mining activities.
- When Phase 4 is mined out, 85% of the topsoil from Phase 5 will be used to cover Phase 4, with the rest (15%) stored in the 9m boundary pillar to supplement the loss of topsoil of Phase 1 due to historical mining activities.
- When Phase 5 is mined out, 85% of the topsoil from Phase 6 will be used to cover Phase 5, with the rest (15%) stored in the 9m boundary pillar to supplement the loss of topsoil of Phase 1 due to historical mining activities.
- When Phase 6 is mined out, the topsoil stockpiled in the 9m boundary pillar will be used to cover Phase 6.

**Figure 6: Mining and Rehabilitation Phases.**





### Rehabilitation Schedule:

The following schedule will apply for rehabilitation of the different mining phases:

**Table 8: Rehabilitation Schedule**

Month:	Actions to be taken:
1	Topsoil will be removed from Phase 1 according to the Soil utilisation Guide and stored in the 9m mine boundary pillar.
2	Replace 85% of the topsoil from Phase 2 over Phase 1, with the rest (15%) stored in the 9m boundary pillar to supplement the loss of topsoil of Phase 1 due to historical mining activities. The newly covered area will then be vegetated.
3	Replace 85% of the topsoil from Phase 3 over Phase 2, with the rest (15%) stored in the 9m boundary pillar to supplement the loss of topsoil of Phase 1 due to historical mining activities. The newly covered area will then be vegetated.
4 - 12	Monthly monitoring of rehabilitated areas on Phases 1 and 2.
13	Replace 85% of the topsoil from Phase 4 over Phase 3, with the rest (15%) stored in the 9m boundary pillar to supplement the loss of topsoil of Phase 1 due to historical mining activities. The newly covered area will then be vegetated.
14	Replace 85% of the topsoil from Phase 5 over Phase 4, with the rest (15%) stored in the 9m boundary pillar to supplement the loss of topsoil of Phase 1 due to historical mining activities. The newly covered area will then be vegetated.
15	Replace 85% of the topsoil from Phase 6 over Phase 5, with the rest (15%) stored in the 9m boundary pillar to supplement the loss of topsoil of Phase 1 due to historical mining activities. The newly covered area will then be vegetated.
16	Replace all the topsoil stockpiled in the 9m boundary pillar over Phase 6. The newly covered area will then be vegetated.
∞	Post-closure monitoring will apply.

### Closure Objectives:

The objective of successful closure will be to return the mining area to the previous land use of grazing land.



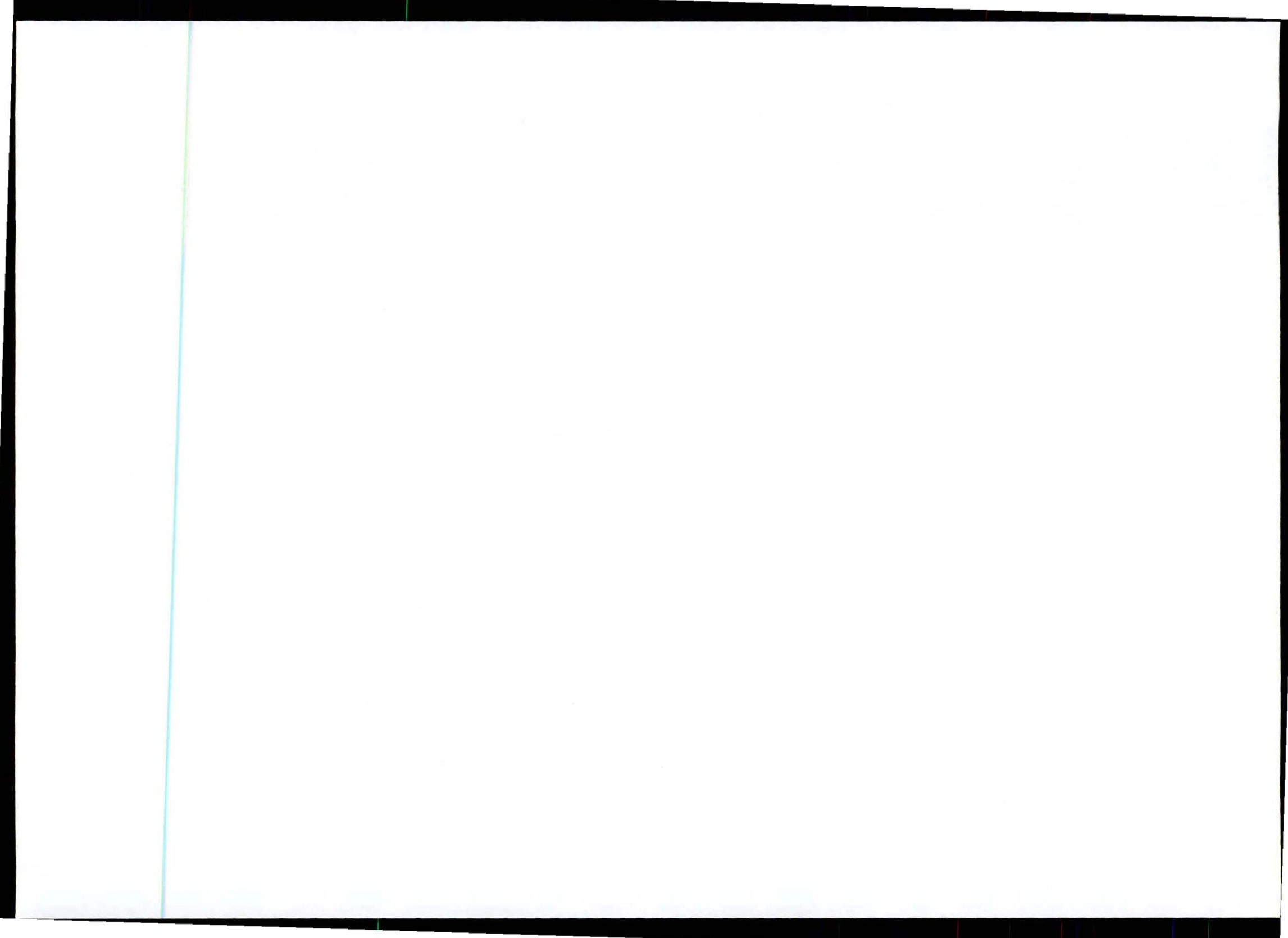
## CHAPTER 9 – POST CLOSURE:

### Post Closure Environmental Risks:

When identifying Post-closure environmental risks, each of the medium or high impacts identified in the in the impact assessment in **Chapter 7** is considered. The following table shows the evaluation of the impacts considered.

**Table 9.1: Post-Closure Risks**

Environmental Aspect:	Impact:	Significance:	Mitigation Measures:	Post-closure Risks:
Soil:	Disturbed.	Medium Impact	The impact on the soil will be rectified when the topsoil from the topsoil stockpile are used to cover these areas during the closure phase.	If vegetation cover is not sufficient, erosion may be promoted.
Flora:	Removed.	Medium Impact	The area will be re-vegetated after topsoil is replaced over the mined out areas.	An infestation of invader plant species may occur.
Surface Hydrology:	Changed runoff.	Medium Impact	The regulations promulgated in Government Notice No.704 of 4 June 1999, in terms of the NWA (the National Water Act, (Act No. 36 of 1998)) shall apply to the water management and pollution control at the mine.  The run-off patterns will be restored (altered) during rehabilitation of each mined out area.	If vegetation cover is not sufficient, an increase in runoff may result, causing erosion.
Geology:	Removed.	Medium Impact	The mine will be committed to optimise the use of the mined mineral in order to ensure no resources are wasted. No other management measures will be possible.	There will not be any residual risks after closure.
Topography:	Altered topography.	Medium Impact	After topsoil is replaced over a mined out area, a final void will remain.	There will not be any residual risks after closure.



### Maintenance (aftercare) Programme:

The following table indicates the aftercare programme that will apply for the risks identified in the previous section.

**Table 9.2: Aftercare Programme**

Environmental Aspect:	Post-closure Risks:	Aftercare:
Soil:	If vegetation cover is not sufficient, erosion may be promoted.	The following aftercare is required: <ul style="list-style-type: none"> <li>✓ Monitoring.</li> <li>✓ Re-seeding of areas where vegetation did not establish successfully.</li> <li>✓ Repairing areas where erosion occurred.</li> </ul>
Flora:	An infestation of invader plant species may occur.	The following aftercare is required: <ul style="list-style-type: none"> <li>✓ Monitoring.</li> <li>✓ Re-seeding of areas where vegetation did not establish successfully.</li> <li>✓ Repairing areas where erosion occurred.</li> <li>✓ Removal of invader plant species where necessary.</li> </ul>
Surface Hydrology:	If vegetation cover is not sufficient, an increase in runoff may result, causing erosion.	The following aftercare is required: <ul style="list-style-type: none"> <li>✓ Monitoring.</li> <li>✓ Re-seeding of areas where vegetation did not establish successfully.</li> <li>✓ Repairing areas where erosion occurred.</li> </ul>

### Monitoring Programme:

The following monitoring procedures will be implemented at the mine in order to ensure compliance with this document, as well as relevant legislation. The monitoring procedures are implemented to ensure that the mitigation measures implemented are successful.

#### Surface Water Quality Monitoring:

The absence of surface water on the mining area and surrounds means that no monitoring in this regard is possible.

#### Vegetation Monitoring:

It is recommended that monthly monitoring sessions be undertaken on disturbed areas where topsoil was restored and re-vegetated. This monitoring is to assess the success of the re-vegetation. During these monitoring sessions additional measures such as invader control, fertilisation and erosion control can be implemented if necessary. Records of all the results of the monitoring programme will be kept at the mine offices.

#### Rehabilitation Monitoring:

Concurrent rehabilitation must be monitored to ensure that topsoil is replaced correctly.





## CHAPTER 10 – PUBLIC PARTICIPATION:

### Introduction:

This report provides details on the public participation process followed to notify any possible interested or affected parties of the mining permit application. All interested and affected parties were provided the opportunity to register as an interested an affected party and/or to raise any concerns or comment on the application.

The following steps were taken during the public participation process:


- Site notices was placed at strategic points.
- Letters were faxed to interested and affected parties.
- Advertisement in local newspaper.
- Community meeting.

Due to the fact that no specific objection was received to date, affected parties were afforded opportunity until Monday 14 June to forward any comments and objections to EHS for inclusion into the EMP.

### Site Notices:

Site notices were placed at the entrance to the property of the proposed mining area and at the entrance of the Mount Coke brick factory approximately 1km to the west of the application area. These notices informed community members of the proposed mining permit application and provided them the opportunity to register as an interested and affected party and raise any concerns or objections regarding the application. The following pictures show the site notices:

**Figure 10: Site Notices**

Picture	Description
	<p>This picture shows the site notices at the entrance to the property.</p>





This picture shows the site notices at the Mount Coke brick factory approximately 1 km to the west of the application area.

No correspondence regarding the application was received on any of the site notices.

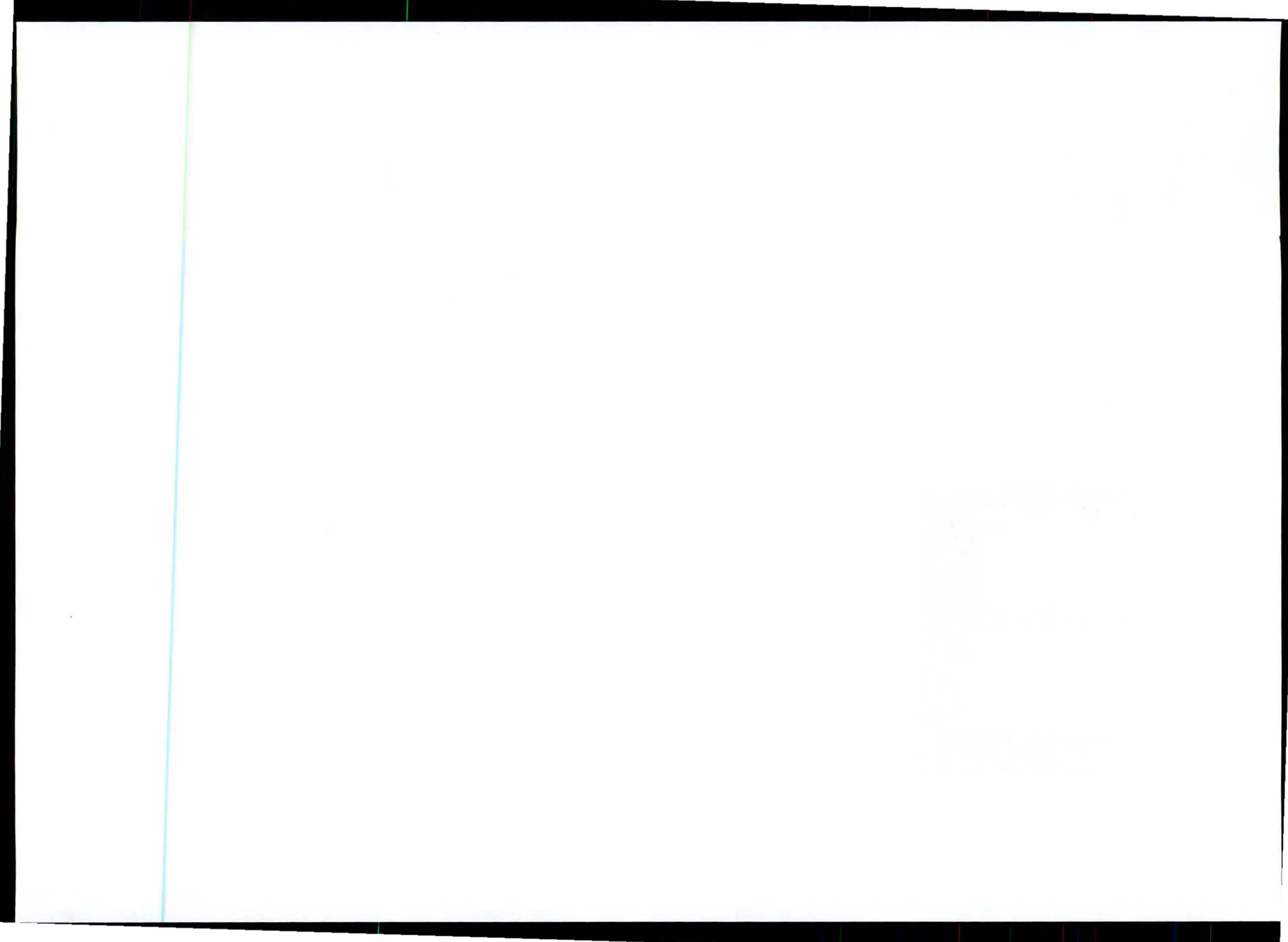
### Letters:

Letters were sent via fax to several known affected parties in the area. See **Annexure B** attached hereto for proof of faxed letters.

These letters contained the following information:

- Notice/Details of the application
- Reason for the project
- Planned production
- Geology of the area
- Applicants Effect to Section 2(d) and 2(f) of the Minerals and Petroleum Resources Development Act, 2002 (Act 28 of 2002).
- Opportunity to raise concerns or comment on the application.
- Regulation 2(2) Plan

The Department of Mineral Resources (DMR) further indicated that as this application is in conflict with applications received from Shell Exploration Company B.V they must be included in the list of Interested and Affected Parties. As the DMR neglected to provide any contact details for Shell Exploration Company B.V, the DMR was contacted for such details, but the DMR instructed that the Petroleum Agency SA must be contacted to obtain such contact details. After several telephonic and internet inquiries to the Petroleum Agency SA, the only contact details they could provide us with, is a telephone number for Shell Exploration Company B.V in the Netherlands. In this regard a decision was then made to send the details of the application through to the Petroleum Agency SA itself for distribution to the relevant individuals.



The letters were faxed to the following interested or affected parties:

**Table 10: Faxed Letters**

Individual	Company	Designation/Area	Fax Number
Mr M Hlophekazi	Department of Land Affairs	Office Manager	043 722 1788
Ms B Kikelana	Department of Land Affairs	State Land Unit	043 743 4786
Mr Mayekiso	Department of Traditional Affairs	Rharhabe Region	040 609 5720
Petroleum Agency SA	Shell Exploration Company B.V		021 938 3520

No correspondence regarding the application was received on any of the faxed letters.

### **Advertisement:**

An advertisement was placed in the Daily Dispatch local newspaper informing affected parties of the application. See **Annexure C** attached hereto for proof of the advertisement. The advertisement informed community members of the proposed mining permit application and provided them the opportunity to register as an interested and affected party and raise any concerns or objections regarding the application. No interested or affected parties have responded on the advertisement.

### **Community Meeting:**

A meeting, between the Applicant and a representative of each of the two surrounding communities, to discuss the mining permit application was scheduled for 7 June 2010 but as per request of the community representatives this meeting was postponed to 9:30 on 9 June 2010 at Kei Brick & Tile (Pty) Ltd offices at the Mount Coke Brick Factory. The meeting was attended by the following individuals:

- Mr P Skade – Ward Councillor
- Mr T Majalisa – Ward Committee
- Ms T Motileni – Production Manager Kei Brick
- Mr C Clarke – General Manager Kei Brick

The purpose of the meeting was to:

- Notify the community of the application
- Discuss any concerns or comments regarding the application.
- Discuss the applicant's strategy to give effect to Section 2(d) and 2(f) of the MPRDA.



As requested in the meeting by Mr Skade, a site visit was conducted after the meeting. Mr Skade and Mr Mangalisa further undertook to meet with their respective communities and asked that Mr Clarke be available for such meetings.

Thembekile Majaliga as Ward Committee and Chairperson of the Thip-Thip community provided the following feedback:

- The community will be affected as they use the area for grazing purposes.
- He is also concerned that their cemetery may be affected.

See minutes of the meeting, attendance register and feedback attached hereto in **Annexure D**.





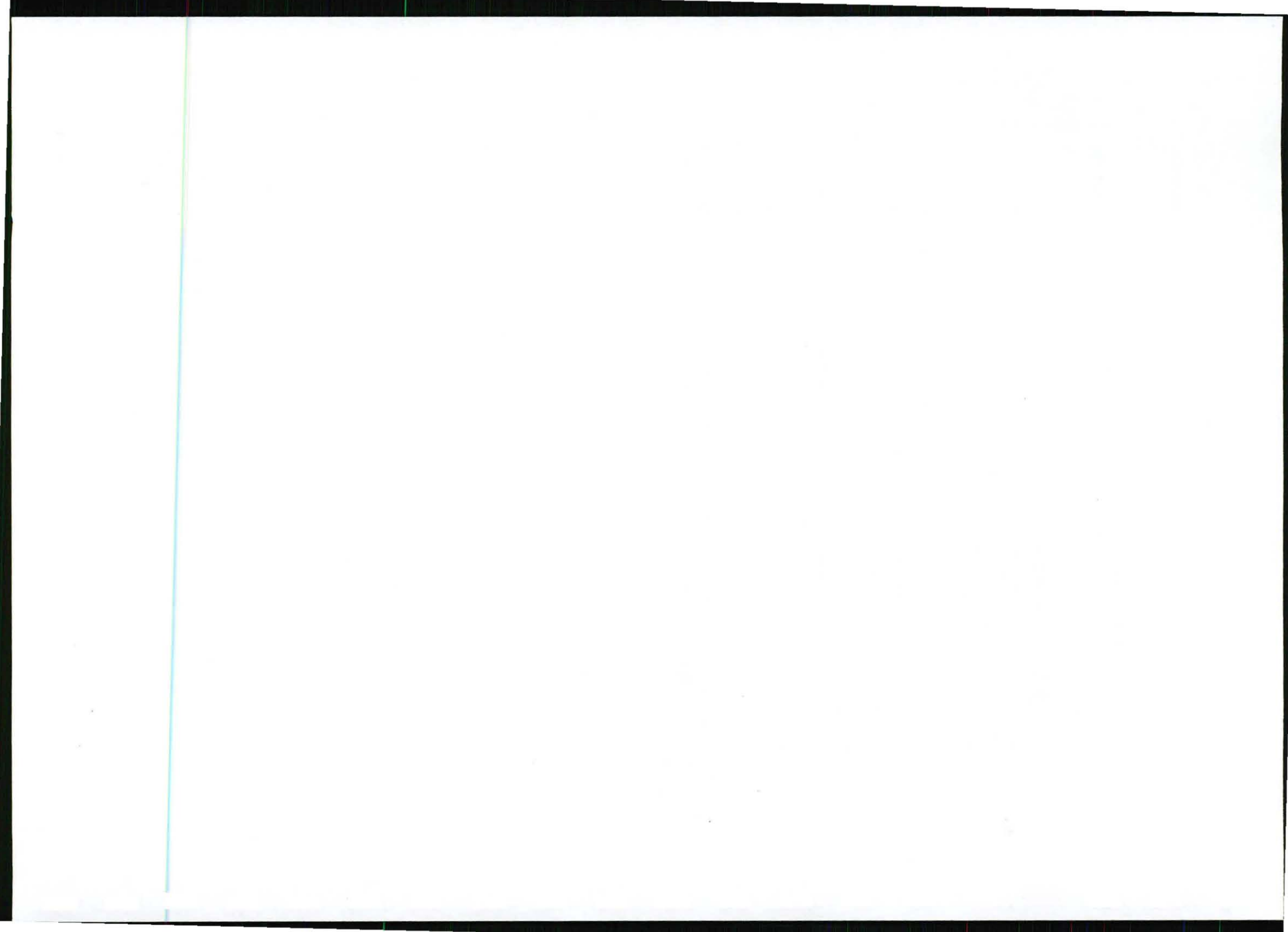
**CHAPTER 11 – FINANCIAL PROVISION:**

The following table indicates the quantum calculation of financial provision for rehabilitation.

**Table 11: Quantum Calculations**

CALCULATION OF THE QUANTUM							
<b>Mine:</b>		Kei Brick and Tile		<b>Location:</b>		Mount Coke	
<b>Evaluators:</b>		W Riekert		<b>Date:</b>		16 July 2009	
<b>Environmental Parameters</b>							
Risk Class		C					
Area Sensitivity		Low					
Nature of Terrain		Rugged					
Proximity to Urban Area		Remote					
No.	Description	Unit	Quantity	Master rate	Multiplication factor	Weighting factor 1	Amount (rands)
3	Rehabilitation of access roads	m <sup>2</sup>	500	17.00	1.00	1.20	R 10 200.00
6	Opencast rehabilitation including final voids and ramps	ha	1.50	99 600.00	0.04	1.20	R 7 171.20
14	2 to 3 years of maintenance and aftercare	ha	1.55	7 000.00	1.00	1.20	R 13 020.00
<b>SubTotal 1</b>							<b>R 30 391.20</b>
1	Preliminary and General	6.0% if Subtotal 1 > 100 000 000 12.0% if Subtotal 1 < 100 000 000		Weighting factor 2			
						1.10	R 4 011.64
7	Contingency	10.0% of Subtotal 1					R 3 039.12
<b>SubTotal 2</b>							<b>R 37 441.96</b>
Add Vat (14%)							R 5 241.87
<b>GRAND TOTAL</b>							<b>R 42 683.83</b>

The applicant will provide an amount of R43,000-00 in the form of a guarantee from an approved financial institution when imminent approval is indicated by the DMR.



## CHAPTER 12 – UNDERTAKING:

This ENVIRONMENTAL MANAGEMENT PLAN supersedes all other previously relevant Company policies, procedures, programmes or plans.

### OBJECTIVES:

The objectives of this ENVIRONMENTAL MANAGEMENT PLAN are:

- To provide measures for effective prospecting of state or privately owned minerals as envisaged in the Minerals And Petroleum Resources Development Act (28/2002) and the Regulations;
- To provide measures for effective management of potential impacts, as well as measures to ensure that impacts on the biophysical, socio-economical, and cultural environments are kept to a minimum;
- To provide proof of financial provision for rehabilitation;
- To ensure the effective concurrent ongoing rehabilitation.

I, Christopher Nigel Clarke, undersigned and duly authorised thereto by Kei Brick and Tile Company (Pty) Ltd undertakes:

- To actively ensure the adherence to the provisions of this ENVIRONMENTAL MANAGEMENT PLAN;
- To ensure the contents and requirements of this ENVIRONMENTAL MANAGEMENT PLAN are communicated to employees, where required;
- To promote a safe, effective and environmentally healthy operation;
- To regularly monitor the implementation of the Plan ;
- To submit the prescribed reports to the relevant authorities.

Signed at East Londen on this 6<sup>th</sup> day of July 2010

Signature of responsible person:

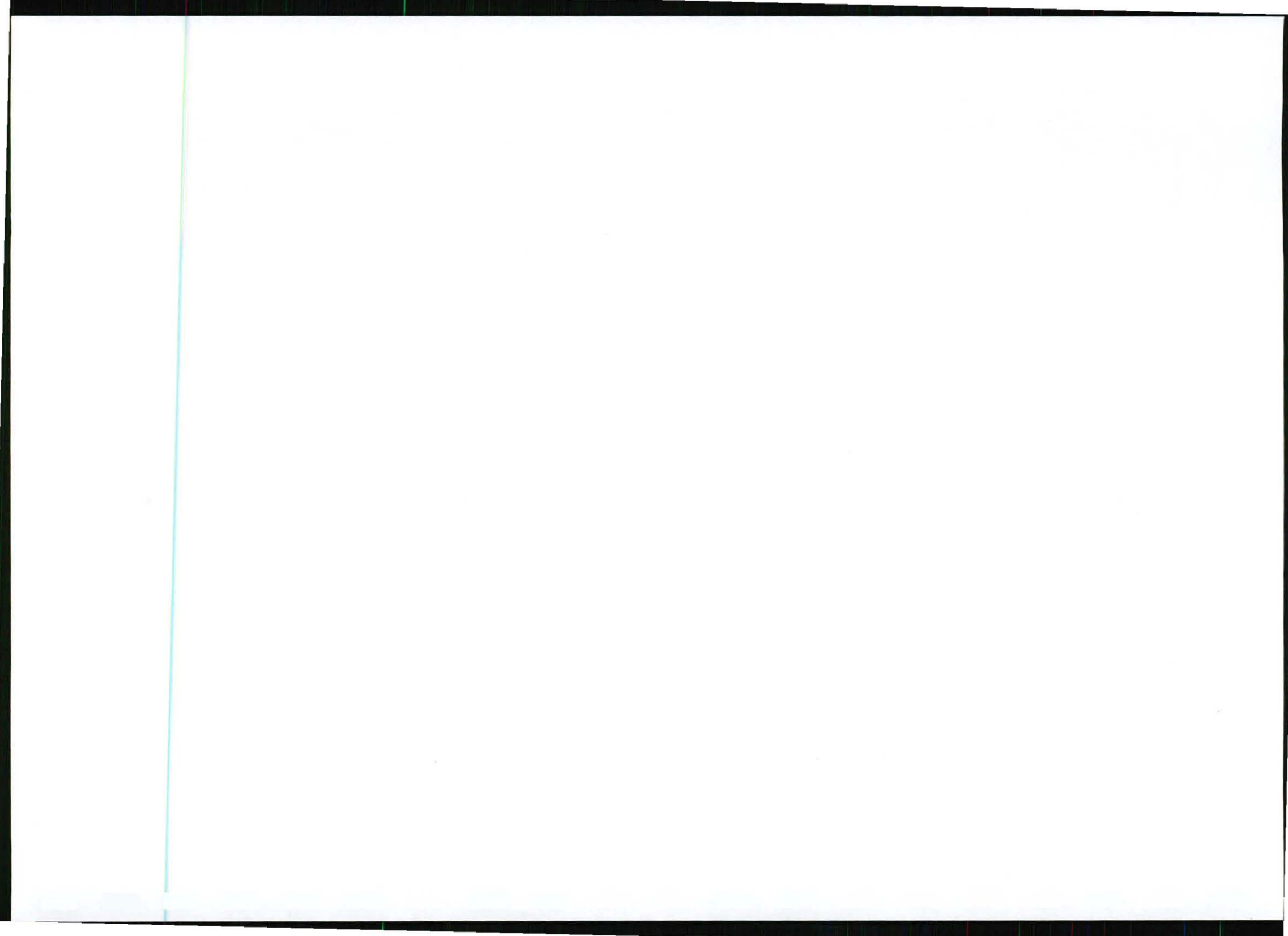
Designation:



.....  
Mine Manager



## **ANNEXURE A – HERITAGE INSPECTION:**



**A LETTER OF RECOMMENDATION (WITH CONDITIONS) FOR THE EXEMPTION OF A FULL PHASE 1 ARCHAEOLOGICAL HERITAGE IMPACT ASSESSMENT FOR THE APPLICATION FOR THE PROPOSED PROSPECTING FOR CLAY ON A PORTION OF FARM 1959, FARM 1960 AND FARM 2179, DIVISION OF KING WILLIAM'S TOWN, EASTERN CAPE PROVINCE**

**Prepared for: EHS**

P.O. Box 13248  
Hatfield  
0028  
Tel: 083 258 2463 / 082 304 8082  
Fax: 086 6551899  
Contact person: Werner Riekert  
Email: [wernerriekert@gmail.com](mailto:wernerriekert@gmail.com)

**Compiled by: Dr Johan Binneman**

**On behalf of: Eastern Cape Heritage Consultants**

P.O. Box 689  
Jeffrey's Bay  
6330  
Tel: 042 2960399  
Cell: 0728006322  
email: [kobusreichert@yahoo.com](mailto:kobusreichert@yahoo.com)

**Date: July 2009**





## **PROJECT INFORMATION**

**Registration No.:** EC 30/5/1/1/2/0154 PR

### **The type of development**

The proposed development includes an application for a prospecting right for clay on an area of approximately 12 ha.

### **The Developer**

Kei Brick and Tile Company (Pty) Ltd

### **The Consultant**

EHS  
P.O. Box 13248  
Hatfield  
0028  
Tel: 083 258 2463 / 082 304 8082  
Fax: 086 6551899  
Contact person: Werner Riekert  
Email: wernerriekert@gmail.com

## **TERMS OF REFERENCE**

The original proposal was to conduct a Phase 1 Archaeological Heritage Impact Assessment of the application for the proposed prospecting for clay on a portion of farm 1959, farm 1960 and farm 2179, Division of King William's Town, Eastern Cape Province; to describe and evaluate the importance of possible archaeological heritage sites, the potential impact of the development and to make recommendations to minimize possible damage to these sites.

## **DESCRIPTION OF THE PROPERTY**

**Map:** 1:50 000 – 3227CD King William's Town

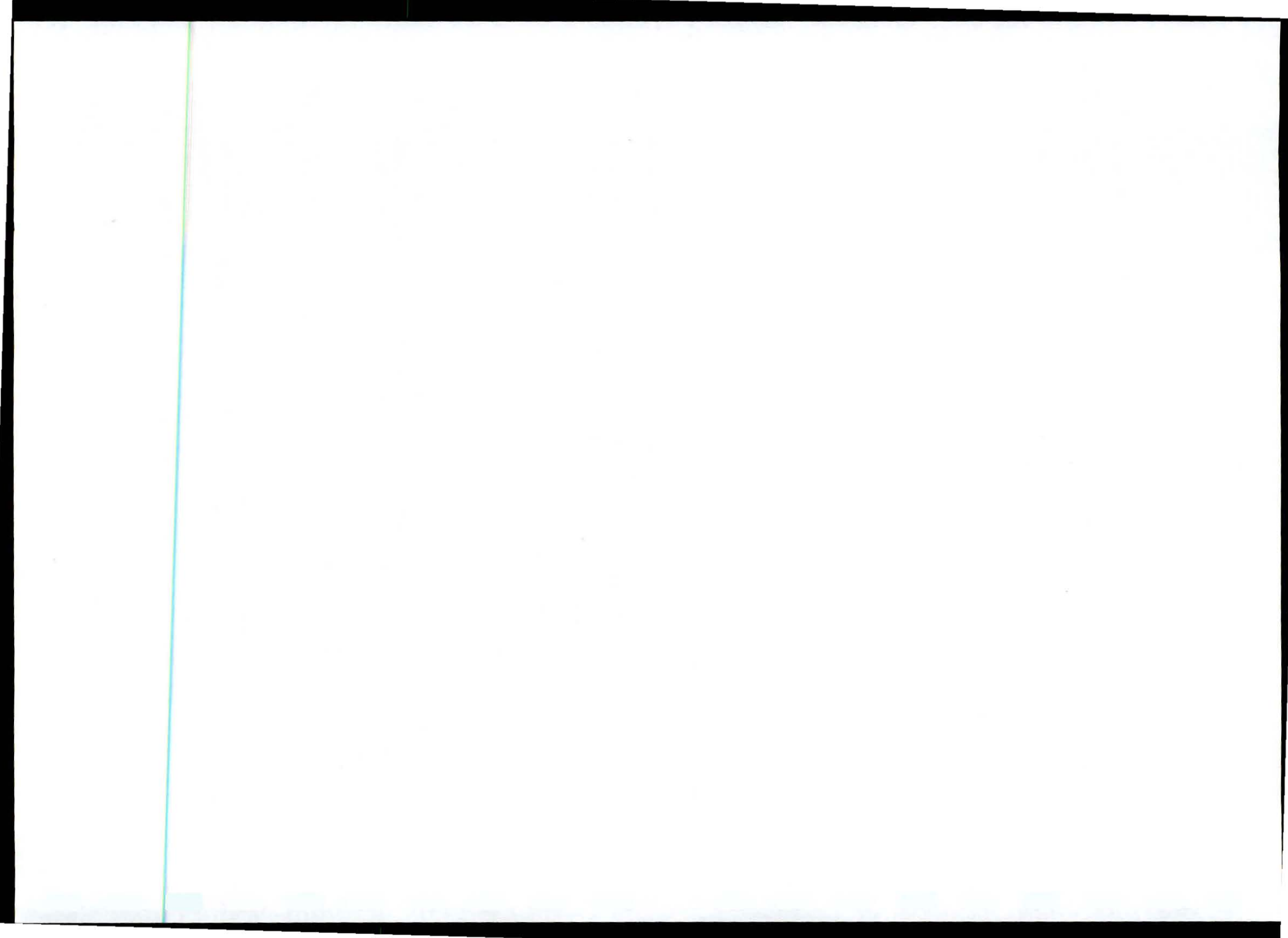
### **Location data**

The proposed area for the prospecting for clay is situated on a portion of farm 1959, farm 1960 and farm 2179, Division of King William's Town, Eastern Cape Province. The area is located east of Mount Coke approximately 20 kilometres south-east of King William's Town next to the R346 main road to East London (Maps 1-2). GPS reading: 32.59.665S; 27.29.074E.

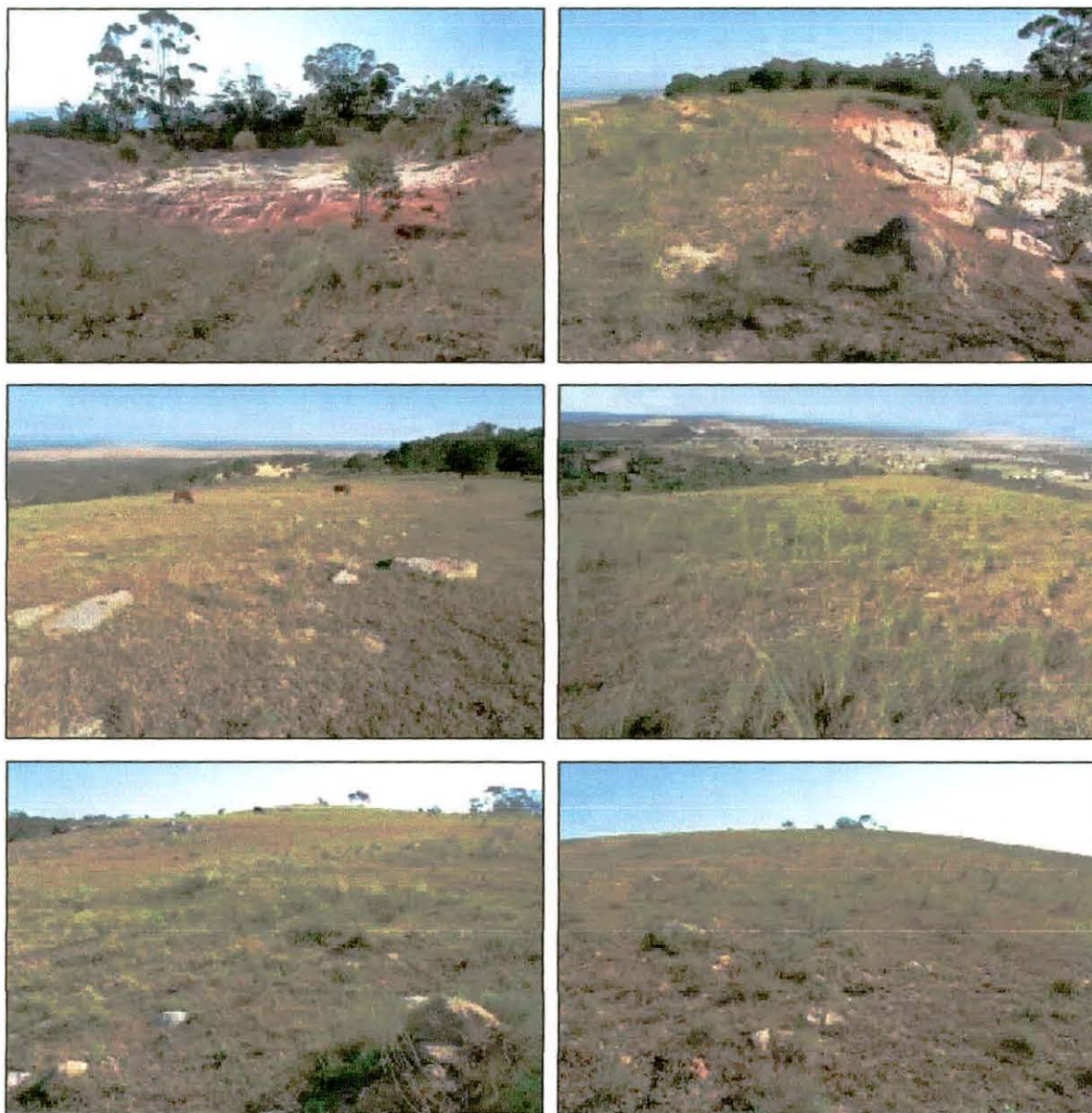
## **ARCHAEOLOGICAL INVESTIGATION**

### **Methodology**

The investigation was conducted by one person on foot. GPS readings were taken with a Garmin Plus II and all important features were digitally recorded. The proposed area for prospecting for clay is situated on a high hill which slopes steeply towards the north, south and east. It is located close to an existing clay mine and there is also a small area mined for clay previously within the new proposed area. A thin layer of grey topsoil and outcrops of surface sandstone/silcrete overlie the clay

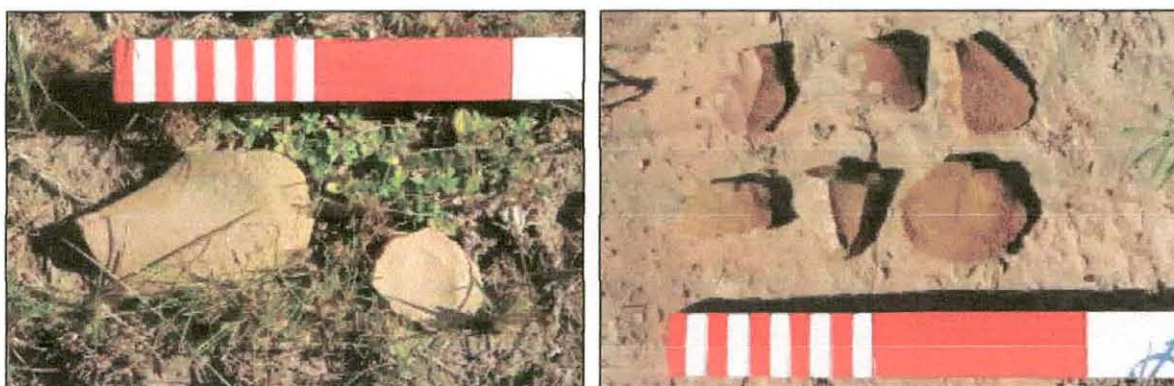


deposit. Low dense grass and other vegetation with patches of small trees and alien wattle trees along the eastern side of the property made it difficult to find archaeological material/sites (Figs 1-6). Occasional silcrete Later and Middle Stone Age stone tools were found on the northern slope of the property (GPS reading: 32.59.650S; 27.29.125E) (Figs 7-8). These stone tools are in secondary context and of little cultural value. The area on the hill top is too small to have attracted Late Mixed Farmer (Late Iron Age) settlements in the past. The gradient of the hill is too steep to allow for hut floors and cattle kraals. In general it would appear unlikely that any archaeological heritage remains of any value will be found *in situ* or of any contextual value will be exposed during the development.



**Figs 1-6. Views of a previous clay mine (top row) and the proposed area adjacent to it for further prospecting for clay mining (middle and bottom rows). Note the steep gradients.**





**Figs 7-8. Examples of the Later and Middle Stone Age stone tools found on the northern slopes of the hill.**

### Conditions

Although it is unlikely that any archaeological heritage remains of any value will be found *in situ* or of any contextual value, there is always a possibility that human remains and/or other archaeological and historical material may be uncovered during the development. Such material must be reported to the nearest museum, archaeologist or to the South African Heritage Resources Agency (SAHRA) if exposed, so that a systematic and professional investigation can be undertaken. Sufficient time should be allowed to remove/collect such material (See Appendix B for a list of possible archaeological sites that maybe found in the area).

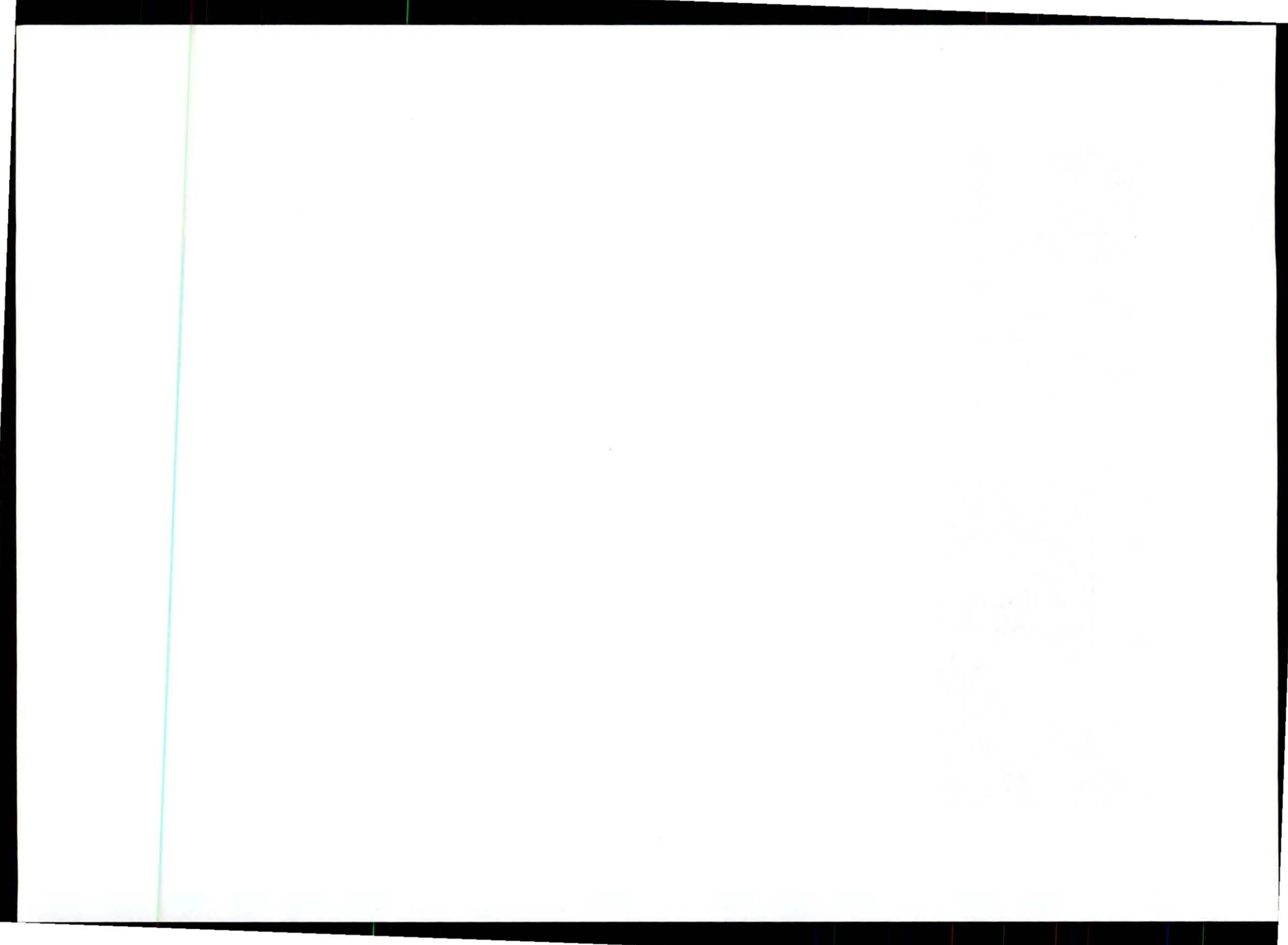
### LETTER OF RECOMMENDATION

It is recommended that the application for the proposed prospecting for clay on a portion of farm 1959, farm 1960 and farm 2179, Division of King William's Town, Eastern Cape Province, is exempted from a full Phase 1 Archaeological Heritage Impact Assessment. The proposed area for development is of low cultural sensitivity and it is therefore unlikely that any archaeological heritage remains will be found on the property. The proposed development may proceed as planned.

**Note:** This letter of recommendation **only** exempts the proposed development from a full Phase 1 Archaeological Heritage Impact Assessment, but **not** for other heritage impact assessments.

It must also be clear that this letter of recommendation for exemption of a full Phase 1 archaeological heritage impact assessment will be assessed by the relevant heritage resources authority. The final decision rests with the heritage resources authority, which should give a permit or a formal letter of permission for the destruction of any cultural sites.

**The National Heritage Resources Act (Act No. 25 of 1999, section 35) (see Appendix A) requires a full Heritage Impact Assessment (HIA) in order that all heritage resources, that is, all places or objects of aesthetics, architectural, historic, scientific, social, spiritual linguistic or technological value or significance are protected. Thus any assessment should make provision for the protection of all these heritage components, including archaeology, shipwrecks, battlefields, graves, and structures older than 60 years, living heritage, historical settlements, landscapes, geological sites, palaeontological sites and objects.**



## GENERAL REMARKS AND CONDITIONS

It must be emphasised that this letter of recommendation for exemption of a full Phase 1 archaeological heritage impact assessment is based on the visibility of archaeological sites/material and may not therefore, reflect the true state of affairs. Sites and material may be covered by soil and vegetation and will only be located once this has been removed. In the unlikely event of such finds being uncovered, (during any phase of construction work), archaeologists must be informed immediately so that they can investigate the importance of the sites and excavate or collect material before it is destroyed (see attached list of possible archaeological sites and material). The *onus* is on the developer to ensure that this agreement is honoured in accordance with the National Heritage Act No. 25 of 1999.

### APPENDIX A: brief legislative requirements

Parts of sections 35(4), 36(3) and 38(1) (8) of the National Heritage Resources Act 25 of 1999 apply:

#### Archaeology, palaeontology and meteorites

35 (4) No person may, without a permit issued by the responsible heritage resources authority—

- (a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;
- (b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;
- (d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment which assist in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.

#### Burial grounds and graves

36. (3) (a) No person may, without a permit issued by SAHRA or a provincial heritage resources authority—

- (a) destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;
- (b) destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
- (c) bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation equipment, or any equipment which assists in the detection or recovery of metals.

#### Heritage resources management

38. (1) Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorized as –

- (a) the construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- (b) the construction of a bridge or similar structure exceeding 50m in length;





- (c) any development or other activity which will change the character of the site –
- (i) exceeding 5000m<sup>2</sup> in extent, or
  - (ii) involving three or more erven or subdivisions thereof; or
  - (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years; or
  - (iv) the costs of which will exceed a sum set in terms of regulations by SAHRA, or a provincial resources authority;
- (d) the re-zoning of a site exceeding 10 000m<sup>2</sup> in extent; or
- (e) any other category of development provided for in regulations by SAHRA or a provincial heritage resources authority, must as the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.



## **APPENDIX B: IDENTIFICATION OF ARCHAEOLOGICAL FEATURES AND MATERIAL FROM INLAND AREAS: guidelines and procedures for developers**

### 1. Identification of Iron Age archaeological features and material

- Upper and lower grindstones, broken or complete. Later Iron Age lower and upper grindstones/rubbers will be pitted.
- Circular hollows - sunken soil, would indicate storage pits and often associated with grindstones.
- Ash heaps, called middens, with cultural remains and food waste such as bone.
- Khaki green soils would indicate kraal areas.
- Baked clay/soil blocks with or without pole, stick and grass impression marks indicate hut structures.
- Clay/ceramic potsherds, decorated or plain.
- Iron slag and/or blowpipes indicate iron working.
- Human remains may also be associated with khaki green soils.
- Metal objects and ornaments.

### 2. Human Skeletal material

Human remains, whether the complete remains of an individual buried during the past, or scattered human remains resulting from disturbance of the grave, should be reported. In general the remains are buried in a flexed position on their sides, but are also found buried in a sitting position with a flat stone capping or in ceramic pots. Developers are requested to be on the alert for these features and remains.

### 3. Fossil bone

Fossil bones may be found embedded in deposit at the sites. Any concentrations of bones, whether fossilized or not, should be reported.

### 4. Stone artefacts

These are difficult for the layman to identify. However, large accumulations of flaked stones which do not appear to have been distributed naturally should be reported. If the stone tools are associated with bone remains, development should be halted immediately and archaeologists notified.

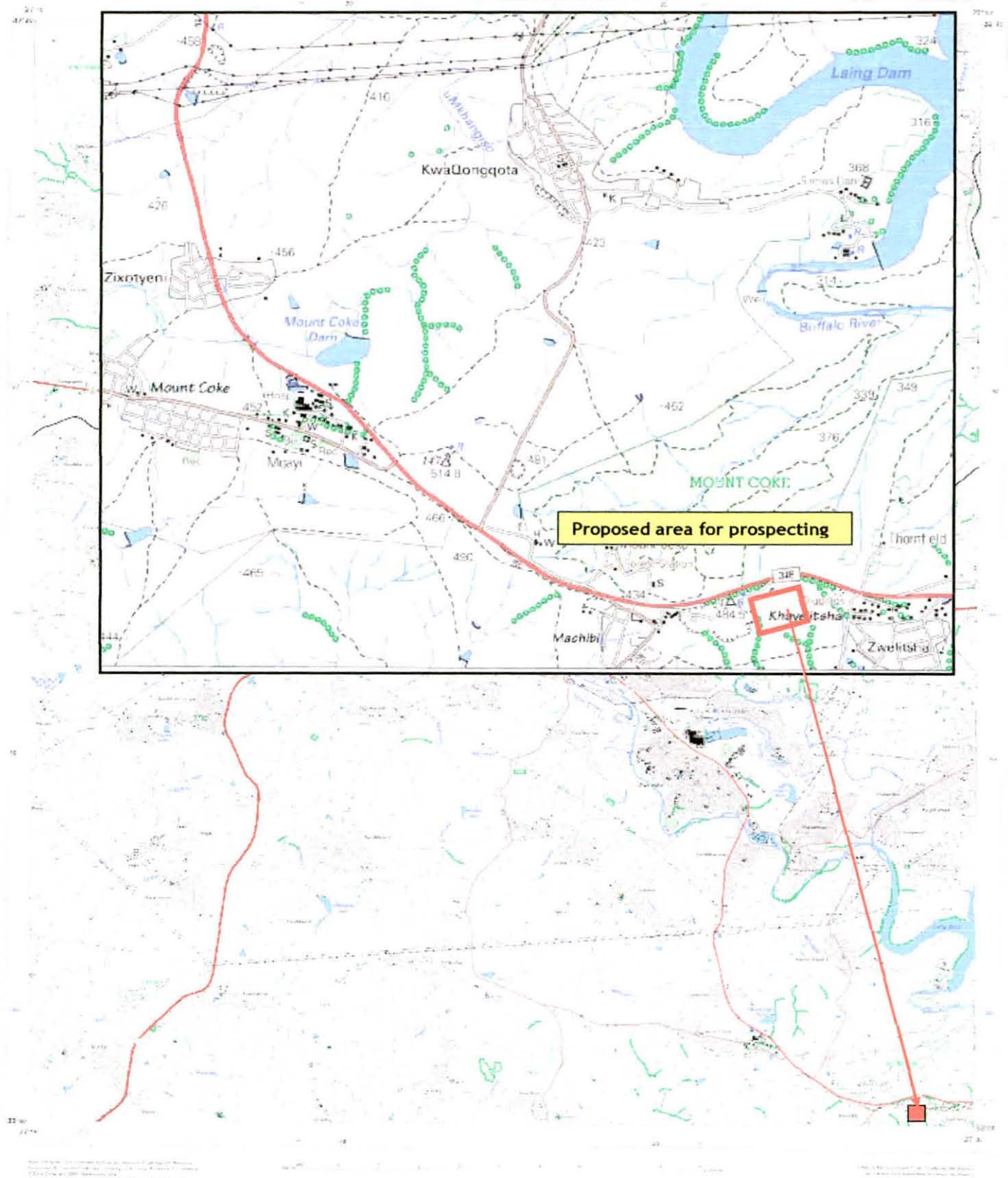
### 5. Large stone features

They come in different forms and sizes, but are easy to identify. The most common are roughly circular stone walls (mostly collapsed) and may represent stock enclosures, remains of wind breaks or cooking shelters. Others consist of large piles of stones of different sizes and heights and are known as *isisivane*. They are usually near river and mountain crossings. Their purpose and meaning is not fully understood, however, some are thought to represent burial cairns while others may have symbolic value.

### 6. Historical artefacts or features

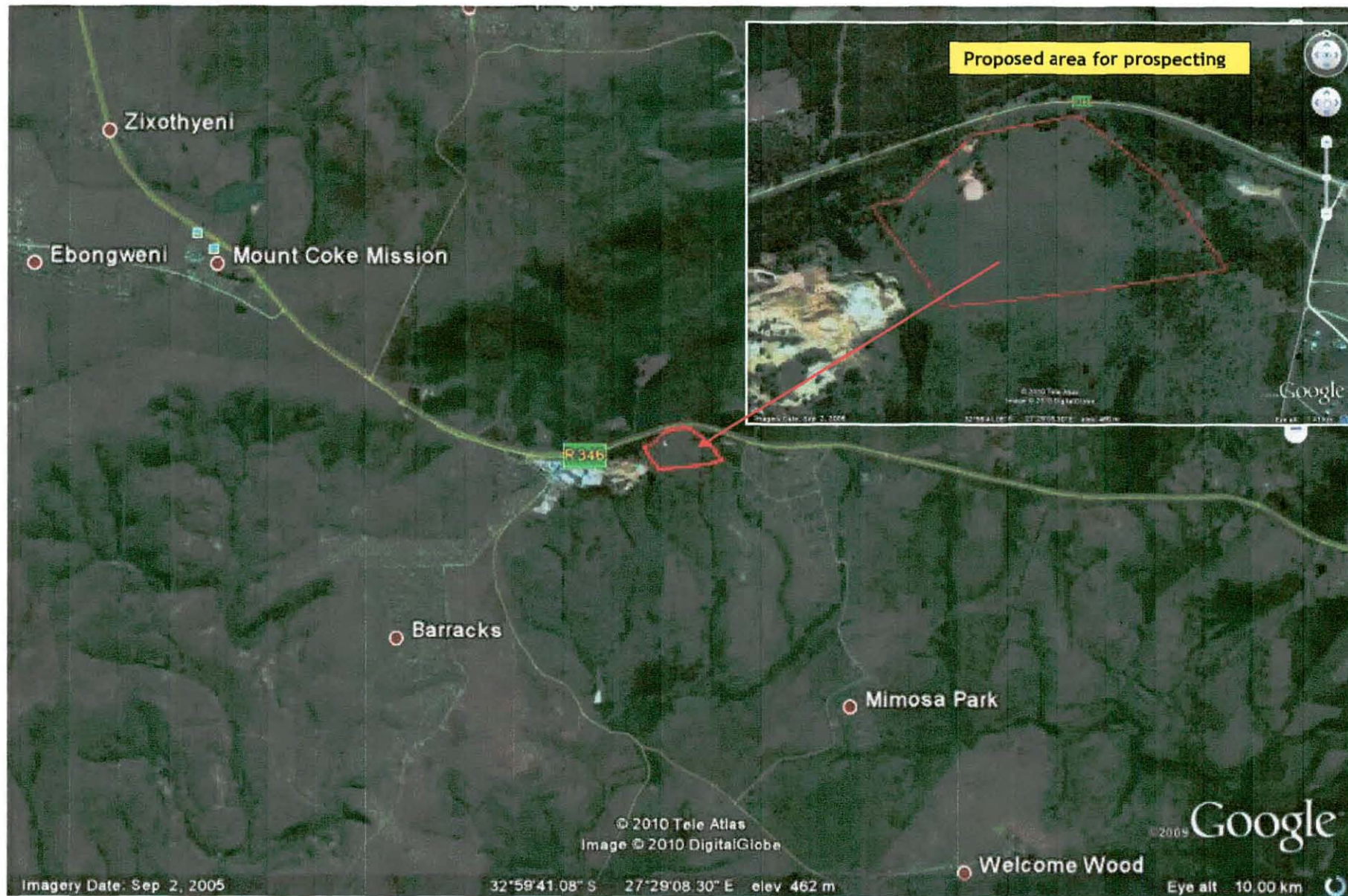
These are easy to identified and include foundations of buildings or other construction features and items from domestic and military activities.



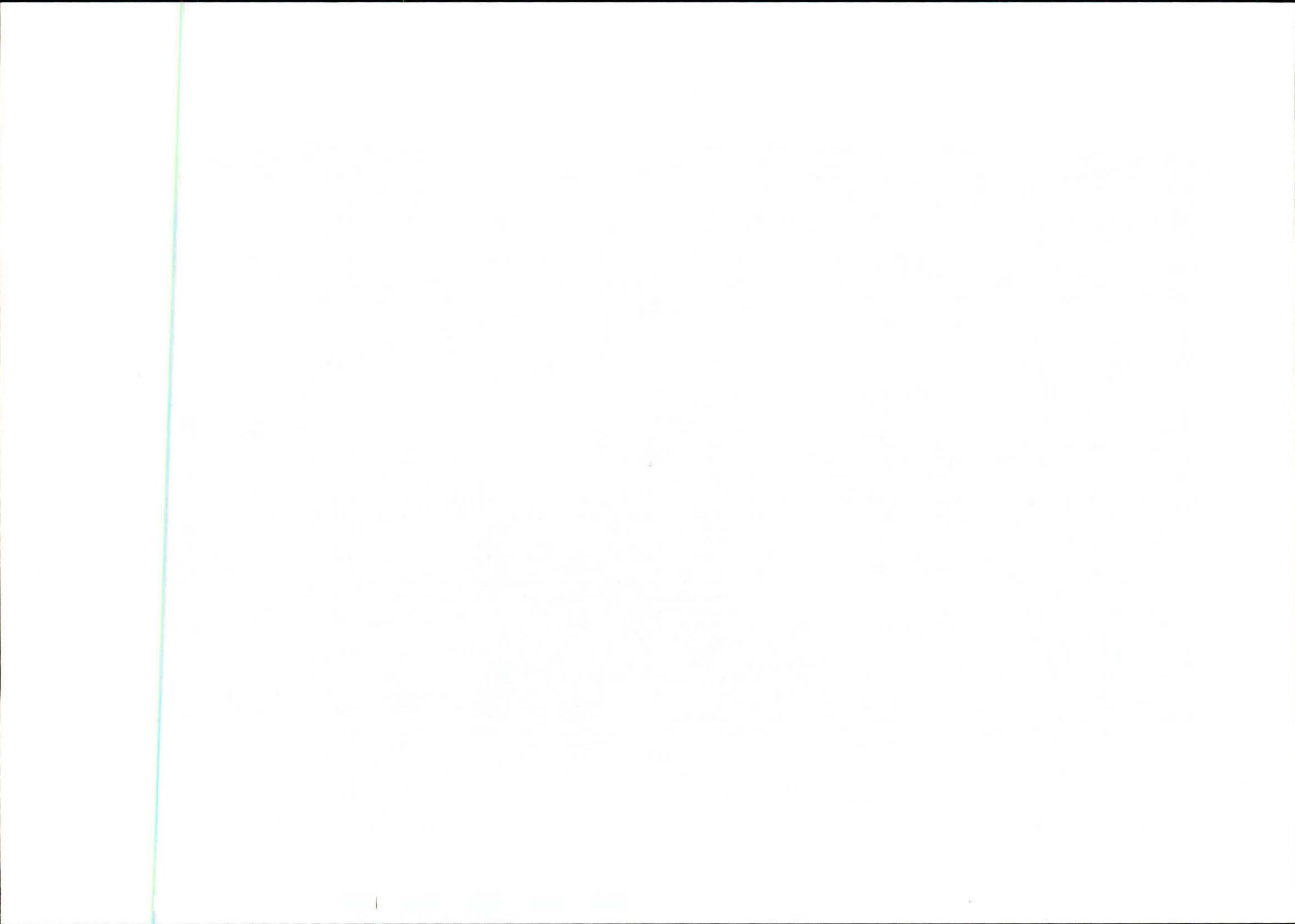


Map 1. 1:50 000 maps indicating the location of the proposed area for prospecting.





Map 2. Aerial views of the location of the proposed area for prospecting (maps courtesy EHS).





**ANNEXURE B – LETTERS:**



# Send Result Report

MFP



Firmware Version 2GM 2000.004.008 2005.12.16

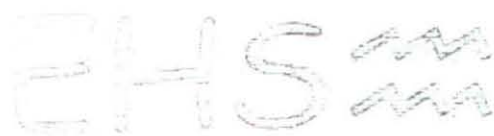
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Page: 4

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Document Name: doc03062010132234



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**EHS**

Reg No: 2002/075423/23

1000 603 2nd Floor 1000 1004 8082  
1000 2nd Floor  
1000 2nd Floor 1000 1004 8082  
1000 2nd Floor 1000 1004 8082

Ms Bahlekile Kikelana:

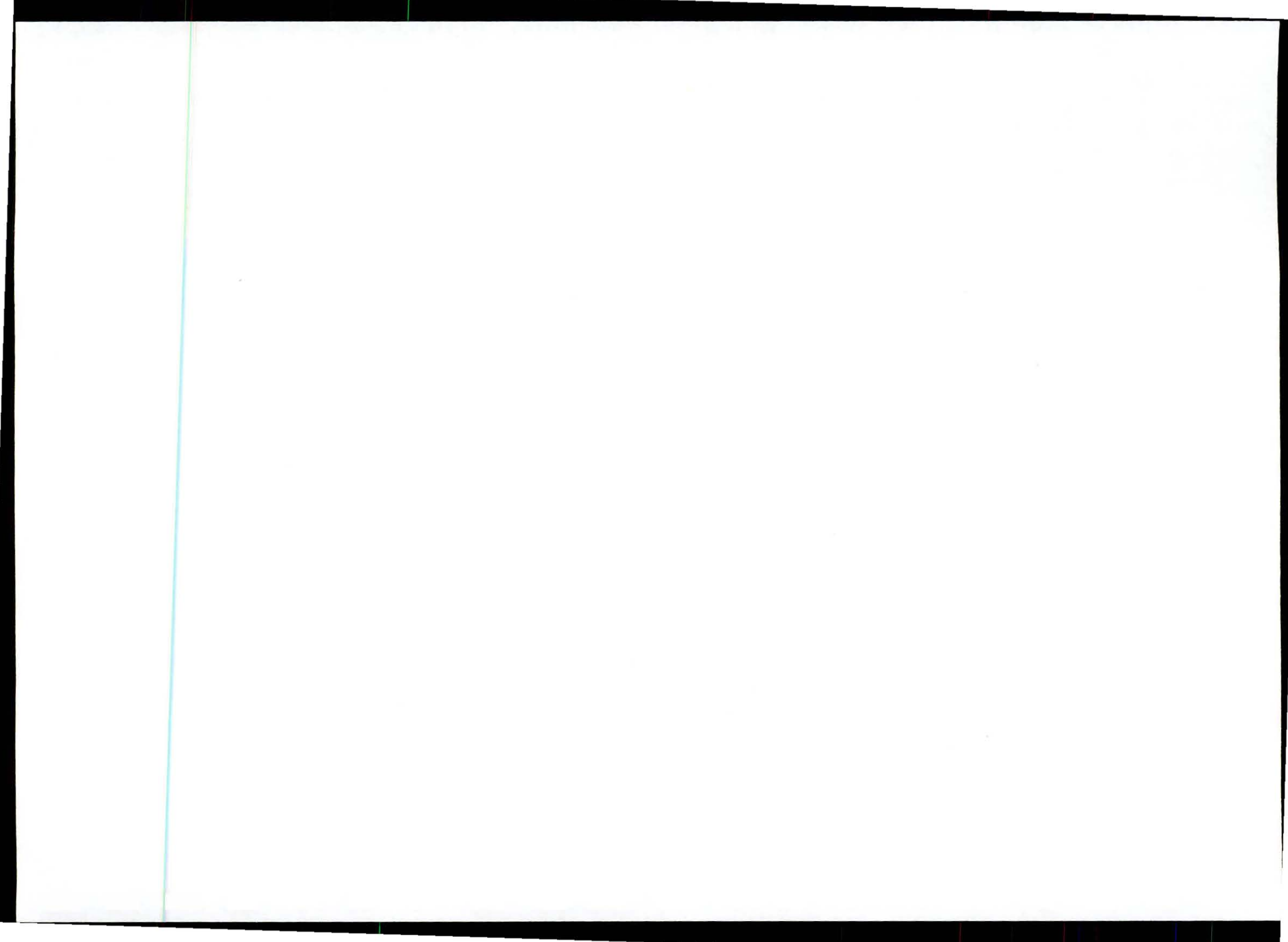
NOTICE OF PROPOSED MINING ACTIVITIES BY KEI BRICK AND TILE COMPANY (P  
LTD ON A PORTION OF FARM 1959 AND FARM 1960, DIVISION OF KING WILLIA  
TOWN, EASTERN CAPE (REF EC 30/5/1/2/3/2/0441 MP)

Dear Madam:

Notice is hereby given that an application for a mining permit in terms of section 27 of  
Minerals and Petroleum Resources Act (Act 26 of 2002), hereinafter referred to as  
MPRDA, has been accepted by the Department of Mineral Resources (DMR). Kei Brick &  
Tile Company (Pty) Ltd, hereinafter referred to as "the Applicant", lodged an application for  
a mining permit for the mining of clay for brick making purposes on an area of 1,5ha

No.	Date and Time	Destination	Times	Result	Resolution/ECM
1	03/10/10 13:23	04207434786	0'00'45"	OK	200x100 Normal/On







Dew Designs CC Trading As

**EHS**

Reg No: 2002/075423/23

Tel: 083 258 2463 / 082 304 8082  
Fax: 086 655 1899  
Email: [wernernekert@gmail.com](mailto:wernernekert@gmail.com)  
[jacquesengels@gmail.com](mailto:jacquesengels@gmail.com)

PO Box 13248  
Hatfield  
0028

**Ms Bahlekile Kikelana:**

**NOTICE OF PROPOSED MINING ACTIVITIES BY KEI BRICK AND TILE COMPANY (PTY) LTD ON A PORTION OF FARM 1959 AND FARM 1960, DIVISION OF KING WILLIAMS TOWN, EASTERN CAPE (REF EC 30/5/1/2/3/2/0441 MP)**

**Dear Madam:**

Notice is hereby given that an application for a mining permit in terms of section 27 of the Minerals and Petroleum Resources Act (Act 28 of 2002), hereinafter referred to as the MPRDA, has been accepted by the Department of Mineral Resources (DMR). Kei Brick and Tile Company (Pty) Ltd, hereinafter referred to as "the Applicant", lodged an application for a mining permit for the mining of clay for brick making purposes on an area of 1,5ha.

The applicant is a well established company and known in the community surrounding Mount Coke for more than 20 years. It is important to note that the brick factory at Mount Coke obtains different types of clay from each of the clay quarries in the region, and is therefore operated separately from the said quarries. Due to the fact that the existing quarry at the Mount Coke factory is running out of reserves, a new source of clay must be secured.

The annual volume of clay needed by the Mount Coke Operation is approximately 48,000m<sup>3</sup>. Due to the fact that such a low production rate (4,000m<sup>3</sup> per month) from the mining area is impractical, the applicant has opted to appoint a contractor who will only conduct mining activities during one quarter of each year.

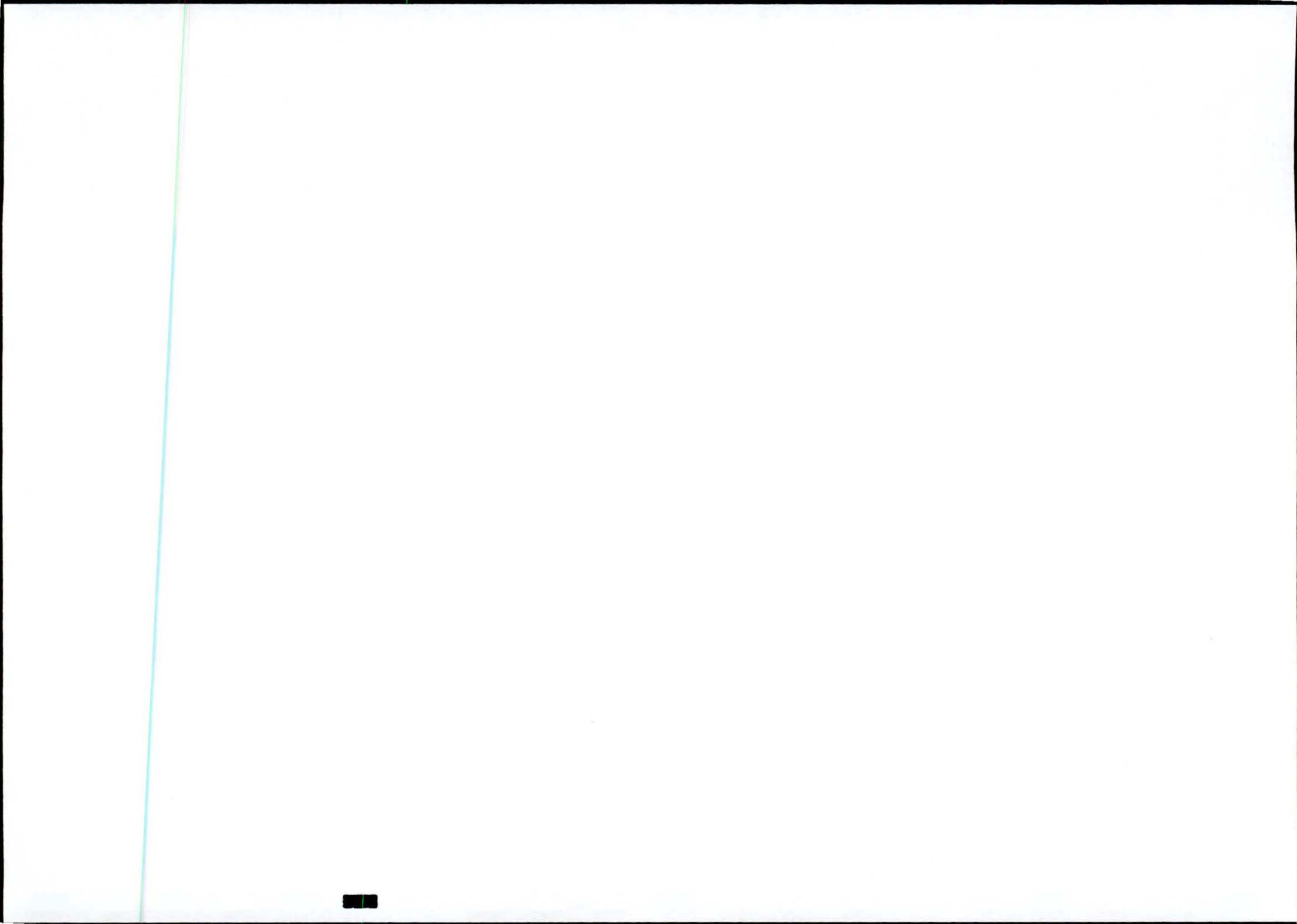
The contractor will deliver approximately 16,000m<sup>3</sup> of clay to the factory for a period of only three months during the first year, with no mining activities during the rest of the year.

The mining permit area is approximately 16.4 km, south south-east of King Williams Town, Eastern Cape Province, Republic of South Africa. The area is situated to the immediate east of the Applicant's brick yard adjacent to the R346 roadway.

The project area is underlain by sandstone and grey to red mudstone of the Middleton Formation, Adelaide Subgroup, Beaufort Group, Karoo Supergroup. Younger Jurassic dolerite outcrops to the north of the project area. The weathered profile of the grey and red mudstone (clay) is suitable for the production of clay bricks.

The thickness of the clay underlying the mining permit area is estimated at 12 meters based on observations made from diamond drill holes drilled on the adjacent Kei Brick property during 2008.

The local community that resides around the application area is extremely poor, and benefits very little from any economic activities that take place. In the light of the poverty in the area and the fact that the applicant strives to give effect to section 2(d) and 2(f) of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), a decision was made to contribute towards poverty eradication in the said community.



In the light of the above, this application budgets for R10-00 per m<sup>3</sup> of clay mined, which will be paid to the local community as a form of mineral compensation. This will amount to approximately R160,000-00 annually, which will be applied towards poverty eradication. The mine will enter into negotiations with the local community representatives to determine the best way to apply these funds.

The DMR further requires that a community resolution be obtained in conjunction with the Departments of Land and Traditional Affairs. **Could you please assist us in this regard.**

As a potential affected party you are afforded an opportunity to raise concerns and comment of the proposed mining activities. You are hereby requested to provide your name, contact details and a detailed description of how you may be affected by this activity in writing no later than **Monday 14 June 2010**. The form attached hereto can be used for any feedback you may have.

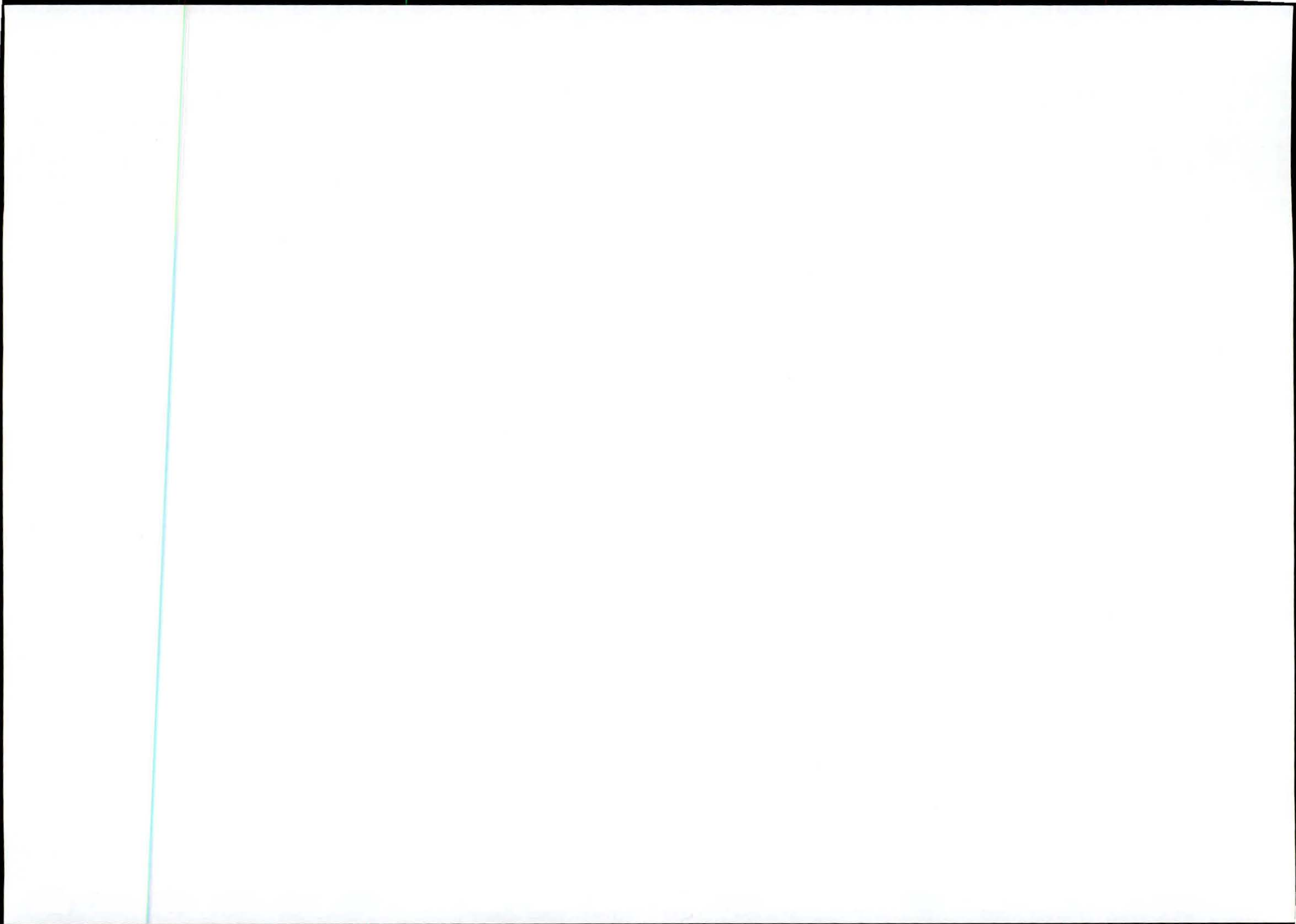
I trust you find this to be in order. Should you have any further enquiries, please contact the writer at:

- [wernerriekert@gmail.com](mailto:wernerriekert@gmail.com)
- Fax: 086 655 1899

Yours faithfully,



Werner Riekert  
1 June 2010





Name and designation (if acting in a representative capacity):	
Which property / properties do you own in the area?	
Which activities do you conduct that may be affected by mining in the area?	
How do you believe you will be affected by the mining activities?	
Any other comments?	

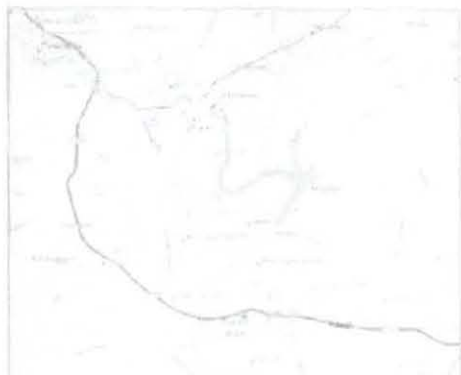
I hereby acknowledge receipt of the letter informing me of the applicant's intention to mine the above-mentioned area, and wish to register as an affected party.

Signature \_\_\_\_\_

Date \_\_\_\_\_



## REGULATION 2(2) PLAN



EASTERN CAPE REGION

DESCRIPTION OF THE LAND UNDER APPLICATION FOR A MINING PERMIT  
 The figure ABCD represents portions of Farm 1959 and Farm 1960, to extent of 300 Ha.

LO 27

WGS 84

	Y	X
A	-48129,358	-3652224,797
B	-45270,312	-3652175,494
C	-48304,514	-3652267,463
D	-47163,800	-3652318,766
A	-48129,358	-3652224,797

PLAN PREPARED IN TERMS OF REGULATION 2(2) OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002)  
 MINING PERMIT ON PORTIONS OF FARM 1959 AND FARM 1960,  
 MAGISTERIAL DISTRICT OF BAFFALO CITY



## PLAN APPROVED

Signature: \_\_\_\_\_  
 Regional Manager - Eastern Cape Region  
 Department Minerals and Energy  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Holder of Mining Permit  
 Mr. J. Carr  
 Director, Mining  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Certified by: \_\_\_\_\_  
 Platte MS  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Mining Titles Office  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Compiler (BSc(Nat), MSc(SSA, MRG))  
 Date: 9 September 2009

DEPARTMENT OF MINERALS AND ENERGY  
 EASTERN CAPE REGION  
 BAFFALO CITY  
 10000  
 10000  
 10000  
 10000  
 10000





No.	Date and Time	Destination	Times	Result	Resolution/ECM
1	2005.12.16 09:25	146605120	0:00:48	OK	2005.12.16 09:25

The annual volume of clay needed by the Mount Coke Operation is approximately 48,000m<sup>3</sup>. Due to the fact that such a low production rate (4,000m<sup>3</sup> per month) from the mining area is not practical, the applicant has opted to appoint a contractor who will only conduct mining activities during one quarter of each year.

The contractor will deliver approximately 16,000m<sup>3</sup> of clay to the factory for a period of only three months during the first year, with no mining activities during the rest of the year.

The mining permit area is approximately 16.4 km, south-south-east of King William's Town, Western Cape Province, Republic of South Africa. The area is situated to the immediate east of the Applicant's brick yard adjacent to the R346 roadway.

The project area is underlain by sandstone and grey to red mudstone of the Middle Jurassic formation, Adelaide Subgroup, Beaufort Group, Karoo Supergroup. Younger Jurassic igneous outcrops to the north of the project area. The weathered profile of the grey and red mudstone (clay) is suitable for the production of clay bricks.

The thickness of the clay underlying the mining permit area is estimated at 12 meters based on observations made from diamond drill holes drilled on the adjacent Kei Brick property during 2003.

The local community that resides around the application area is extremely poor and benefits very little from any economic activities that take place. In the light of the poverty in the area and the fact that the applicant strives to give effect to section 2(d) and 2(f) of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), a decision was made to contribute towards poverty eradication in the said community.

Document Name: 00403062010132520

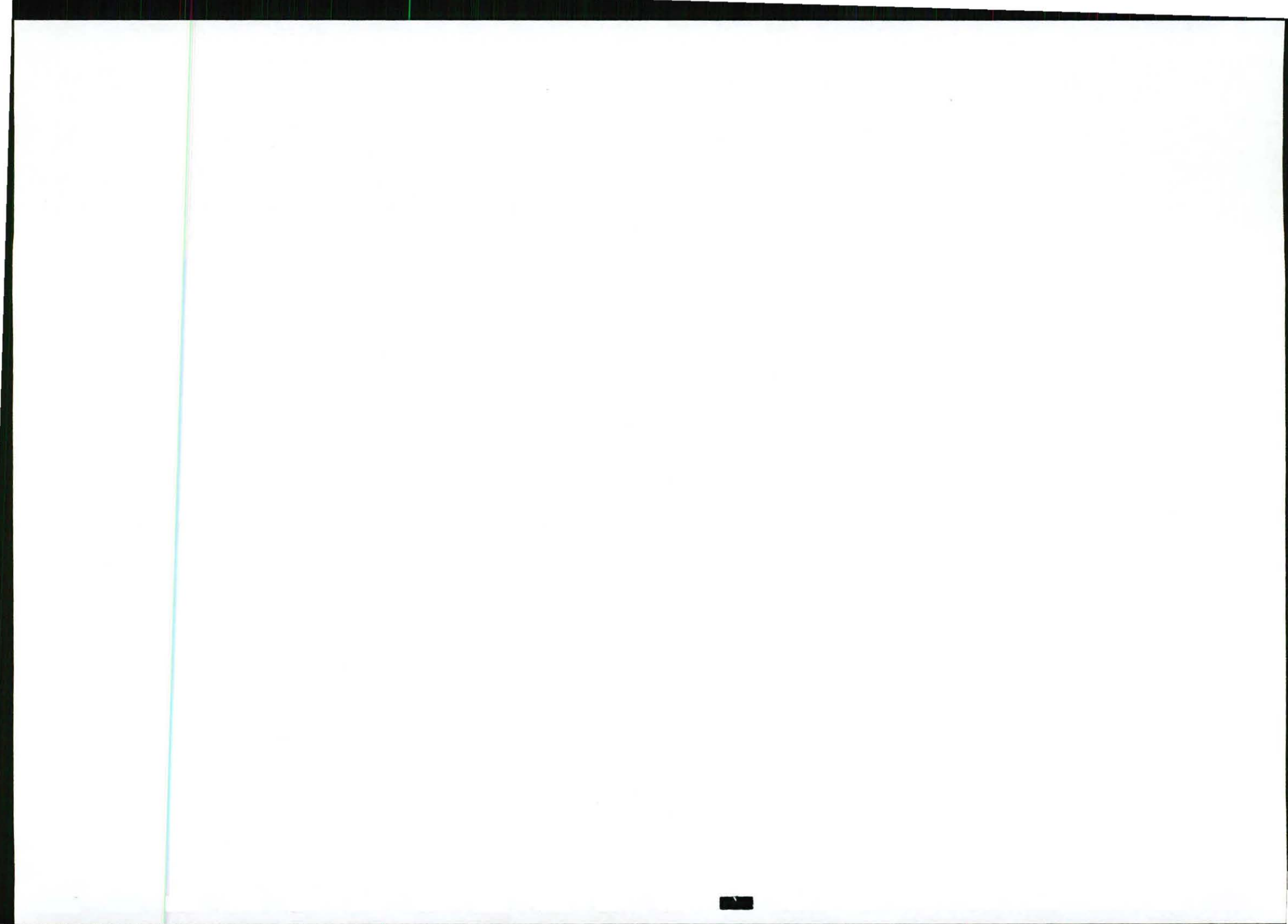
Completed

Job No.: 3826 Total Time: 0:00:48 Page: 4

Firmware Version: ZGM 2000.004.008 2005.12.16



Send Result Report MFP





Dew Designs CC Trading As

**EHS**

Reg No: 2002/075423/23

Tel: 083 258 2463 / 082 304 8082  
Fax: 086 655 1899  
Email: [wernerriekert@gmail.com](mailto:wernerriekert@gmail.com)  
[jacquesengels@gmail.com](mailto:jacquesengels@gmail.com)

PO Box 13248  
Hatfield  
0028

Mr Mayekiso:

**NOTICE OF PROPOSED MINING ACTIVITIES BY KEI BRICK AND TILE COMPANY (PTY) LTD ON A PORTION OF FARM 1959 AND FARM 1960, DIVISION OF KING WILLIAMS TOWN, EASTERN CAPE (REF EC 30/5/1/2/3/2/0441 MP)**

Dear Sir:

Notice is hereby given that an application for a mining permit in terms of section 27 of the Minerals and Petroleum Resources Act (Act 28 of 2002), hereinafter referred to as the MPRDA, has been accepted by the Department of Mineral Resources (DMR). Kei Brick and Tile Company (Pty) Ltd, hereinafter referred to as "the Applicant", lodged an application for a mining permit for the mining of clay for brick making purposes on an area of 1,5ha.

The applicant is a well established company and known in the community surrounding Mount Coke for more than 20 years. It is important to note that the brick factory at Mount Coke obtains different types of clay from each of the clay quarries in the region, and is therefore operated separately from the said quarries. Due to the fact that the existing quarry at the Mount Coke factory is running out of reserves, a new source of clay must be secured.

The annual volume of clay needed by the Mount Coke Operation is approximately 48,000m<sup>3</sup>. Due to the fact that such a low production rate (4,000m<sup>3</sup> per month) from the mining area is impractical, the applicant has opted to appoint a contractor who will only conduct mining activities during one quarter of each year.

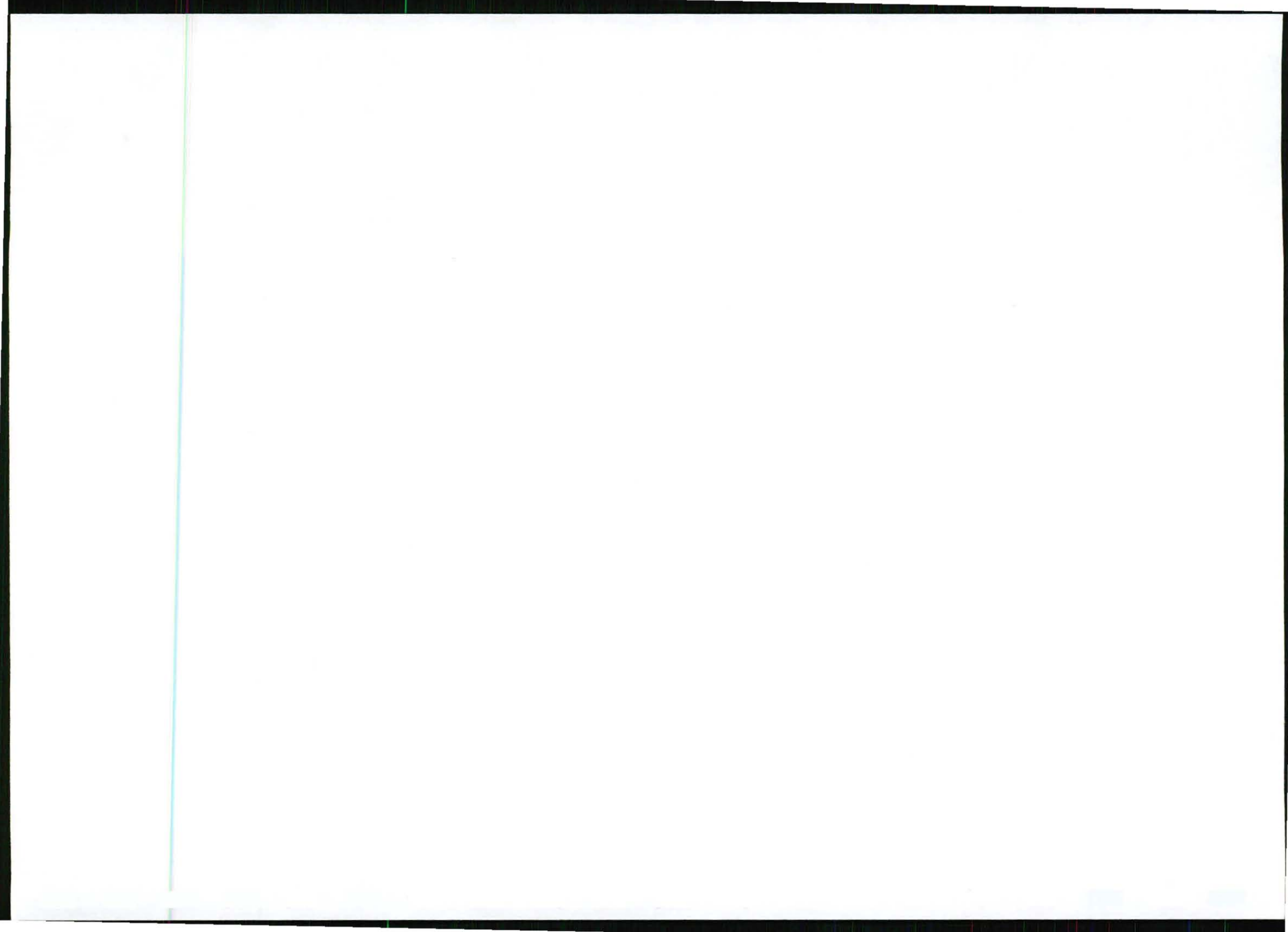
The contractor will deliver approximately 16,000m<sup>3</sup> of clay to the factory for a period of only three months during the first year, with no mining activities during the rest of the year.

The mining permit area is approximately 16.4 km, south south-east of King Williams Town, Eastern Cape Province, Republic of South Africa. The area is situated to the immediate east of the Applicant's brick yard adjacent to the R346 roadway.

The project area is underlain by sandstone and grey to red mudstone of the Middleton Formation, Adelaide Subgroup, Beaufort Group, Karoo Supergroup. Younger Jurassic dolerite outcrops to the north of the project area. The weathered profile of the grey and red mudstone (clay) is suitable for the production of clay bricks.

The thickness of the clay underlying the mining permit area is estimated at 12 meters based on observations made from diamond drill holes drilled on the adjacent Kei Brick property during 2008.

The local community that resides around the application area is extremely poor, and benefits very little from any economic activities that take place. In the light of the poverty in the area and the fact that the applicant strives to give effect to section 2(d) and 2(f) of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), a decision was made to contribute towards poverty eradication in the said community.





In the light of the above, this application budgets for R10-00 per m<sup>3</sup> of clay mined, which will be paid to the local community as a form of mineral compensation. This will amount to approximately R160,000-00 annually, which will be applied towards poverty eradication. The mine will enter into negotiations with the local community representatives to determine the best way to apply these funds.

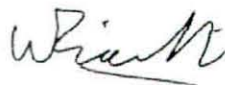
The DMR further requires that a community resolution be obtained in conjunction with the Departments of Land and Traditional Affairs. **Could you please assist us in this regard.**

As a potential affected party you are afforded an opportunity to raise concerns and comment of the proposed mining activities. You are hereby requested to provide your name, contact details and a detailed description of how you may be affected by this activity in writing no later than **Monday 14 June 2010**. The form attached hereto can be used for any feedback you may have.

I trust you find this to be in order. Should you have any further enquiries, please contact the writer at:

- [wernerriekert@gmail.com](mailto:wernerriekert@gmail.com)
- Fax: 086 655 1899

Yours faithfully,



Werner Riekert  
1 June 2010

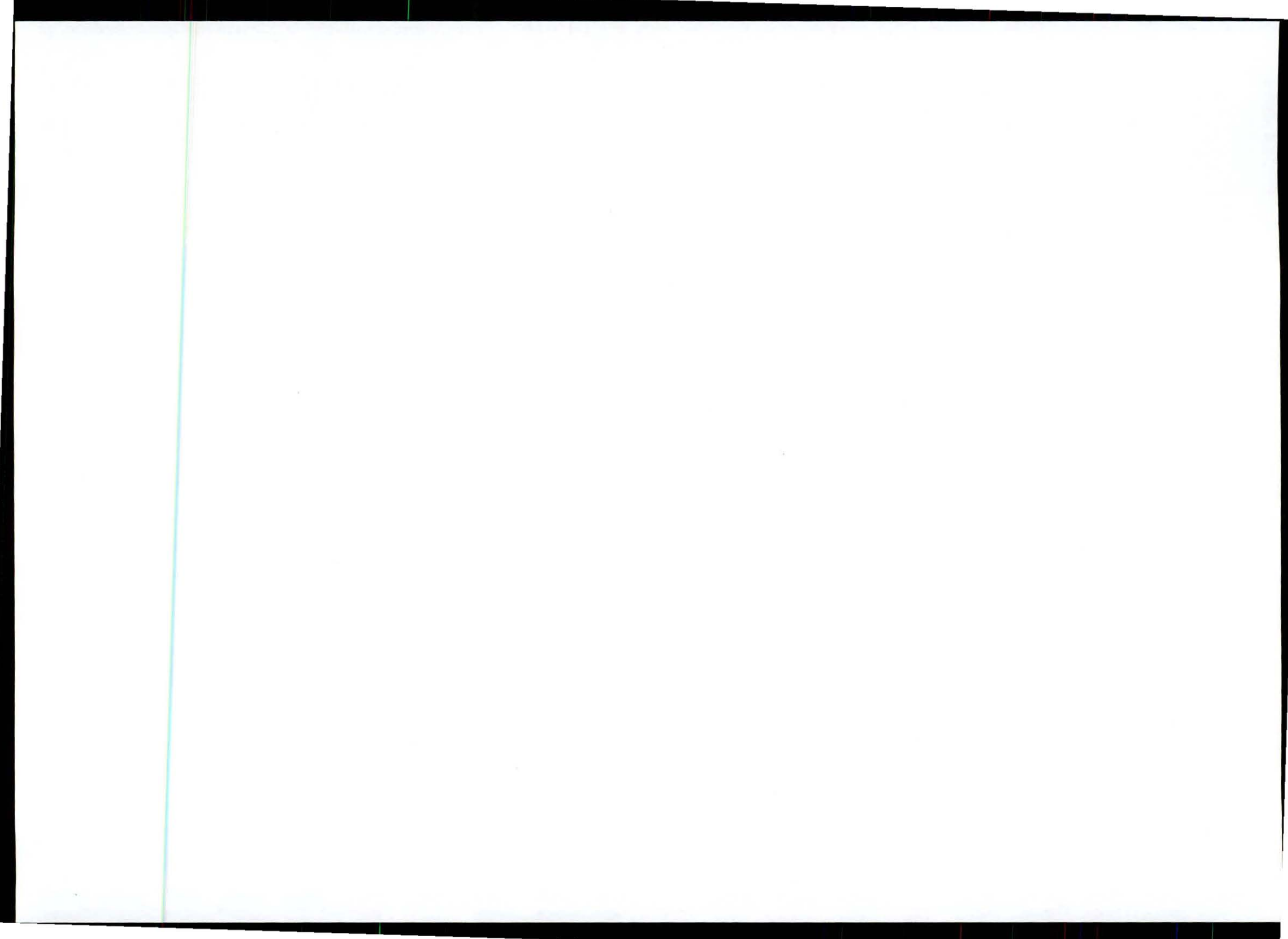


Name and designation (if acting in a representative capacity):	
Which property / properties do you own in the area?	
Which activities do you conduct that may be affected by mining in the area?	
How do you believe you will be affected by the mining activities?	
Any other comments?	

I hereby acknowledge receipt of the letter informing me of the applicant's intention to mine the above-mentioned area, and wish to register as an affected party.

Signature \_\_\_\_\_

Date \_\_\_\_\_



## REGULATION 2(2) PLAN



EASTERN CAPE REGION

DESCRIPTION OF THE LAND UNDER APPLICATION FOR A MINING PERMIT  
The figure ABCD represents portions of Farm 1959 and Farm 1960, to extent of 1,500 Ha.

LO 27

WGS 84

	Y	X
A	-45129,358	-3652224,797
B	-45270,312	-3652173,494
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PLAN PREPARED IN TERMS OF REGULATION 2(2) OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002)  
MINING PERMIT ON PORTIONS OF FARM 1959 AND FARM 1960,  
MAGISTERIAL DISTRICT OF BAFFALO CITY



## PLAN APPROVED

Signature: \_\_\_\_\_  
Regional Manager, Eastern Cape Region  
Department Minerals and Energy  
Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Holder of Mining Permit  
Mr. T Carr  
Director, Mining  
Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Verified by: \_\_\_\_\_  
Plato MSA  
Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Mining Titles Office  
Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Computer (PISCISAL, MCOSSA, MRC)  
Date: 9 September 2009





No.	Date and Time	Destination	Times	Result	Resolution/ECM
1	2005.12.16 13:32	0437221798	0:01:27	OK	200x100 Normal/On

The annual volume of clay needed by the Mount Coke Operation is approximately 48,000m<sup>3</sup>. Due to the fact that such a low production rate (4,000m<sup>3</sup> per month) from the mining area is not practical, the applicant has opted to appoint a contractor who will only conduct mining activities during one quarter of each year.

The contractor will deliver approximately 18,000m<sup>3</sup> of clay to the factory for a period of only one month during the first year, with no mining activities during the rest of the year.

The mining permit area is approximately 16.4 km, south-south-east of King Williams Town, Eastern Cape Province, Republic of South Africa. The area is situated to the immediate east of the Applicant's brick yard adjacent to the R346 roadway.

The project area is underlain by sandstone and grey to red mudstone of the Middle Jurassic formation Adelaide Subgroup, Beaufort Group, Karoo Supergroup. Younger Jurassic units outcrop to the north of the project area. The weathered profile of the grey and red mudstone (clay) is suitable for the production of clay bricks.

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The local community that resides around the application area is extremely poor, and benefits very little from any economic activities that take place. In the light of the poverty in the area and the fact that the applicant strives to give effect to section 2(d) and 2(f) of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), a decision was made to contribute towards poverty eradication in the said community.

Document Name: doc03062010132601

Completed

Job No.: 3827 Total Time: 0:01:27 Page: 4

Firmware Version ZGM 2000.004.008 2005.12.16



Send Result Report MFP







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**EHS**

Reg No: 2002/075423/23

Tel: 083 258 2463 / 082 304 8082  
Fax: 086 655 1899  
Email: [wernernekert@gmail.com](mailto:wernernekert@gmail.com)  
[jacquesengels@gmail.com](mailto:jacquesengels@gmail.com)

PO Box 13248  
Hatfield  
0028

**Mr Mabuthi Hlophekazi:**

**NOTICE OF PROPOSED MINING ACTIVITIES BY KEI BRICK AND TILE COMPANY (PTY) LTD ON A PORTION OF FARM 1959 AND FARM 1960, DIVISION OF KING WILLIAMS TOWN, EASTERN CAPE (REF EC 30/5/1/2/3/2/0441 MP)**

**Dear Sir:**

Notice is hereby given that an application for a mining permit in terms of section 27 of the Minerals and Petroleum Resources Act (Act 28 of 2002), hereinafter referred to as the MPRDA, has been accepted by the Department of Mineral Resources (DMR). Kei Brick and Tile Company (Pty) Ltd, hereinafter referred to as "the Applicant", lodged an application for a mining permit for the mining of clay for brick making purposes on an area of 1,5ha.

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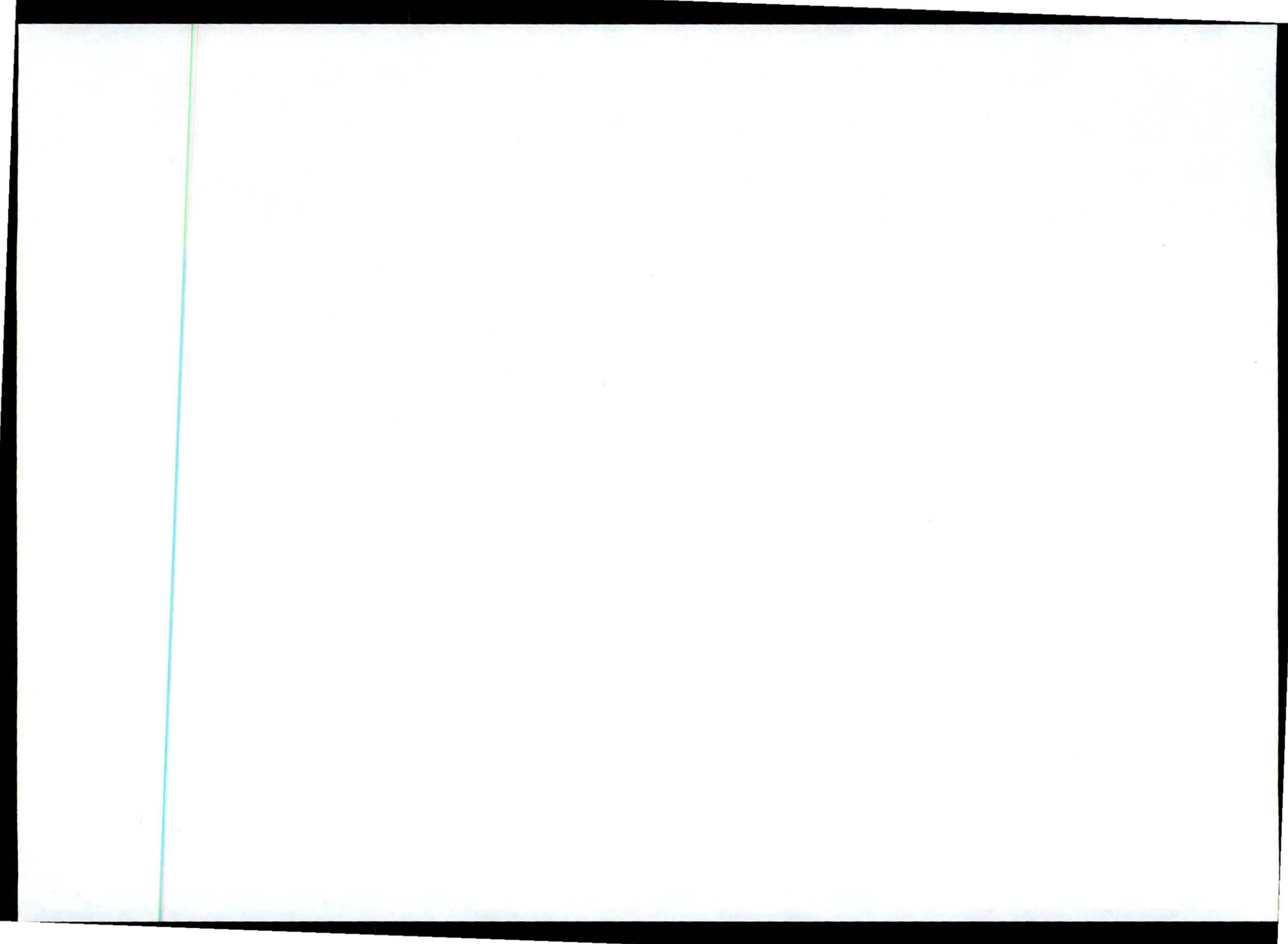
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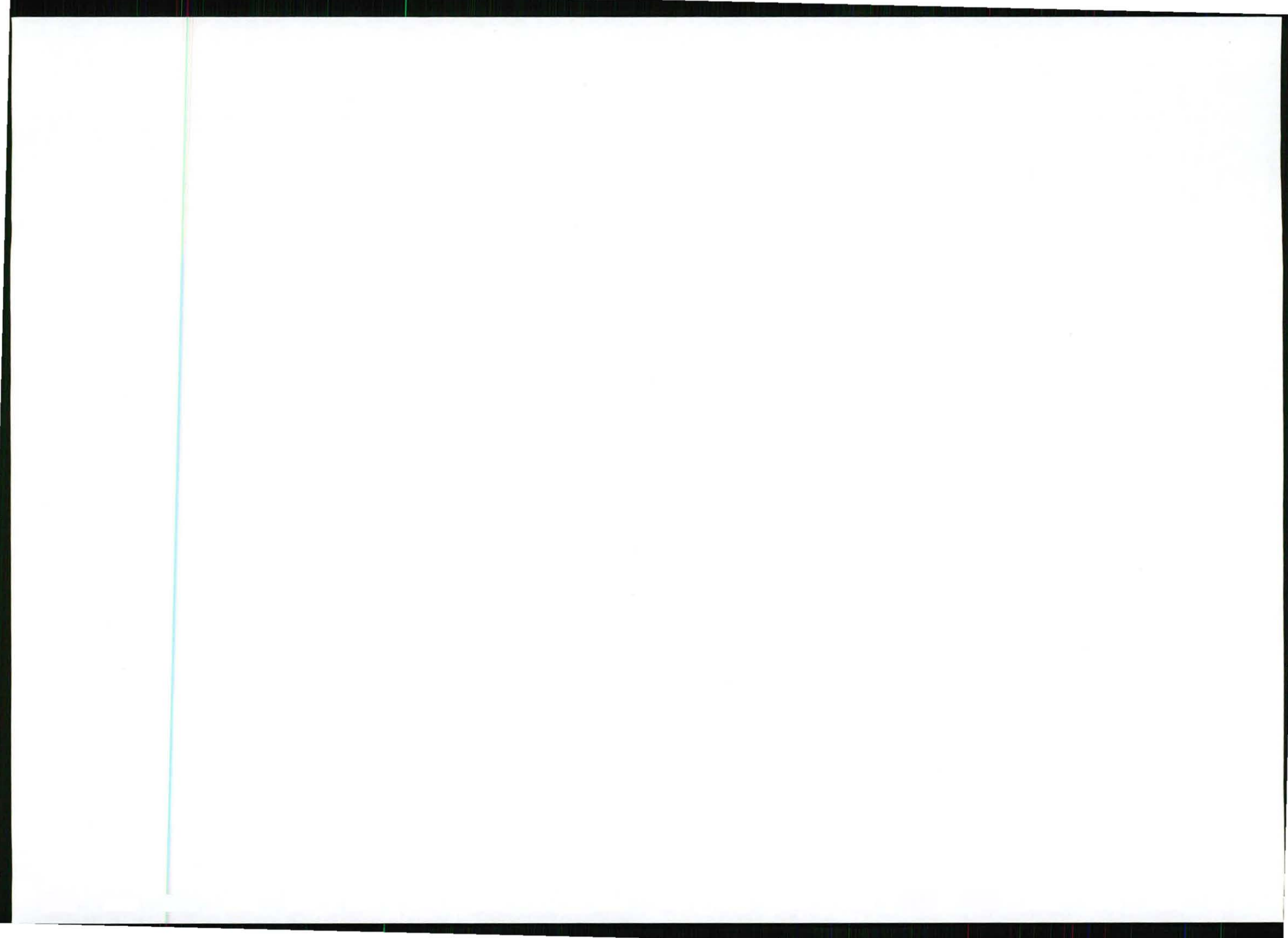
I trust you find this to be in order. Should you have any further enquiries, please contact the writer at:

- wernerriekert@gmail.com
- Fax: 086 655 1899

Yours faithfully,



Werner Riekert  
1 June 2010

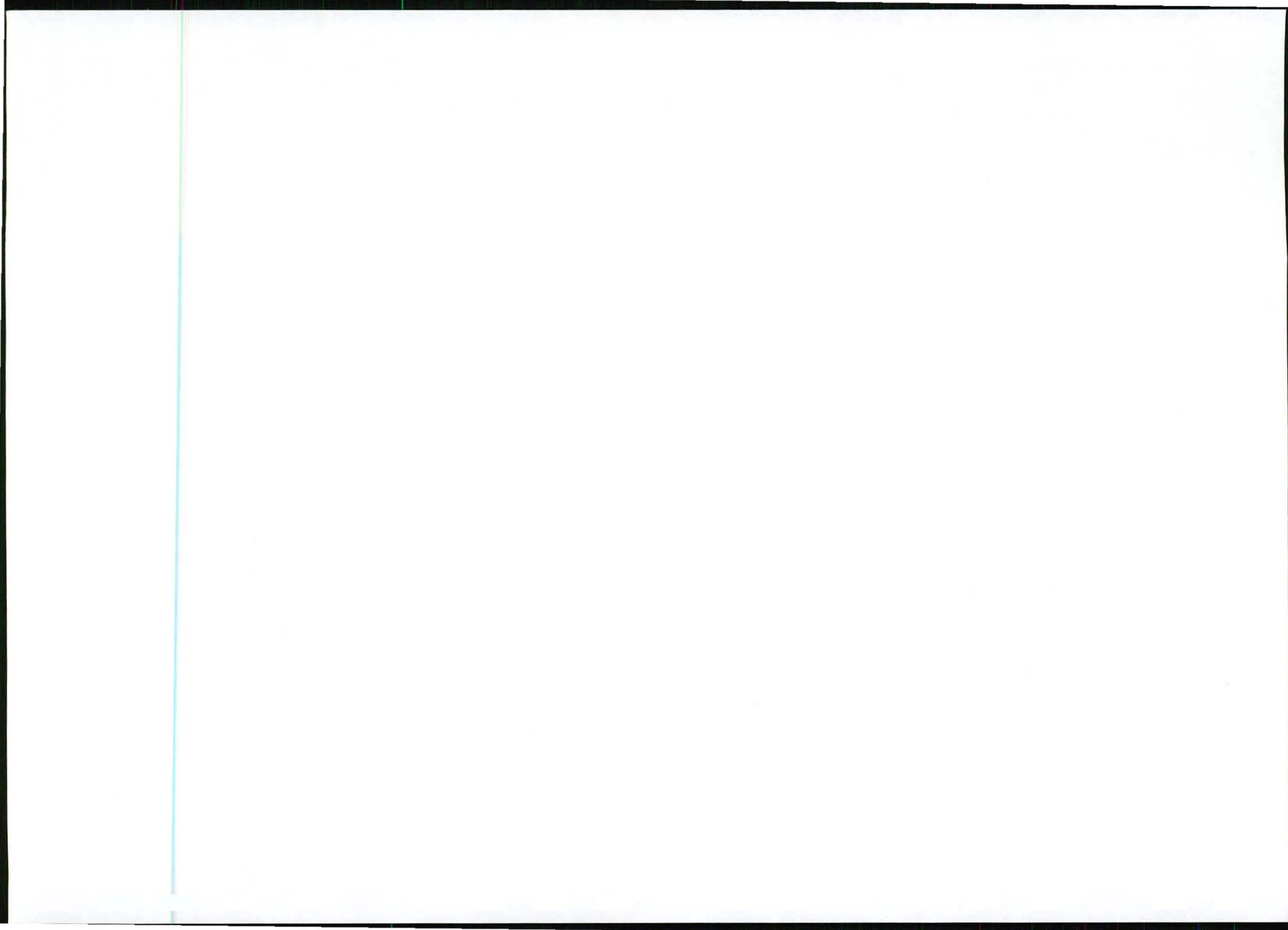


Name and designation (if acting in a representative capacity):	
Which property / properties do you own in the area?	
Which activities do you conduct that may be affected by mining in the area?	
How do you believe you will be affected by the mining activities?	
Any other comments?	

I hereby acknowledge receipt of the letter informing me of the applicant's intention to mine the above-mentioned area, and wish to register as an affected party.

Signature \_\_\_\_\_

Date \_\_\_\_\_



# REGULATION 2(2) PLAN



EASTERN CAPE REGION

DESCRIPTION OF THE LAND UNDER APPLICATION FOR A MINING PERMIT  
 The figure ABCD represents portions of Farm 1959 and Farm 1960, in extent of 1 500 H.

LO 27

WGS 84

	Y	X
A	-45129358	-3652224797
B	-45270312	-3652173494
C	-45301314	-3652267463
D	-45163560	-3652318766
A	-45129358	-3652224797

PLAN PREPARED IN TERMS OF REGULATION 2(2) OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002)  
 MINING PERMIT ON PORTIONS OF FARM 1959 AND FARM 1960,  
 MAGISTERIAL DISTRICT OF BUFFALO CITY



## PLAN APPROVED

Signature: \_\_\_\_\_  
 Regional Manager: Eastern Cape Region  
 Department Minerals and Energy  
 Date: \_\_\_\_\_

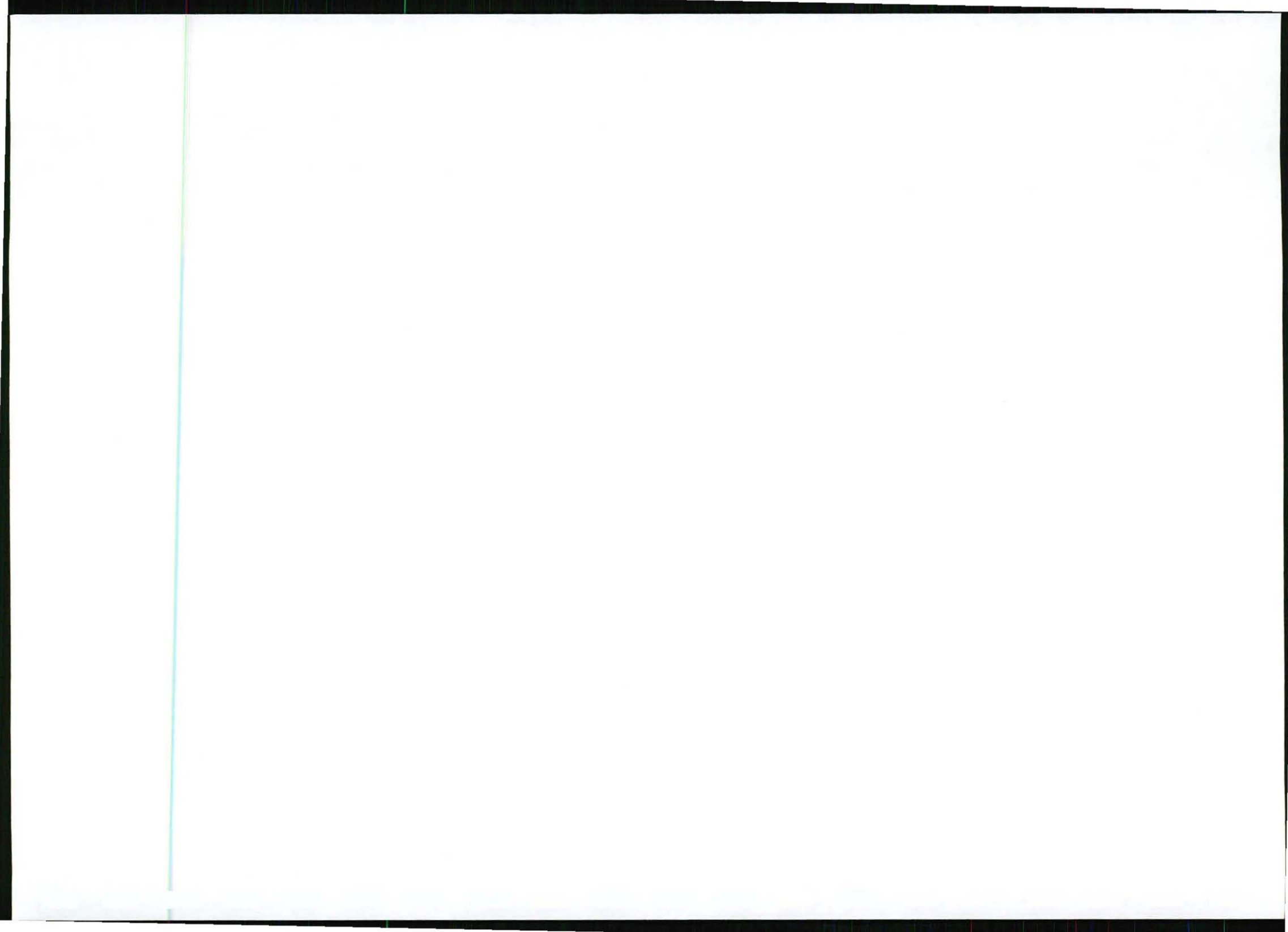
Signature: \_\_\_\_\_  
 Holder of Mining Permit  
 Mr. T. Carr  
 Director: Mining  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Certified by: \_\_\_\_\_  
 PR/MS  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Mining Titles Office  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Compiler (P/Na/Na, M/SSA, M/Q)  
 Date: 9 September 2009

Approved by the Mining Council of the Eastern Cape Province  
 Date: 10 September 2009  
 Approved by the Mining Council of the Eastern Cape Province  
 Date: 10 September 2009







No.	Date and Time	Destination	Times	Result	Resolution/ECM
1	2005/06/14 09:17	00117	OK	2005/06/14 09:17	

Due to the factory for a period of only three months during the first year, with no rain, the factory will be in good condition for the rest of the year.

The mining permit area is approximately 16.4 km, south-southwest of King Mountain, Western Cape Province, Republic of South Africa. The area is situated to the immediate west of Applicant's brick yard adjacent to the R346 roadway.

The project area is underlain by sandstone and grey to red mudstone of the Grootfontein member, Adelaide Subgroup, Beaufort Group Karoo Supergroup - Younger Jurassic. The outcrops to the north of the project area. The weathered profile of the grey and red mudstone (clay) is suitable for the production of clay bricks. The thickness of the clay-suitable mining permit area is estimated at 12 meters based on observations of mudstone and drill holes drilled on the adjacent Ken Brick property during 2005.

If you are affected party you are afforded an opportunity to raise concerns and comments on proposed mining activities. You are hereby requested to provide your comments in writing to the undersigned by Monday 14 June 2010. The form attached hereto can be used for this purpose if you have any further enquiries, please contact the writer at

Yours faithfully,

*[Signature]*

Mr Rickett  
2010

Document Name: 00000002010104024

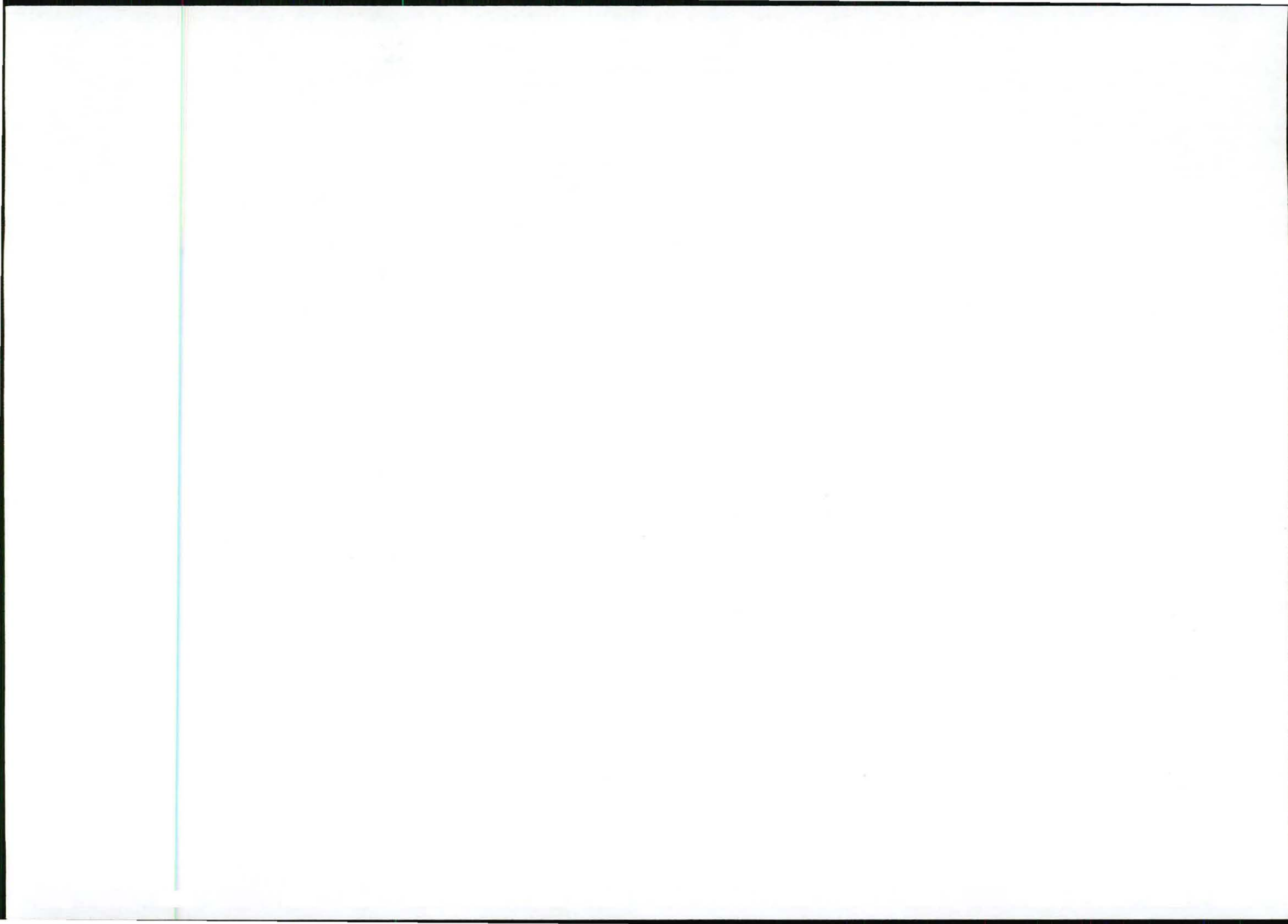
Completed

Job No: 3000 FAX: 0117 Page: 3

Firmware Version ZGM\_2000.004.008 2005.12.16



Send Result Report MFP





Dew Designs CC Trading As

**EHS**

Reg No: 2002/075423/23

Tel 083 258 2463 / 082 304 6082  
Fax 006 655 1899  
Email [wernerriekert@gmail.com](mailto:wernerriekert@gmail.com)  
[jaquesengels@gmail.com](mailto:jaquesengels@gmail.com)

PO Box 13248  
Hatfield  
0028

**Attention: Shell Exploration Company B.V:**

**NOTICE OF PROPOSED MINING ACTIVITIES BY KEI BRICK AND TILE COMPANY (PTY) LTD ON A PORTION OF FARM 1959 AND FARM 1960, DIVISION OF KING WILLIAMS TOWN, EASTERN CAPE (REF EC 30/5/1/2/3/2/0441 MP)**

**Dear Sir or Madam:**

Notice is hereby given that an application for a mining permit in terms of section 27 of the Minerals and Petroleum Resources Act (Act 28 of 2002), hereinafter referred to as the MPRDA, has been accepted by the Department of Mineral Resources (DMR). Kei Brick and Tile Company (Pty) Ltd, hereinafter referred to as "the Applicant", lodged an application for a mining permit for the mining of clay for brick making purposes on an area of 1,5ha.

The applicant is a well established company and known in the community surrounding Mount Coke for more than 20 years. It is important to note that the brick factory at Mount Coke obtains different types of clay from each of the clay quarries in the region, and is therefore operated separately from the said quarries. Due to the fact that the existing quarry at the Mount Coke factory is running out of reserves, a new source of clay must be secured.

The annual volume of clay needed by the Mount Coke Operation is approximately 48,000m<sup>3</sup>. Due to the fact that such a low production rate (4,000m<sup>3</sup> per month) from the mining area is impractical, the applicant has opted to appoint a contractor who will only conduct mining activities during one quarter of each year. The contractor will deliver approximately 16,000m<sup>3</sup> of clay to the factory for a period of only three months during the first year, with no mining activities during the rest of the year.

The mining permit area is approximately 16.4 km, south south-east of King Williams Town, Eastern Cape Province, Republic of South Africa. The area is situated to the immediate east of the Applicant's brick yard adjacent to the R346 roadway.

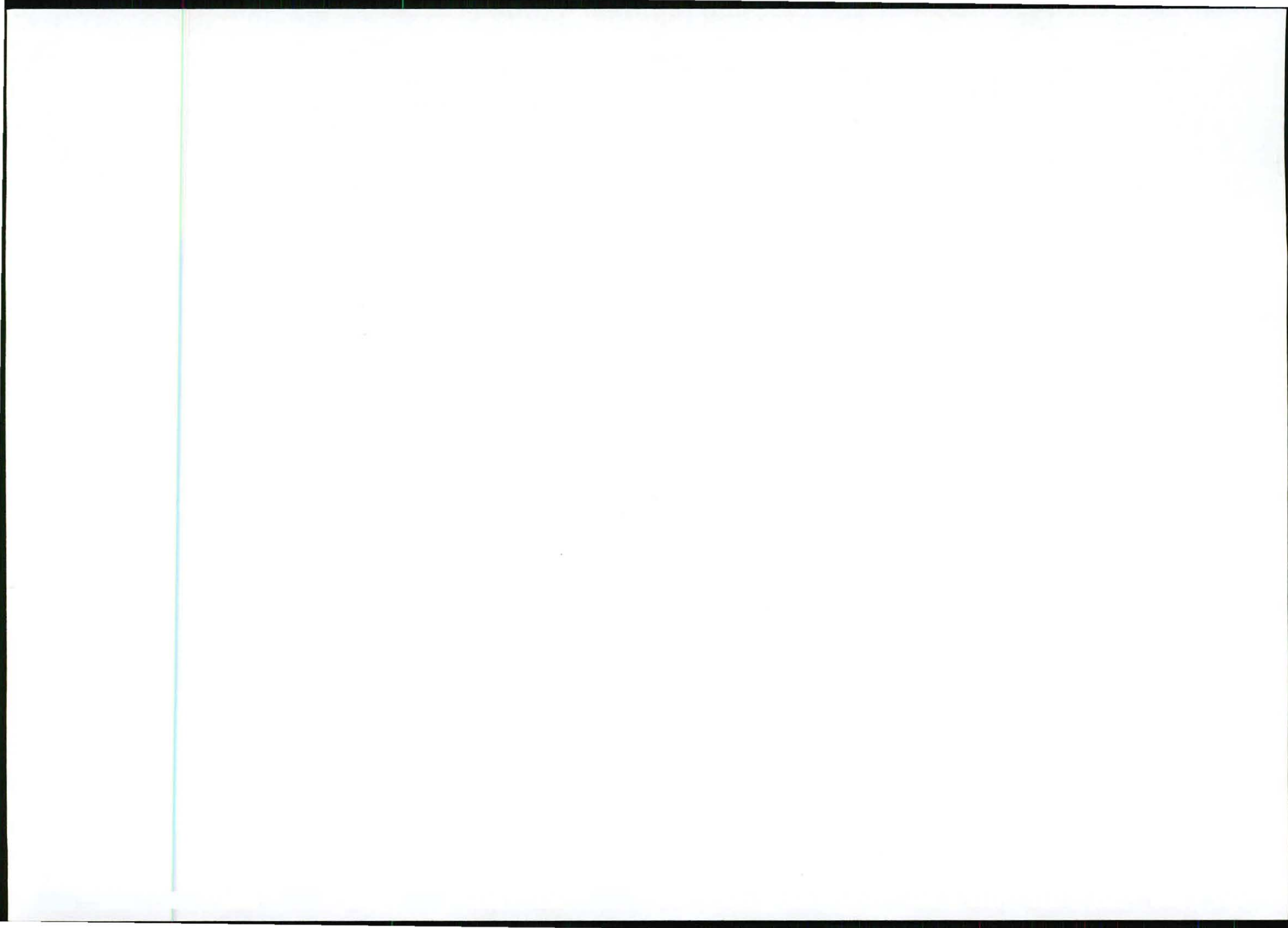
The project area is underlain by sandstone and grey to red mudstone of the Middleton Formation, Adelaide Subgroup, Beaufort Group, Karoo Supergroup. Younger Jurassic dolerite outcrops to the north of the project area. The weathered profile of the grey and red mudstone (clay) is suitable for the production of clay bricks. The thickness of the clay underlying the mining permit area is estimated at 12 meters based on observations made from diamond drill holes drilled on the adjacent Kei Brick property during 2008.

As a potential affected party you are afforded an opportunity to raise concerns and comment of the proposed mining activities. You are hereby requested to provide your name, contact details and a detailed description of how you may be affected by this activity in writing no later than **Monday 14 June 2010**. The form attached hereto can be used for any feedback you may have.

Should you have any further enquiries, please contact the writer at

Yours faithfully,

Werner Riekert  
1 June 2010

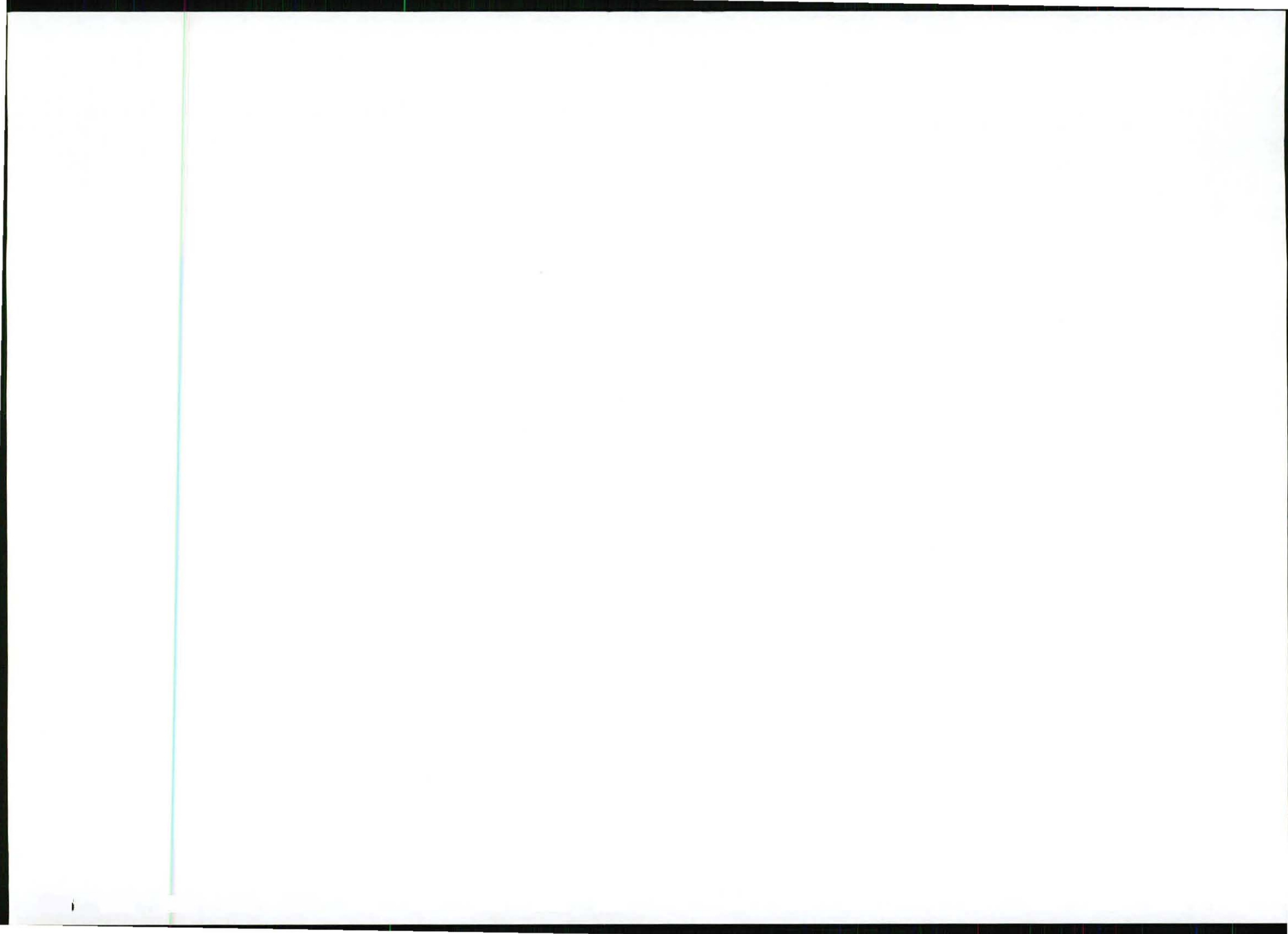


Name and designation (if acting in a representative capacity):	
Which property / properties do you own in the area?	
Which activities do you conduct that may be affected by mining in the area?	
How do you believe you will be affected by the mining activities?	
Any other comments?	

I hereby acknowledge receipt of the letter informing me of the applicant's intention to mine the above-mentioned area, and wish to register as an affected party.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



### REGULATION 2(2) PLAN



#### EASTERN CAPE REGION

DEPARTMENT OF THE ENVIRONMENT  
REPUBLIC OF SOUTH AFRICA  
14, JORIS MEYER DRIVE, PRETORIA  
0001  
© 2004

1:100,000

1:100,000

	X	Y
1	342935	6522475
2	342935	6522475
3	342935	6522475
4	342935	6522475
5	342935	6522475

PLAN PREPARED IN TERMS OF REGULATION 2(2) OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002)  
MINING PERMIT ON PORTIONS OF FARM 1989 AND FARM 1990  
MAGISTERIAL DISTRICT OF BATHALUYE



#### PLAN APPROVED

Approved  
Regional Director, Environmental Affairs  
Durbanville, 14/03/2004  
EAC

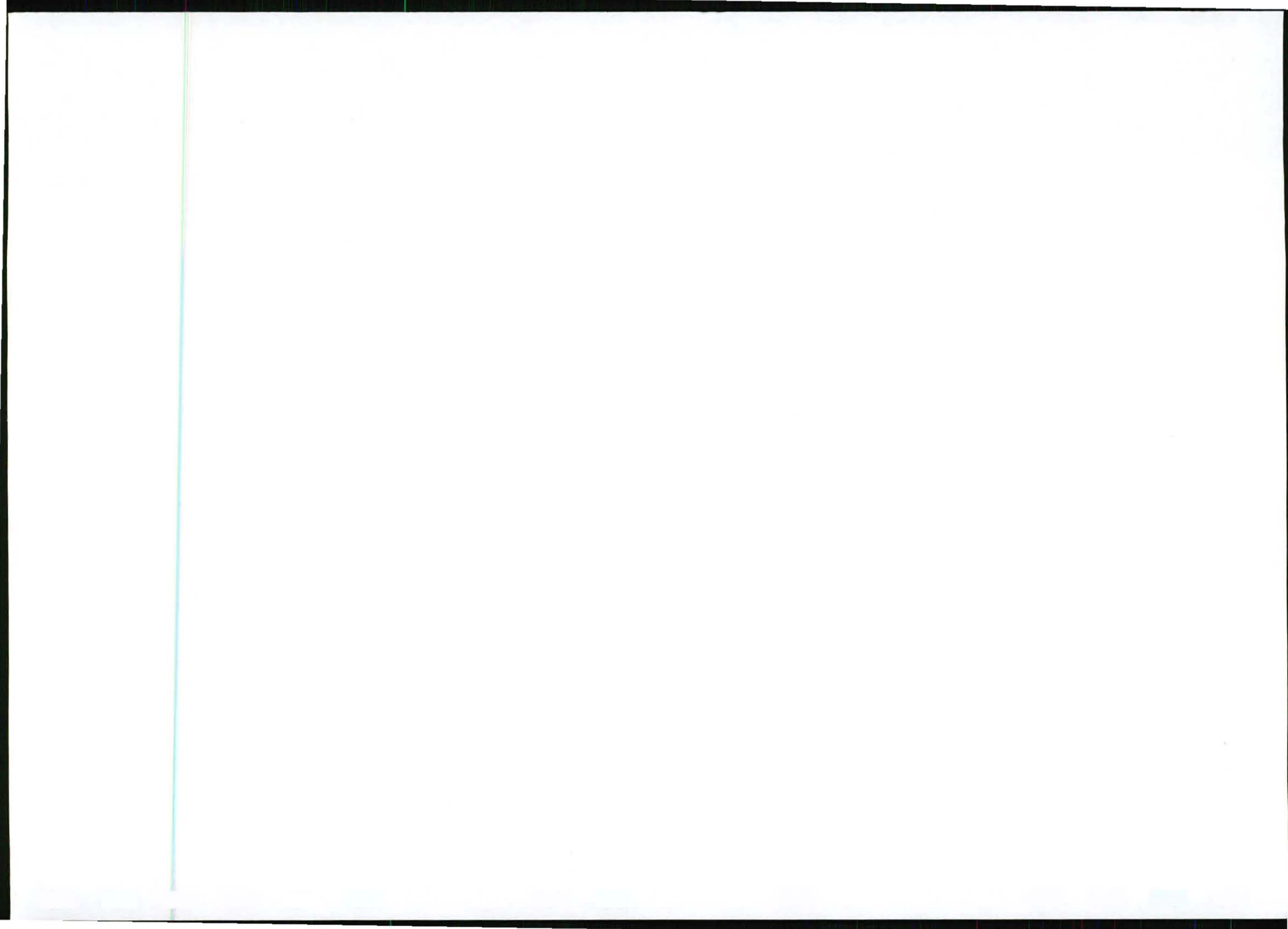
Approved  
Head of Mining Section  
M. T. Coetzee  
Western Cape  
DHA

Approved  
Chief Officer  
P. van der Merwe  
DHA

Approved  
Mining Area Officer  
EAC

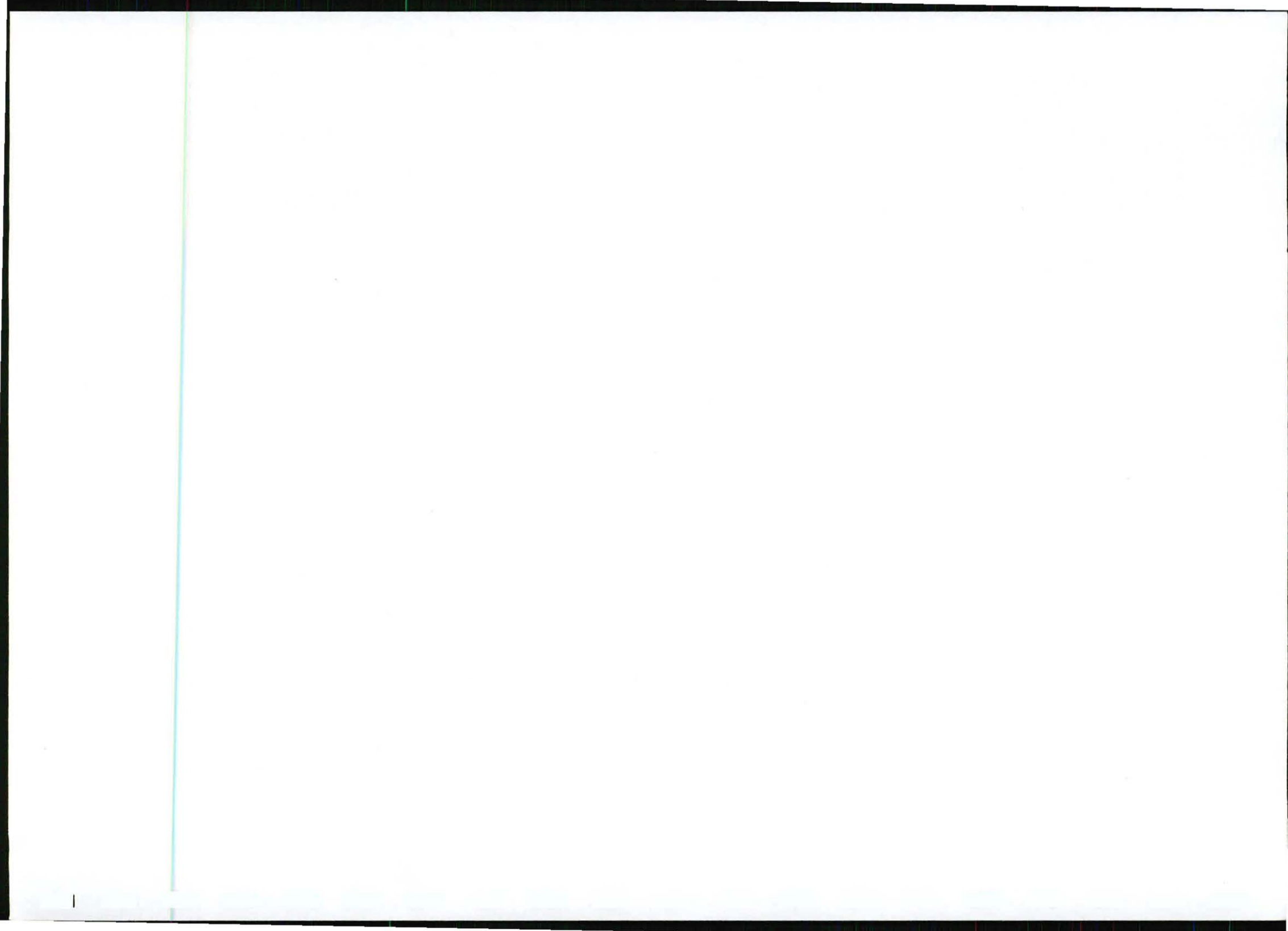
Approved  
Regional Director, Mineral Affairs  
EAC, 19/03/2004







**ANNEXURE C – ADVERTISEMENT:**





**TENDER NOTICE**  
DEPARTMENT OF PUBLIC WORKS  
EASTERN CAPE GOVERNMENT

Tenders are hereby invited for the following nominated sub-contract related to the new Engcobo Fire Station.

- Engcobo Fire Station: Electrical Installation: SCM05-09/10-0141 [CIDB Grade: 2EB PE and 3EB Category or higher]

**Architects:**  
Department of Public Works  
Tel: 040 609 4486

**Electrical Engineers:**  
Ballenden & Robb  
Tel: 045 8381815

**Project Leader (DPW):**  
S Sivuka  
Tel: 040 609 4513

Tender documents will be available as from 12:00 on Friday 4th of June 2010 at the offices of the Department of Public Works, Room 3-46, Ghasana Building, Bhisho, on payment of a non-refundable deposit of R150,00 per document. Bank certified cheques should be made payable to the Department of Public Works.

Completed tender documents in a sealed envelope enclosed with the project name, project number and description must be deposited in the Tender Box, 3rd Floor, Department of Public Works, Ghasana Building, Bhisho, not later than 11:00 on Thursday, 24th of June 2010 when tenders will be opened in public.

*Tenderers shall take note of the following tender conditions.*

- Penalties for late completion will be enforced
- Approved surety will be required
- Tenderers to tender within their CIDB category grade only (see above)
- Late tenders will not be accepted
- Failure to complete all supplementary information and the RETURNABLE SCHEDULES may result in the tender being deemed null and void (eliminated)
- Preferential Procurement Policy Framework Act (PPPPFA) principles will apply, whereby a tenderer's submission will be evaluated according to the sum of the Award of Points in respect of the tender value and the status of the enterprise
- Target Goals are as follows:  
90 Points for Pncu  
4 Points for HDI status  
2 Points for female  
2 Points for youth  
2 Points for disability
- Tender Forms (Form CT 1: Form of offer and acceptance) that are incomplete or incorrectly completed will result in the disqualification of that tender
- Tenderers are required to be registered for VAT and must submit an original SARS Tax Clearance Certificate with their tender, in order to be considered

Telegraphic, telexed or faxed tenders will not be considered. The lowest or any tenders need not necessarily be accepted and this project may not be awarded to the most favourable Tenderer, if it is deemed that the Tenderer is over-committed

**Procurement Contact Official:**  
Mr. P. Roux  
Tel: 040 609 4609

**NOTICE OF PROPOSED PROSPECTING ACTIVITIES**

EC 30/5/1/1/2 (154) PR

Notice is hereby given of the proposed clay prospecting activities on Farm 1959, Farm 1960 and Farm 2179, division of King William's Town, Eastern Cape. This prospecting application is in terms of Section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and covers a total area of approximately 12ha:

**KEI BRICK AND TILE COMPANY (PTY) LTD**

Please register as an Interested or Affected Party in writing no later than Monday 14 June 2010 and include your contact details and any concerns, objections or support for the project together with an indication as to why you are either affected or interested. Please forward all correspondence in this regard to the consultant at:

Dew Design CC Va EHS  
• wernemiekert@gmail.com  
• jacquesengels@gmail.com  
• Fax: 086 655 1899

**NOTICE OF PROPOSED MINING ACTIVITIES**

EC 30/5/1/3/2 (441) MP

Notice is hereby given of the proposed clay mining activities on Farm 1959 and Farm 1960, division of King William's Town, Eastern Cape. This mining permit application is in terms of Section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and covers a total area of 1,5ha.

**KEI BRICK AND TILE COMPANY (PTY) LTD**

Please register as an Interested or Affected Party in writing no later than Monday 14 June 2010 and include your contact details and any concerns, objections or support for the project together with an indication as to why you are either affected or interested. Please forward all correspondence in this regard to the consultant at:

Dew Design CC Va EHS  
• wernemiekert@gmail.com  
• jacquesengels@gmail.com  
• Fax: 086 655 1899

**NOTICE**

in the High Court of South Africa (Eastern Cape, Grahamstown) Case No. 1029-2010, 3rd June 2010.

Before the Honourable Mr. Justice Roberson. In the matter between AAA INVESTMENTS (PROPRIETARY) LIMITED (Applicant) and DESIGN ER WINDOWS (PROPRIETARY) LIMITED (Respondent).

(Registration No. 2002/0102994/07) (Respondent) Registered address at 8 Factory Road, North End, East London. Having been Mr. Nettleton, Attorney for the Applicant and having read the Notice of Motion and other documents filed of record.

IT IS ORDERED:

1. THAT the Respondent Company be and is hereby placed under Provisional Winding up in the hands of the Master of this Court.
2. THAT a Fidei Nisi do hereby issue (binding upon the Respondent to show cause (if any) to this Court on Thursday the 24th of June 2010 at 10:00 why the Respondent Company should not be placed under final Winding-Up Order) in the hands of the Master of this Court.
3. THAT this Order be served in the following manner:

- 3.1 By ONE (1) publication in the DISPATCH newspaper;
- 3.2 by the Sheriff 3.2.1 on the Respondent at its registered address, 127 ... on the Commissioner for South Africa; Revenue Services, East London;
- 3.2.2 to the employees of Respondent in the manner prescribed by ISW;
- 3.2.4 upon the registered Trade Union, of which the Respondent's employees may be members.

BY ORDER OF THE COURT:

N. M. ADAM  
GOURI REGISTRAR  
NETTELTON  
Attorneys  
118A High Street (P.O. Box 49), Grahamstown, 6140  
Tel: 046 626 7149  
Fax: 046 623 7147  
E-mail: [sam@nettelton.co.za](mailto:sam@nettelton.co.za)  
Ref: Mr. Nettleton/Sun

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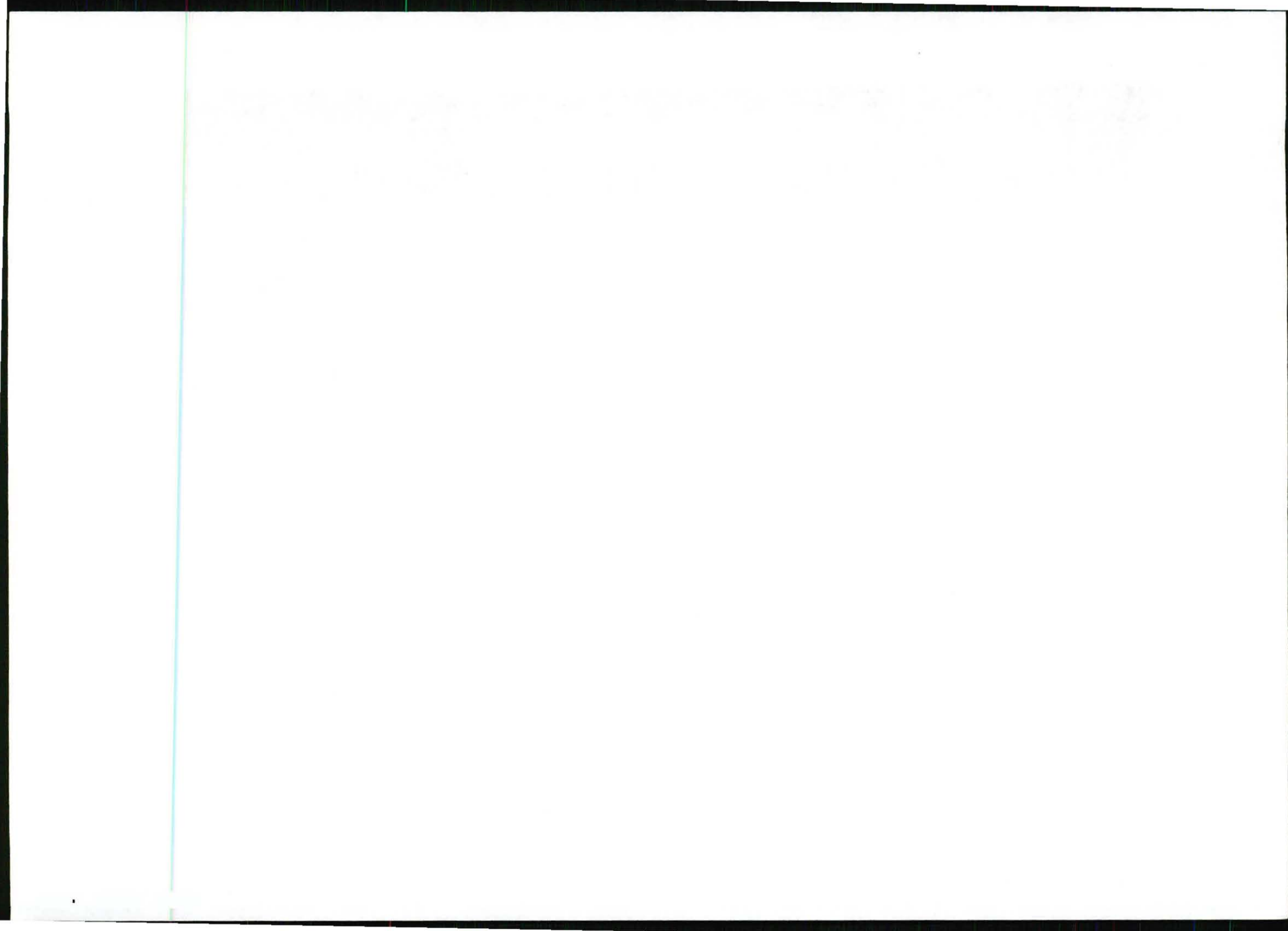
Sell it with a classified advert

TEL: 043 743 505

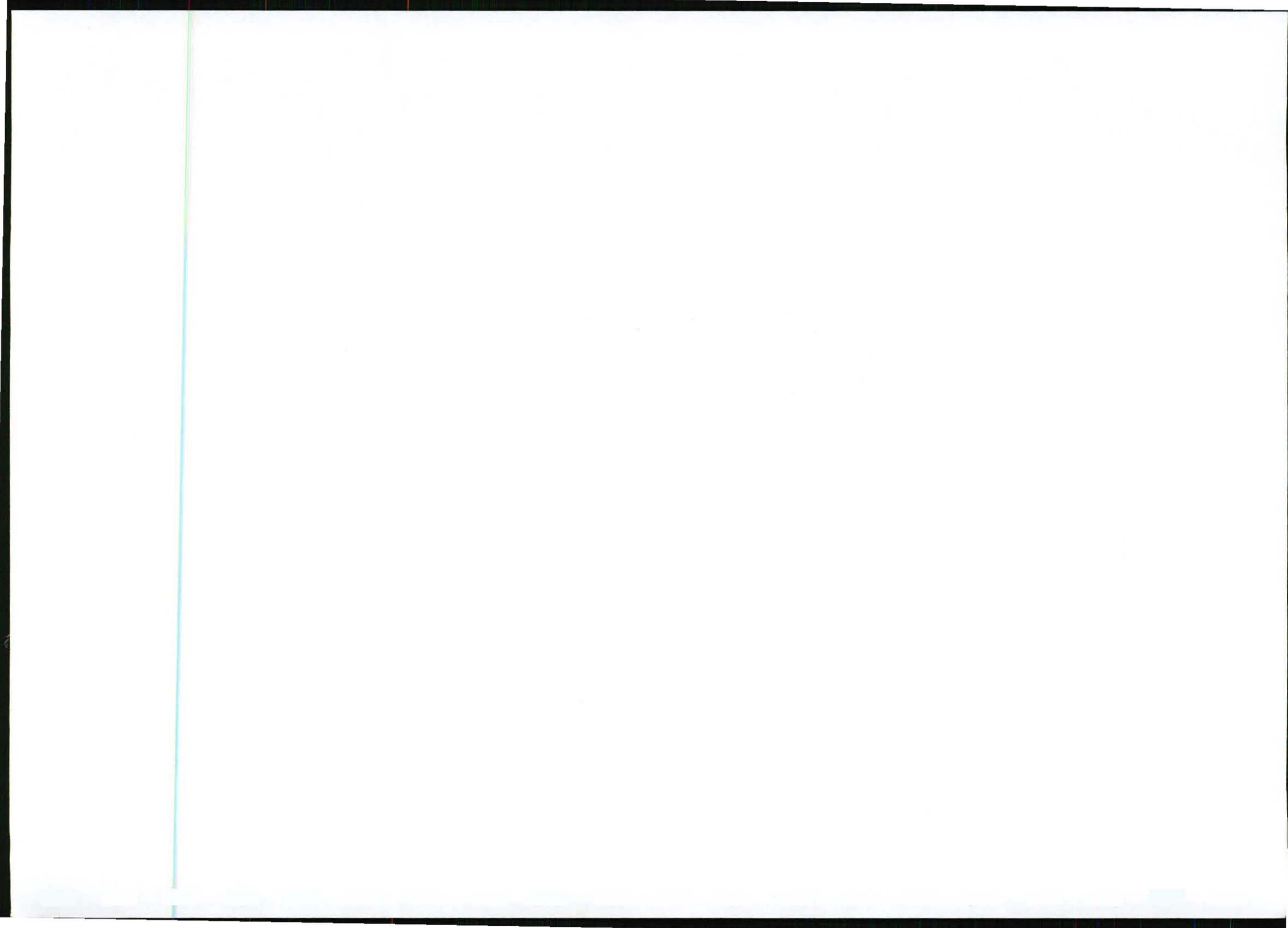
Classified TODAY

**FLASH EXTRA CASH!**

DD86/10



## ANNEXURE D – MEETING:









Minutes of meeting held at Kei Brick & Tile to discuss mining permit and  
Prospecting applications with representatives of the two surrounding  
communities on 9 July 2010 at 09:30am

Attendance

Mr P Skade – Ward Councilor  
Mr T Majalisa – Ward Committee  
Ms T Motileni – Production Manager Kei Brick  
Mr C Clarke – General Manager Kei Brick

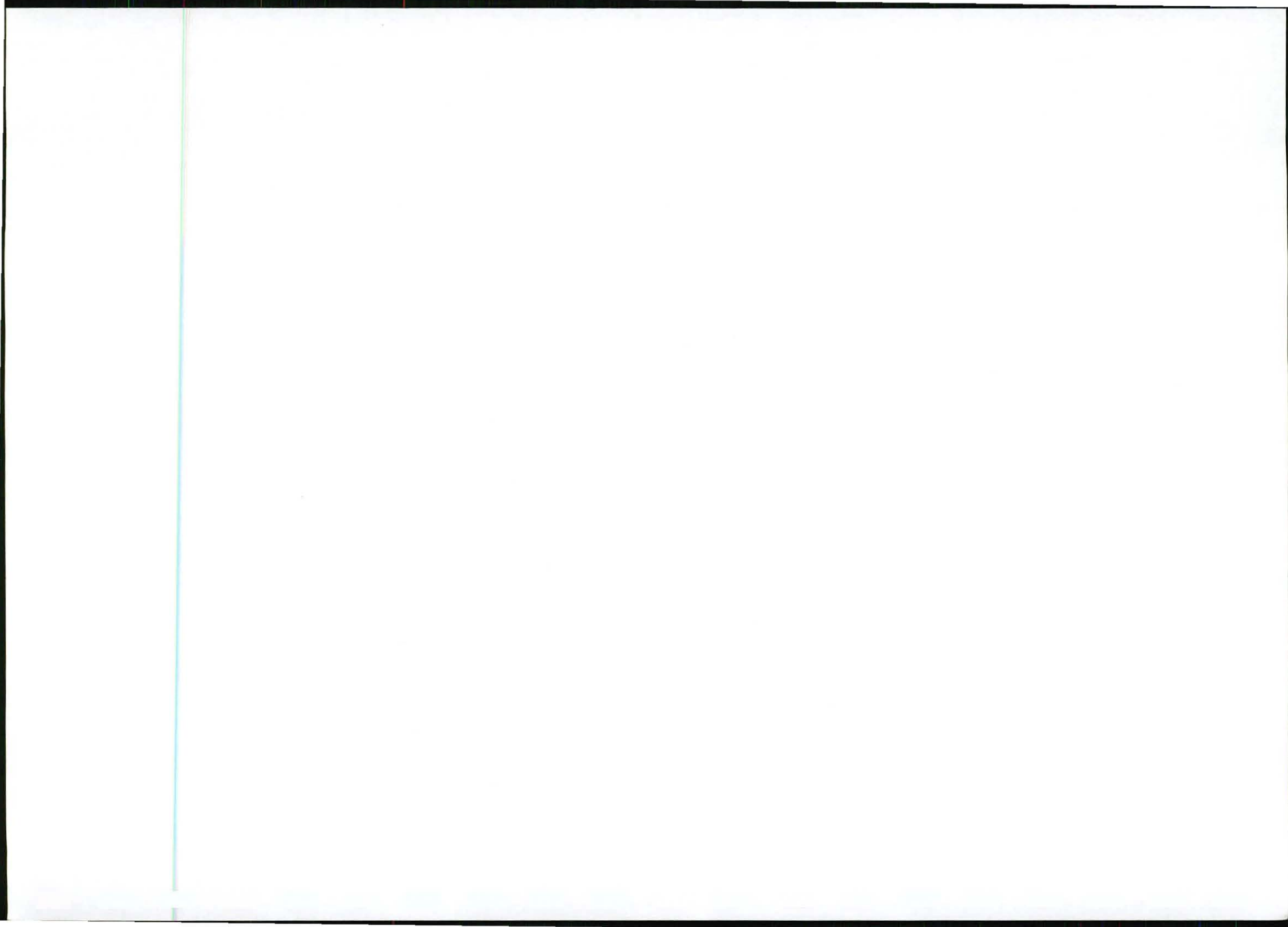
Mr Clarke welcomed everyone and thanked Messrs Skade and Majalisa for coming.

Mr Clarke explained the company was in the process of applying for a mining permit and prospecting right on the land to the east of the existing Factory. This was shown on an aerial photograph of the site.

Mr Clarke handed out copies of the two notices that had appeared in the Daily Dispatch the previous day and were also placed next to the gate near the proposed mining area. Mr Clarke explained this was to alert interested and affected parties to the company's intentions.

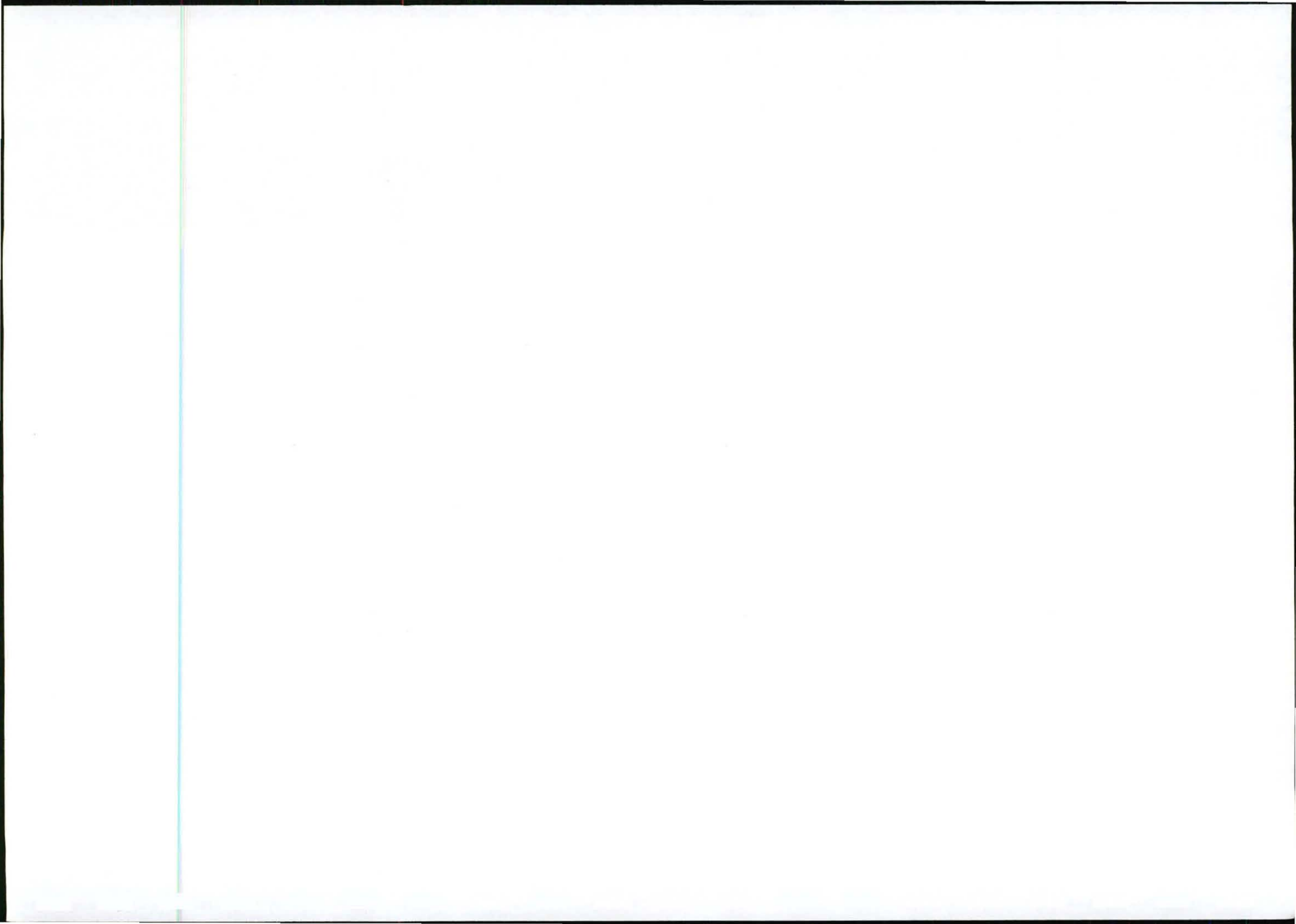
Mr Clarke then handed out copies of the two letters sent to interested and affected parties that had been identified. He brought to the meetings attention that the company was proposing R10 per cubic meter of clay mined would be contributed to the community from the permit area and that this could amount to R160 000 per year. It would be necessary to identify a structure to manage these funds. Mr Mangalisa noted that the communities were in need of funds to promote projects. Mr Skade asked if the permit would be granted irrespective of interested and affected parties. Mr Clarke replied that the DMR would want such issues resolved first. Mr Skade asked if the application had been passed by Environmental affairs. Mr Clarke responded that he had met with Environmental affairs last week and that the meeting had gone successfully.

Mr Skade asked that a site inspection take place after the meeting. This was duly done .




Mr Skade and Mr Mangalisa undertook to meet with their respective communities and asked that Mr Clarke be available for such meetings.

The meeting was concluded (including site inspection) at 10.30am



Name and designation (if acting in a representative capacity):	THEMBEKILE MASALISA AS WARD COMMITTEE AND CHAIRPERSON OF TYP-TYP COMMUNITY Cell/0836902051
Which property / properties do you own in the area?	FARM AS9A10 FARM 1960 DIVISION OF KING WILLIAMS TOWN ENTERED GPE REF 305/1127/2/44117
Which activities do you conduct that may be affected by mining in the area?	GRAZING LANDS AND OUR CEMETERY
How do you believe you will be affected by the mining activities?	BECAUSE OF GRAZING LANDS
Any other comments?	NO COMMENTS

I hereby acknowledge receipt of the letter informing me of the applicant's intention to mine the above-mentioned area, and wish to register as an affected party.

  
Signature

14/06/2010  
Date

~~TYP~~  
TYP-TYP Village  
P.O. Box 4348  
King Williams Town  
5600

