



mineral resources & energy

Department:
Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

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From: Mineral Regulation: Gauteng Office

Enquiries: N Mahlaba

ENVIRONMENTAL AUTHORISATION FOR THE MINING OF QUARRY 6A ASSOCIATED WITH THE UPGRADE OF R573 (MOLOTO ROAD), GAUTENG PROVINCE

Reference number: GP 30/5/1/1/2 (000002) BP

Last amended: First Issue

Holder of authorisation: South African National Roads Agency
Limited (Pty) Ltd

Location of activity: Remainder of the farm Doompoot 295 IR
within the City of Tshwane Municipality;
Gauteng province

ACRONYMS

NEMA : National Environmental Management Act, 1998 (Act 107 of 1998) as amended

NEMWA : National Environmental Management Waste Act, 2008 (Act 59 of 2008) as amended

EIA : Environmental Impact Assessment

EIA REGULATIONS : Environmental Impacts Assessment Regulations, 2017

DEPARTMENT : Department of Mineral Resources

EA	: Environmental Authorisation
EAP	: Environmental Assessment Practitioner
EIAR	: Environmental Impact Assessment Report
EMPr	: Environmental Management Programme
I&APs	: Interested and Affected Parties
ECO	: Environmental Control Officer
MPRDA	: Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) as amended

DECISION

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this EA, that the applicant is hereby authorised to undertake the listed activities specified 1 below. Details regarding the basis on which the Department reached this decision are set out pages 5 - 7 of this EA.

ACTIVITIES APPLIED FOR

By virtue of the powers conferred on it by NEMA, the Department hereby grants an Environmental Authorisation to **South African National Roads Agency SOC Limited** with the following contact details:

Mr Progress Hlahla
Private Bag X17
LYNNWOOD RIDGE
0040

Tel: (012) 426 6204
E-mail: Hlahlap@nra.co.za

to undertake the following activities listed in the EIA Regulations, hereafter referred to as 'the activity':

Listed activities (EIA Regulations)	Activity/ Project Description
<p><u>GN R. 324 Activity 12</u> <i>The clearance of an area of 300 square metres or more of indigenous vegetation.</i></p> <p><i>ii Within critical biodiversity areas identified in bioregional plans</i></p>	<p><i>A Critical Biodiversity Area and an Ecological Support Area are situated within the site.</i></p>
<p><u>GN R. 325 Activity 15</u> <i>The clearance of an area of 20 hectares or more indigenous vegetation.</i></p>	<p><i>Indigenous vegetation will be cleared for the mining activities, temporary infrastructure and informal access roads.</i></p>
<p><u>GN R. 327 Activity 30</u> <i>Any process identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act 2004 (Act No. 10 of 2004).</i></p>	<p><i>Quarry 6A, including the northern half and southern portion thereof is located</i></p>

as described in the EIAR received on 12 July 2021 in respect of the Remainder of the farm Doornpoort 295 JR, hereafter referred to as "the property".

Detailed specifications of activities are as follows:

- (a) The commodity to be mined is aggregates.
- (b) The rock material will be crushed to produce G1 aggregate and crushed G6 gravel by-products.
- (c) Approximately 584 000m³ of unprocessed bedrock material suitable for the production of crushed G1 aggregate.
- (d) Approximately 114 000m³ of material can be crushed and processed as possible G6 material.

- (e) The rock material will only be stored temporarily in stockpiles on site before being crushed and taken off site.
- (f) The proposed development of Quarry 6A includes the following:
- Quarry 6A Borrow Pit 1 which includes a crushing area, spoil area, generator, fuel storage area and temporary toilets;
 - Quarry 6A Stockpile 1 which comprises of a topsoil/ overburden stockpile area;
 - Quarry 6A Borrow Pit 2 which includes a crushing area, spoil area, generator, fuel storage area and temporary toilets;
 - Quarry 6A Stockpile 2 which includes which comprises of a topsoil/ overburden stockpile area;
 - Quarry 6A Quarry 1 which includes a crushing area, spoil area, generator, fuel storage area and temporary toilets;
 - Quarry 6A Quarry Stockpile 1 which comprises of topsoil/ overburden stockpile area;
 - Quarry 6A Borrow Pit 3 which includes a crushing area, spoil area, generator, fuel storage area and temporary toilets;
 - Quarry 6A Stockpile 3 which comprises of a topsoil/ overburden stockpile area;
 - Quarry 6A Borrow Pit 4 which includes a crushing area, spoil area, generator, fuel storage area and temporary toilets; and
 - Quarry 6A Stockpile 4 which comprises of topsoil/ overburden stockpile area.

The granting of this EA is subject to the conditions set out below (site specific) and in Annexure 2 (Departmental standard conditions). The EMPr attached submitted as part of the application for an EA is hereby approved and must be adhered to throughout the life cycle of the operation.

REASONS FOR THE DECISION

1. Background

South African National Roads Agency SOC Limited submitted an application for an EA for the activities listed in the EIA Regulations as follows:

Listed activities (EIA Regulations)	Activity/ Project Description
<p><u>GN R. 324 Activity 12</u> <i>The clearance of an area of 300 square metres or more of indigenous vegetation.</i></p> <p><i>ii Within critical biodiversity areas identified in bioregional plans</i></p>	<p><i>A Critical Biodiversity Area and an Ecological Support Area are situated within the site.</i></p>
<p><u>GN R. 325 Activity 15</u> <i>The clearance of an area of 20 hectares or more of indigenous vegetation.</i></p>	<p><i>Indigenous vegetation will be cleared for the mining activities, temporary infrastructure and informal access roads.</i></p>
<p><u>GN R. 327 Activity 30</u> <i>Any process identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).</i></p>	<p><i>Quarry 6A, including the northern half and southern portion thereof is located</i></p>

2. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the application form received by the Department on 20 November 2020.
- b) The information contained in the EIAR received by the Department on 12 July 2021.
- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations.

- d) Public Participation Process (PPP) attached as Appended to the EIAR received on 12 July 2021.
- e) A site inspection conducted by officials of this Department, namely Mr N Mahlaba and Ms T.C Ramoelo, together with the representatives of the EAP on 08 June 2021.

3. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) A sufficient PPP was conducted, and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations.
- b) Recommendations of the following Specialists from the following specialist studies:
 - Heritage Impact Assessment dated March 2021 conducted by J A van Schalkwyk;
 - Terrestrial Biodiversity Assessment dated June 2020 conducted by Field and Form Landscape Science in collaboration with Malachite Ecological Services; and
 - Wetland/ Riparian Delineation and Functional Assessment Report dated May 2021 conducted by Limosella Consulting.

4. Findings

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

- a) The potential impacts on the proposed site were clearly investigated and mitigation measures are outlined.
- b) Public Participation Process complied with Chapter 6 of the EIA Regulations. The PPP included, *inter-alia*, the following:

- A newspaper advertisement - "The Pretoria News" newspaper on 9 July 2020 and "Pretoria North Rekord" on 10 July 2020;
- Site Notices - Notices were placed on the nearby streets in and around the project site, Lalapalm Road, Corner of Ficus lane and Lalapalm Road, Super Spar Zambezi Retail Park, Kameeldrift Police Station, Kameeldrift weg shopping centre, Corner of Karee Street and Maroela Road, Maroela Road, Raasblaar Street, Tambotiweg, and corner of Tambotiweg and Sekelbos Road.
- Notices were sent to all potential key stakeholders and the registered interested and affected parties from 18 June 2021.

SITE SPECIFIC CONDITIONS

1. A buffer of atleast 500m must be implemented between the edge of the mining area and residential dwellings/ settlements. No activities may be undertaken within 500m of the built-up areas.
2. No activities may be undertaken within 500m of a wetland without a Water Use Licence for such activities, issued by the Department of Water and Sanitation. Wetlands must be treated as 'No-Go' areas.
3. No activities may be undertaken within 100m of a wetland.
4. No mining activities may be conducted within 100m of any watercourse..
5. Should any historical, cultural, paleontological resources and graves be found in the sites, all construction activities must be suspended and South African Heritage Resources Agency (SAHRA) must be contacted immediately. The discoveries must be cordoned off.
6. A buffer zone of 100 metres between the activity and cemeteries or burial grounds must be clearly demarcated and maintained.
7. There must be ongoing quarterly or half-yearly engagements with key I&APs that reside or have businesses in and around the project site when the activity commences.

8. A Storm water management plan must be implemented throughout the project cycle to divert dirty water from clean run-off water.
9. Baseline noise monitoring shall be undertaken and recorded atleast for a 1km radius prior to commencement of the construction activities, and perimeter noise monitoring must continue throughout the project cycle.
10. Should there be a construction campsite, it must not be located within 100 metres of a watercourse.
11. An integrated waste management approach based on waste minimisation must be implemented and must incorporate reduction, recycling, re-use and disposal.
12. Clean run-off water must be diverted away from the site so that clean water does not mix with dirty water.
13. Surface and ground water monitoring must be conducted on quarterly basis to determine the quality of water. Monitoring results must be submitted to this Department.
14. A stakeholder engagement plan must be updated annually to ensure that it caters and addresses comments/ concerns raised by the I&APs living in the surroundings.
15. Prior to commencement of construction activities, baseline noise monitoring shall be undertaken at sensitive receptors, on site and within a 1km radius.
16. Air quality must be monitored for dust fallout particulate throughout the project cycle.

STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1 The holder of the EA shall be responsible for ensuring compliance with the conditions contained in the EA. This includes any person acting on the holder's behalf, including but not limited to an agent, servant, contractor, subcontractor, employee, consultant or any person rendering a service to the holder of EA.

- 1.2 Any changes to, or deviation from the project description set out in this EA must be approved in writing by this Department before such changes or deviation may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviation and it may be necessary for the holder of the EA to apply for further authorisation in terms of the EIA Regulations.
- 1.3 The activity, which is authorised herein, may only be carried out at the property indicated in the EA.
- 1.4 In cases where any contact details of the holder of the EA change including the name of the responsible person, physical/postal address or telephonic details, the holder of the EA must notify the Department as soon as the new details become known to the holder of the EA.
- 1.5 The EA does not negate the responsibility of the holder to comply with any other statutory requirements that may be applicable to the undertaking of such activity.
- 1.6 The holder of the EA must ensure that all areas where the authorised activity occurs have controlled access to ensure safety of people and animals.

2 APPEAL OF AUTHORISATION

- 2.1 The holder of the EA must, in writing, within 14 (fourteen) calendar days of the date of this decision and in accordance with Regulation 4(2) of the EIA Regulations.
- 2.2 Notify all registered I&APs of –
 - 2.2.1 The outcome of the application.
 - 2.2.2 The date of the decision.
 - 2.2.3 The date of issue of the decision.
 - 2.2.4 The reasons for the decision as outlined on pages 15 to 27 of this IEA.
- 2.3 Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014.

2.4 Draw the attention of all registered I&APs to the manner in which they may access the decision.

2.5 Provide the registered I&APs with the:

2.5.1 Name of the holder (entity) of this EA.

2.5.2 Name of the responsible person for this EA.

2.5.3 Postal address of the holder.

2.5.4 Telephonic and fax details of the holder.

2.5.5 E-mail address of the holder.

3 COMMENCEMENT OF THE ACTIVITY

3.1 In order to ensure safety, all employees must be given the necessary personnel protective equipment (PPE).

3.2 This EA must be provided to the site operator and the requirements thereof be made fully known to him or her.

3.3 Hauling routes for construction vehicles and machinery must be clearly marked and appropriate signalling must be posted to that effect. Furthermore, movement of construction vehicles and machinery must be restricted to areas outside of the drainage line or wet areas.

3.4 Appropriate notification sign(s) must be erected at the construction site, warning the public (residents, visitors etc.) about the hazard around the construction site and presence of heavy vehicles and machinery.

3.5 Construction must include design measures that allow surface and subsurface movement of water along the drainage lines so as not to impede natural surface and subsurface water flow, and drainage measures must promote the dissipation of storm water runoff.

3.6 Vegetation clearance must be limited to areas where the individual activities will occur, and mitigation measures must be implemented to reduce the risk of erosion and alien species invasion.

- 3.7 If any soil contamination is noted at any phase of the development, the contaminated soil must be removed to a licensed waste disposal facility and the site must be rehabilitated. The opportunity for the onsite remediation and re-use of contaminated soil must be investigated prior to the disposal and this Department must be informed in this regard.
- 3.8 In terms of sections 28 and 30 of NEMA, and sections 19 and 20 of the National Water Act, 1998 (Act No. 36 of 1998), any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the holder of the EA reads through and understand the legislative requirements pertaining to the development. It is the responsibility of the holder of EA to take reasonable measures which include informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmentally acceptable manner.
- 3.9 Construction vehicles must be serviced and/ or maintained off site. No servicing of any vehicle or machinery may be allowed on site.
- 3.10 Residents of the surrounding areas must be informed twenty four (24) hours in advance if any unusually noisy activities are planned.
- 3.11 Dust suppression measures must be implemented on all exposed surface to minimize and control airborne dust.
- 3.12 Mixing of cement, concrete, paints, solvent, sealants and adhesive, if done on site, must be done in specified areas on concrete aprons or on protected plastic linings to contain spillage or overflow onto soil to avoid contamination of underground water and environmental damage.
- 3.13 Hydraulic fluids or chemicals required during project cycle must be stored in a concrete lined surface with bund walls and shall be designed in such a manner that any spillage can be contained and reclaimed without any impact on the surrounding environment. Should any spills occur, it must be cleared up by removing the spillage together with the polluted solids and dispose it in an authorised disposal site permitted for such waste.

- 3.14 Chemical sanitation facilities or system such as toilets that do not rely on the seepage of liquids must be provided with a ratio of 1 for every 15 workers. These must be placed such that they prevent spills or leaks to the environment and must be maintained according to the operating instructions and the content thereof must be disposed of at an authorised waste water treatment works.
- 3.15 This EA does not purport to absolve the holder of the EA from his or her common law obligations towards the owner of the surface of land affected.
- 3.16 The holder of the EA must ensure that rehabilitation of the disturbed areas caused by the development at all times comply with the approved EMPr.
- 3.17 This EA may be amended or withdrawn by this Department at any stage if there are non-compliances, and provides no relief from the provisions of any other relevant statutory or contractual obligations.
- 3.21 The holder of the EA must note that in terms section 20 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), no person may commence, undertake or conduct a waste management activity, except in accordance, with the requirements of norms and standards determined in terms of section 19(3) for that activity or a waste management licence is issued in respect of that activity if licence is required.
- 3.22 Should you be notified by the Minister of a suspension of the authorisation pending any appeal requirements, you may not commence or continue with the activity until such time that the Minister, in writing, allows you to commence or continue with such activity.
- 3.23 The Department reserves the right to audit and/or inspect the activity without prior notification at any reasonable time and at such frequency as may be determined by the Regional Manager.
- 3.24 The storage of hydrocarbons must have bunded surfaces with adequate capacity to contain the maximum volume that is stored in the area. Uncontaminated storm water must be prevented from coming into contact with the waste and must be diverted away from the storage site.

3.25 The authorised activity must commence within five (5) years from the date of validity of this EA. If the commencement of the authorised activity does not occur within the specified period, the EA lapses and a new application for EA should be lodged for the activity to be undertaken.

3.28 The activity, including site preparation, must not commence within 20 (twenty) calendar days of the date of the notification of the decision being sent to the registered I&APs. In the event that an appeal is lodged with the appeal administrator, the effect of this environmental authorisation is suspended until such time that the appeal is finalised.

3.29 Should there be any conflicting conditions between this EA and other approval granted by other authorities, it is upon the holder of the EA to bring it to the attention of the Department for resolution.

4. MANAGEMENT OF ACTIVITY

4.1 A copy of the EA and EMPr must be kept at the property or on site office where the activity will be undertaken. The IEA and EMPr must be produced to any authorised officials of the Department who request to see such documents and must be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work on site.

4.2 The content of the EMPr and its objectives must be made known to all contractors, subcontractors, agent and any other people working on the site.

4.3 The holder of the EA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.

4.4 The holder of the EA must ensure that all non-recyclable waste are disposed of at a waste management facility licensed to handle such wastes and all recyclable waste are collected by licensed waste management recyclers for recycling, reuse or treatment.

- 4.5 The holder of the EA must ensure that all liquid waste, that may potentially pollute water or land, are diverted to a sewer, after testing water quality and receiving written approval from the relevant local authority.
- 4.6 Non-compliance with any condition of this EA or EMPr may result in the issuing of a directive in terms of section 28 of the NEMA and/ or a compliance notice in terms of section 31L of the NEMA.
- 4.7 Should it be discovered or come to the attention of the Department that the EA has been obtained through fraud, non-disclosure of information or misrepresentation of a material fact, the Department will suspend the EA in terms of the provisions of regulation 38(1) of the EIA Regulations.
- 4.8 This EA only authorises the listed activities specified in this EA and a new authorisation and/ or waste management licence must be applied for in respect of any new listed activity not specified in this EA.
- 4.9 The holder of the EA must ensure that the names and contact details of an ECO is made available to the Regional Manager within 30 days of commencement. The holder of the EA must also ensure that the ECO is always available on site to ensure that the activity complies with the issued EA and approved EMPr at all times.
- 4.10 The ECO must:
- 4.13.1 Keep and maintain a detailed incidents register (including any spillages of fuels, chemicals or any other material.
 - 4.13.2 Keep a complaint register on site indicating the complaint and how the issues were addressed, what measures were taken and what the preventative measures were implemented to avoid re-occurrence of complaints.
 - 4.13.3 Keep records relating to monitoring and auditing on site and avail them for inspection to any relevant authorised officials.
 - 4.13.4 Keep copies of all environmental reports submitted to the Department.
 - 4.13.5 Keep the records of all permits, licences and authorisations required by the operation.
 - 4.13.6 Compile a monthly monitoring report and make it available to the Department if requested.

- 4.11 The duties and responsibilities of the ECO do not exempt the holder of the EA from the legal obligations in terms of the NEMA.
- 4.12 The footprint of the activity must be limited to the areas authorised for the actual construction works and operational activities, and all areas outside of the footprint must be regarded as "no-go" areas.
- 4.13 Erosion and soil loss must be prevented by minimizing the construction site exposed to surface water run-off. Where necessary erosion stabilizing action such as gabions or re-vegetation must be implemented to prevent further habitat deterioration.
- 4.14 The holder of the EA must ensure that all personnel who work with hazardous waste are trained to deal with these potential hazardous situations so as to minimise the risk involved. Records of training and verification of competence must be kept by the holder EA.
- 4.15 In order to prevent nuisance conditions, the holder of the EA must ensure that all storage skips and bins are not overfilled.

5 REPORTING TO THE DEPARTMENT

- 5.1 The holder of EA must submit an Environmental Audit Report to this Department biennially and such report must be done by a qualified Environmental Assessment Practitioner. The audit report must include the following:
- 5.1.1 Identify and assess any new impacts and risks as a result of undertaking the activity, if applicable.
 - 5.1.2 Identify shortcomings in the EMP, if any.
 - 5.1.2 Identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMPr.
 - 5.1.3 If applicable, specify that the corrective action/s taken for the previous audit's non-conformities, were adequate.
 - 5.1.4 Specify the name of the auditor.
 - 5.1.5 Be submitted by the holder to the competent authority within 30 days from the date on which the auditor finalised the audit.

- 5.2 Should any shortcomings in terms of regulation 34(4) of the EIA Regulations be identified, the holder must submit recommendations to amend the EMPr in order to rectify any shortcomings identified with the aforementioned audit report.
- 5.3 Any complaint received from the I&APs during all phases of the operation must be attended to as soon as possible and addressed to the satisfaction of all concerned parties.
- 5.4 The holder of the EA must, within 24 hours of incidents occurring, notify the Competent Authority of the occurrence or detection of any incident on the site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.
- 5.6 The holder of the IEA must, within 14 days, or a shorter period of time, if specified by the Competent Authority from the occurrence or detection of any incident referred to in condition 5.5 above, submit an action plan, which must include a detailed time schedule, and resource allocation signed off by top management, to the satisfaction of the Competent Authority of measures taken to –
- 5.6.1.1 Correct the impact resulting from the incident.
 - 5.6.1.2 Prevent the incident from causing any further impact.
 - 5.6.1.3 Prevent a recurrence of a similar incident.
- 5.7 In the event that measures have not been implemented within 21 days of the incident referred to in condition 5.6, or measures which have been implemented are inadequate, this Department may implement the necessary measures at the cost of the holder of the EA.

6. SITE SECURITY AND ACCESS CONTROL

- 6.1 The holder of the EA must ensure effective access control to the site to prevent unauthorised entry. Signs indicating the risks involved in unauthorised entry must be displayed at each entrance.

7. EMERGENCY PREPAREDNESS PLAN

7.1 The holder of the EA must maintain and implement an emergency preparedness plan and review it biennially when conducting audit and after each emergency and or major accident. The plan must, amongst others, include:

7.1.1 Site Fire

7.1.3 Spillage

7.1.3 Natural disasters such as floods

7.1.4 Industrial action

7.1.5 Contact details of police, ambulances and any emergency centre closer to the site.

7.2 The holder of the EA must ensure that an up to date emergency register is kept during all phases of the operation. This register must be made available upon request by the department.

8. INVESTIGATIONS

8.1 If, in the opinion of the Competent Authority, nuisances or health risks may be or is occurring on the site, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem.

8.2 If, in the opinion of the Competent Authority, pollution may be or is occurring, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the water quality variables, at those monitoring points and such frequency as may be specified by the Competent Authority.

8.3 Investigations carried out in terms of conditions 8.1 and 8.2 above must include the monitoring of the relevant environmental pollution, nuisance and health risk variables, at those monitoring points and such frequency to be determined in consultation with the Competent Authority.

8.4 Should the investigation carried out as per conditions 8.1 and 8.2 above reveal any unacceptable levels of pollution, the holder of the EA must submit mitigation measures to the satisfaction of the Competent Authority.

9. DECOMMISSIONING

9.1 Decommissioning of individual activities must comply with the EIA Regulations.

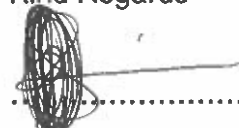
10. SITE CLOSURE

10.1 The holder of the EA remains responsible for any environmental liability, pollution or ecological degradation, the pumping and treatment of extraneous water, compliance with the conditions of EA and to the satisfaction of this Department.

10.2 The holder of the EA must only make use of indigenous vegetation for rehabilitation purposes.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the EA, 'the activity' detailed in this EA will not be in conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the activity can be mitigated to acceptable levels. The authorisation is accordingly granted.

Kind Regards



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MR S VEZI

ACTING REGIONAL MANAGER: MINERAL REGULATION

GAUTENG REGION

DATE: 04/04/2022