



# mineral resources

Department:  
Mineral Resources  
REPUBLIC OF SOUTH AFRICA

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Reference number:

: FS 30/5/1/3/3/2/1 (10283) EM

Last amended:

: First issue

Holder of authorisation:

: Glen Shee Zand (Pty) Ltd.

Location of activity:



: The Remaining Extent of the Farm Jammersbergdrift 540; situated in the Magisterial District of Wepener in the Free State Province.

## ACRONYMS

## DECISION

- BAR: Basic Assessment Report
- DEPARTMENT: Department of Mineral Resources
- DEA Minister: Minister Responsible for environmental matters
- EA: Environmental Authorisation
- EAP: Environmental Assessment Practitioner
- ECO: Environmental Control Officer
- EMPr: Environmental Management Programme
- EIA: Environmental Impact Assessment.
- EIA REGULATIONS: EIA Regulations, 2014 as amended
- FINANCIAL
- PROVISIONING

<b>REGULATIONS:</b>	The National Environmental Management Act, 1998 (Act 107 of 1998), Regulations Pertaining to the Financial Provision for Prospecting, Exploration, Mining or Production Operations Interested and Affected Parties
<b>I&amp;APs:</b>	Interested and Affected Parties
<b>Minister:</b>	Minister responsible for mineral resources
<b>MPRDA:</b>	Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
<b>NEMA:</b>	The National Environmental Management Act, 1998 (Act 107 of 1998), as amended
<b>NEMA: WA:</b>	National Environmental Management: Waste Act, 2008 (Act 59 of 2008), as amended
<b>NWA:</b>	National Water Act 1998 (Act 36 of 1998) as amended.
<b>SAHRA:</b>	South African Heritage Resources Agency

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the **NEMA EIA** listed activity (ies) specified below. Details regarding the basis on which the Department reached this decision are set out in **Annexure "1"** and **"2"** of this environmental authorisation.

#### ACTIVITY APPLIED FOR

By virtue of the powers conferred to the Department by the NEMA, Department hereby Grants an application for an EA to **Glen Shee Zand (Pty) Ltd** with the following contact details –

The Director (s)  
 Glen Shee Zand (Pty) Ltd  
 P O Box 31318,  
 Fichardpark  
 9317

**Contact person:** Mr. S.J. Meyer  
**Fax No.:** 051 443 8942  
**Email Address:** [asasandkonstruksie@gmail.com](mailto:asasandkonstruksie@gmail.com)



to undertake the following activity listed in the NEMA EIA Regulation 2014, as amended.

The abovementioned applicant is the holder of this environmental authorisation and is hereinafter referred to as "the applicant".

**NEMA: LISTED ACTIVITIES:**

**Listing Notice 1 of the EIA Regulations R.327 of 2014 as amended, as:-**

**Activity 21** - "Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including –

- (a) Associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource;
- (b) The primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing;

but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the resource in which case activity 6 in Listing Notice 2 applies.

**Detailed specifications of the activity are as follows:**

<p><b>DEPARTMENT OF MINERAL RESOURCES</b>          MINE ENVIRONMENTAL MANAGEMENT          PRIVATE BAG X33 WELKOM 9459          TEL: 057 391 1300</p> <p style="text-align: center;"><b>03 MAR 2020</b></p> <p>ENVIRONMENTAL AUTHORISATION GRANTED          NEMA, 1998 (ACT 107 OF 1998) AS AMENDED</p> <p><b>REGIONAL MANAGER: FREE STATE REGION</b></p>
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**The mining activity details are as follows:**

The area under application is 4.99 ha.

- The proposed mining activity for sand (general).
- There will be no new roads that will be cleared to gain access to the mining area, the existing road is in good condition and will be utilised;
- Sand will be recovered through pumping from the riverbed in a slurry form via floating pump;
- Pumping will be conducted by an excavator equipped with a pump;
- There will be no permanent structure constructed;
- Slurry will be pumped to a cleared containment area on the riverbank within the riparian zone allowing the sedimentation to settle and the water to drain back to the river;
- The settled sand will be sifted on site and the product will be stockpiled on the riverbank for sale to commercial buyers ;

- Product should be loaded to tipper trucks with front end-loaders and transported from site the clients;
- Consumptive water use should not be undertaken as part of the operation;
- Care must be taken during pumping and excavation not to impact the banks of the river;
- Access points will be established within the riparian zone along the river in order to gain access for the equipment for the recovery of sand;
- Riparian vegetation will be cleared and a ramp of approximately 4m in width will be established to the waterfront;
- A mobile chemical toilet will be used; and
- A temporary steel shed or container of approximately 3m x 4m will be placed for storage of general equipment.

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 as part of the reports for the above development submitted as part of the application for an EA is hereby approved and must be adhered to throughout the life cycle of the mining operation.

#### EA SITE SPECIFIC CONDITIONS

1. Indigenous animals and birds that are found in the area must not be harmed and must be protected as far as it is practicable.
2. Dust control measures must be implemented by means of implementation of operational procedures including the enforcements of speed limits on transport vehicles and limiting activities during high wind conditions.
3. A residue pit must be used for the temporary storage of sludge.
4. Existing access roads must be used and maintained to access the proposed mining area. No new access roads must be constructed.
5. Pumping of sand must be done by the use of floating pump and excavation on the sandbanks created on the drainage line.
6. Additional infrastructures and equipment must not be constructed on the mining area and only a temporary container should be placed.



7. The removal of topsoil and vegetation must be limited to the strips actively being mined, stockpiles and loading areas and access roads.
8. Dust suppression must be undertaken through water spraying and it must be done on a regular basis to prevent dust.
9. Concurrent rehabilitation must take place after mining activities are done on the river banks.
10. Proper erosion control measures must be in place to prevent run-off into the area where mining activities had taken place.
11. Topsoil removed must be stored on site and outside the 1:50 year floodline within the boundary of the mining area.
12. Topsoil must not be contaminated by any material or products classified as dangerous goods.
13. The stored topsoil shall be protected from being blown away or being eroded.
14. Promote indigenous vegetation growth for animals that graze over the disturbed areas on site.
15. The following equipment must be used during mining activities:  
  
Floating pump ±3m x 3m in extent;
16. Ensure that the water resources (surface or underground) are not affected by both mining and rehabilitation activities.
17. The clearance of vegetation must be limited to operational areas such as stockpiles, sifting area and loading area as well as access road.
18. Once mining has ceased, the area must be rehabilitated and vegetated using vegetation that is endemic to the surround environment.



## ANNEXURE 1: REASONS FOR THE DECISION



### 1. Background

Glen Shee Zand (Pty) Ltd submitted an application for an EA for activities listed in the EIA Regulations of 2014, as amended:

#### NEMA: Listed Activities:

#### Listing Notice 1 of the EIA Regulations R.327 of 2014 as amended, as:-

Activity 21 - "Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including –

- (c) Associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource;
- (d) The primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing; but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the resource in which case activity 6 in Listing Notice 2 applies.

Glen Shee Zand (Pty) Ltd appointed Lefatse Environmental Planning Services (Pty) Ltd to undertake the Basic Assessment Report and Environmental Management Programme report as required by Regulation 19 to regulation 24 of the EIA Regulations 2014 as amended.

### 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 the 16<sup>th</sup> of July 2019.
- b) The information contained in the draft BAR and EMP<sub>r</sub> received by the Department on the 21<sup>st</sup> of November 2019 and the BAR and EMP<sub>r</sub> received on the 10<sup>th</sup> of December 2019 respectively.

- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations of 2014 as amended.
- d) Public Participation Process (PPP) attached in the BAR and EMPr reports received on the **10<sup>th</sup> of December 2019**.
- e) The notification of acceptance of an application for mining permit dated the **01<sup>st</sup> of August 2019** received from the Acting Regional Manager.
- f) Relevant information contained in the Departmental information database, including, the Department's circular on the One Environmental Management System dated the 08<sup>th</sup> of December 2014.
- g) The comments received from Interested and Affected Parties ("I&APs") and the responses provided thereon, as attached in the revised BAR and EMPr.
- h) The sense of balance of the negative and positive impacts and mitigation measures;
- i) The Environmental Awareness Plan Report included in the BAR and EMPr attached as appendix 9;
- j) The rehabilitation and closure plan included on the BAR and EMPr;
- k) The environmental Monitoring plan attached on the BAR and EMPr attached as appendix 8;
- l) The specialist studies i.e. heritage and ecological studies included on the BAR and EMPr attached as appendix 12; and
- m) The company has complied with the provisions of the NEMA: Regulations Pertaining to the Financial Provision for Prospecting, Exploration, Mining or Production Operations by committing to provide financial provision as per regulation 8 read with regulation 11 of the said Regulations. The close corporation had provided an amount of **R 269, 252.22** as financial provision for rehabilitation purposes to cater for rehabilitation and management of residual and latent environmental impacts.



### 3. Key factors considered in making the decision

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

- a) A PPP was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations.
- b) The environmental impacts associated with the activity will be addressed by the implementation of mitigation measures outlined in the BAR and EMPr compiled by **Lefatse Environmental Planning Services (Pty) Ltd** and submitted to the Department on the **10<sup>th</sup> of December 2019**.

### 4. Findings

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

- a) The potential impacts on the site were clearly investigated and mitigation measures outlined;
- b) The PPP complied with Chapter 6 of the EIA Regulations R 326. The PPP included, *inter-alia*, the following:
  - Identification of and engagement (public meeting) with I&APs.
  - The Department concurs with the Environmental Assessment Practitioner's responses to the issues raised during the PPP and has included appropriate conditions in this environmental authorisation.





## ANNEXURE 2: DEPARTMENTAL 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, sub-contractor, 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 is deemed 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 (ies), which are authorised, may only be carried out at the property (ies) indicated in the EA and or on the approved EMPr.
- 1.4. Where any of the holder of the EA contact details change including name of the responsible person, physical or 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 (ies).
- 1.6. The holder of EA must ensure that all areas where the authorised activities occur have controlled access to ensure safety of people and animals.
- 1.7. The holder of EA must make sure that copies of the EA and EMPr are always kept where the listed activity will be undertaken.



## 2 APPEAL OF AUTHORISATION

- 2.1 The holder of EA must in writing, within 14 (fourteen) calendar days from the date of this decision and in accordance with EIA Regulation 4(2) do the following:
- 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 and.
  - 2.2.4 The reasons for the decision as included in Annexure 1 and Departmental Standard Conditions in Annexure 2.
- 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 Appeals Regulations. and
- 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:
- 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 and
  - 2.5.5 E-mail address of the holder if any.



## 3 COMMENCEMENT OF THE ACTIVITY (IES)

- 3.1 In order to ensure safety, all employees must be given the necessary personnel protective equipment (PPE) and training.
- 3.2 This EA must be provided to the site operator and the requirements thereof must 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 must be erected at the mining site, warning the public (residents, visitors etc.) about the hazard around the mining site and presence of heavy vehicles and machinery.
- 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 The holder of the EA must note that in terms of the National Forest Act (Act No.84 of 1998) protected plant species, also listed in must not be cut, disturbed, damaged, destroyed and their products must not be possessed, collected, removed, transported, exported, donated, purchased or sold unless permission is granted by the Department of Agriculture, Forestry and fisheries.
- 3.8 Construction areas (e.g. material lay down areas), topsoil and subsoil must be protected from contamination or pollution. Stockpiling must not take place in drainage lines or areas where it will impede surface water runoff.
- 3.9 If any soil contamination is noted at any phase of the proposed activity (ies), the contaminated soil must be removed to a licensed waste disposal facility and the site must be rehabilitated to the satisfaction of the Department and Department of Water and Sanitation. 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.
- 3.10 An integrated waste management approach must be implemented that is based on waste minimization and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate. Uncontaminated rubble generated on the premises can be re-used as back filling material on site. Ensure that no refuse or rubble generated on the premises is placed, dumped or deposited on the adjacent properties or public places and open space.
- 3.11 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 project. It is the holder of EA responsibility 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.

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