



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

DMR 10

Directorate: Mineral Regulation: North West Region.
Private Bag A1, Klerksdorp, 2570 Cnr Margaretha Prinsloo & Voortrekker Streets
Vaal University of Technology Building, Klerksdorp, 2571

Enquiries: Lorraine Nobela **Tel:** (018) 487 4300 **Fax:** (018) 487 4394
E-Mail: Lorraine.Nobela@dmr.gov.za **Ref No.:** NW 30/5/1/2/3/2/1/ (339) EM

BY HAND

Attention: Eddie Mohlabi
Bakubung Minerals (Pty) Ltd
Private Bag X16

NORTHLANDS

2116

Fax: (011) 994 4601

AMENDED INTEGRATED ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AS AMENDED (HEREIN REFERRED TO AS NEMA) AND NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT 59 OF 2008) AS AMENDED (HEREIN REFERRED TO AS NEMWA) AS READ TOGETHER WITH THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 FOR THE CONSTRUCTION AND EXPANSION OF THE EXISTING TAILING STORAGE FACILITY, RETURN WATER DAM, POLLUTION CONTROL DAMS, RELOCATION OF ORE CRUSHER, REPROCESSING OF WASTE ROCK DUMP, EROSION CONTROL MEASURES, NOISE REDUCTION BERM, ROADS, VENTILATION SHAFT, STORAGE OF GENERAL AND HAZADOURS WASTE, CONSTRUCTION OF PHASE 1A HOUSING, SOLAR POWER PLANT, STOCKPILES, PIPELINES AND OTHER ASSOCIATED INFRASTRUCTURE FOR BAKUBUNG MINERALS (PTY) LTD IN RESPECT OF REMAINING EXTENT AND PORTIONS 1, 3, 4, AND 11 OF THE FARM

**FRISCHGEWAAGD 96 JQ AND THE REMAINDER OF THE FARM MIMOSA 81 JQ,
SITUATED IN THE MAGISTERIAL DISTRICT OF RUSTENBURG, NORTH WEST
REGION.**

With reference to the above-mentioned application, please be advised that the Department has decided to **grant** an integrated environmental authorisation in terms of Section 24L of National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended read with regulation 27 of the Environmental Impact Assessment Regulations, 2014. The integrated environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014, you are instructed to notify all registered interested and affected parties, in writing within 14 (Fourteen) calendar days, from the date of the Department's decision in respect of your application and the relevant provisions regarding the lodgement of appeal must be provided for in terms of the National Appeal Regulations of 2014.

Should you wish to appeal any aspect of this decision, you must submit the appeal to the Minister of the Department of Environmental Affairs and a copy of such appeal to the Department of Mineral Resources (North West Regional Office) within 20 days from the date of notification and such appeal must be lodged as prescribed in terms of Chapter 2 of the National Appeal Regulations of 2014, by means of the methods as prescribed below.

Appeal to the Department of Environmental Affairs

Attention	Directorate Appeals and Legal Review
Email	appealsdirector@environment.gov.za
By post	Private Bag X 447, PRETORIA , 0001
By hand	Environmental House, Corner Steve Biko and Soutpansberg Street, Arcadia, PRETORIA , 0083

Copy of the lodged appeal to the Department of Mineral Resources

Attention	Regional Manager: North West Region
By facsimile	(018) 487 4394
E-mail	Pieter.Swart@dmr.gov.za
By post	Private Bag A1, Klerksdorp, 2570
By hand	Vaal University of Technology Building, Cnr Margareth Prinsloo & Voortrekker Street, Klerksdorp, 2570

Should you decide to appeal, you must comply with the National Appeal Regulations of

2014 in relation to notification of all registered interested and affected, and a copy of the official appeal form can be obtained from the Department of Environmental Affairs.

Yours Faithfully



.....
CHIEF DIRECTOR: MINERAL REGULATION
WESTERN REGIONS
DEPARTMENT OF MINERAL RESOURCES

DATE: 27/3/2017



Private Bag A1, Klerksdorp, 2570 Tel: (018) 487 4300 Fax: 086 710 1017/ (018) 487 4394
Cnr Margaretha Prinsloo & Voortrekker Streets Vaal University of Technology Building, Klerksdorp,
2571

INTERGRATED ENVIRONMENTAL AUTHORISATION

Reference number: NW 30/5/1/2/3/2/1 (339) EM

Amended: First issue

Holder of Authorisation: Bakubung Minerals (Pty) Ltd

Location of activity: The remaining extent and portions 1, 3, 4,
and 11 of the farm Frischgewaagd 96 JQ
and the remainder of the farm Mimosa 81 JQ

DECISION

ACRONYMS

NEMA	: National Environmental Management Act, 1998 (Act 107 of 1998) as amended
DEPARTMENT	: Department of Mineral Resources
IEA	: Integrated Environmental Authorisation
EMPr	: Environmental Management Programme
S&EIR	: Scoping and Environmental Impact Report
I&AP	: Interested and Affected Parties
ECO	: Environmental Control Officer
SAHRA	: South African Heritage Resources Agency
EIA REGULATIONS:	Environmental Impact Assessment Regulations, 2014
MPRDA	: Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
NEMA: WA	: National Environmental Management: Waste Act, 2008 (Act 59 of 2008), as amended
EIA	: Environmental Impact Assessment
EAP	: Environmental Assessment Practitioner
MHS	: Mine Health and Safety

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this amended Integrated Environmental Authorisation, which the applicant should be authorised to undertake NEMA: EIA and NEMWA: EIA listed activities specified below. Details regarding the basis on which the Department reached this granting decision are set out in Annexure "I" of this integrated environmental authorisation.

ACTIVITIES APPLIED FOR

By virtue of the powers conferred on it by NEMA and NEMWA, the Department hereby grant an application for amended IEA submitted by Bakubung Minerals (Pty) Ltd with the following contact details –

Attention: Eddie Mohlabi

Bakubung Minerals (Pty) Ltd

Private Bag X16

NORTHLANDS

2116

Fax: (011) 994 4601

to undertake the following activities listed in the NEMA EIA Regulation and NEM: WA.

NEMA: Listed Activities:

Government Notice No. Regulation 983 of 04 December 2014

1. The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water – i) with an internal diameter of 0,36 metres or more; or ii) with a peak throughput of 120 litres per second or more; [**Listed activity 9**];
2. The development and related operation of infrastructure exceeding 1000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes – i) with an internal diameter of 0,36 metres or more or ii) with a peak throughput of 120 litres per second or more [**Listed activity 10**];
3. The development of – i) canals exceeding 100 square metres in size; ii) channels exceeding 100 square metres in size; iii) bridges exceeding 100 square metres in size; iv) dams, where the dam, including infrastructure and water surface area, exceeds 100 square metres in size; v) weirs, where the weir, including infrastructure and water surface area, exceeds 100 square metres in size; vi) bulk storm water outlet structures exceeding 100 square metres in size; vii) marinas exceeding 100 square metres in size; viii) jetties exceeding 100 square metres in size; ix) slipways exceeding 100 square metres in size; x) buildings exceeding 100 square metres in size; xi) boardwalks exceeding 100 square metres in size; or xii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs – a) within a watercourse; b) in front of a development setback; or c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse. [**Listed activity 12**];

4. The 'development of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50000 cubic metres or more, unless such storage falls within the ambit of activity 16 in Listing Notice 2 of 2014 [**Listed activity 13**];
5. The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from-
 - (i) a watercourse [**Listed Activity 19**];
6. The development of-
 - (i) a road for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010 or
 - (ii) a road with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres [**Listed activity 24**];
7. The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where the such clearance of indigenous vegetation is required for —
 - (i) The undertaking of the linear activity; or
 - (ii) Maintenance purposes undertaken in accordance with a maintenance management plan [**Listed activity 27**];
8. 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 associated infrastructure, structures and earthworks directly related to the extraction of a mineral resource, including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002). [**Listed activity 21**];
9. Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development: i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes. [**Listed activity 28**];
10. The continuation of any development where the environmental authorisation has lapsed and where the continuation of the development, after the date the environmental authorisation has lapsed will meet the threshold of any activity or activities listed in this Notice, Listing Notice 2 of 2014, or Listing Notice 3 or Listing Notice 4 of 2014. [**Listed activity 32**];
11. The expansion or changes to existing facilities for any process or activity where such expansion or changes will result in the need for a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the release of emissions or pollution, excluding— i) where the facility, process or

activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; or ii) the expansion of or changes to existing facilities for the treatment of effluent, wastewater or sewage where the capacity will be increased by less than 15 000 cubic metres per day. [**Listed activity 34**];

12. The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of more than 2000 cubic metres but less than 15000 cubic metres. [**Listed activity 25**];

13. The development of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres. [**Listed activity 14**];

14. The development of facilities or infrastructure for the generation of electricity from a renewable resource where – i) the electricity output is more than 10 megawatts but less than 20 megawatts; or ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare; [**Listed activity 1**];

15. The development and related operation of facilities or infrastructure for the generation of electricity from a non-renewable resource where – i) the electricity output is more than 10 megawatts but less than 20 megawatts; or ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare. [**Listed activity 2**];

Government Notice No. Regulation 984 of 04 December 2014

1. The development of facilities or infrastructure for any process or activity which requires a permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent [**Listed activity 6**];

2. The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for-

(i) the undertaking of a linear activity or

(ii) maintenance purposes undertaken in accordance with a maintenance management plan [**Listed activity 15**];

3. The development of a dam where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the high water mark of the dam covers an area of 10 hectares or more [**Listed activity 16**];

4. Any activity including the operation of that activity which requires a mining right as contemplated in section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource, including activities for which an exemption has been issued in terms of section 106 of the Mineral and

Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) [**Listed activity 17**];

5. Any activity including the operation of that activity associated with the primary processing of a mineral resource including winning, reduction, extraction, classifying, concentrating, crushing, screening and washing but excluding the smelting, beneficiation, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies [**Listed activity 21**].
6. The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of 15000 cubic metres or more. [**Listed activity 25**].
7. The development of facilities or infrastructure, for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of more than 500 cubic metres. [**Listed activity 4**]
8. The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs within an urban area. [**Listed activity 1**]
9. The development and related operation of facilities or infrastructure for the generation of electricity from a non-renewable resource where the electricity output is 20 megawatts or more. . [**Listed activity 2**]

Government Notice No. Regulation 985 of 04 December 2014

1. The development of a road wider than 4 metres with a reserve less than 13,5 metres. [**Listed activity 4**];
2. The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. [**Listed activity 12**];
3. The development of—(i) canals exceeding 10 square metres in size ; (ii) channels exceeding 10 square metres in size; (iii) bridges exceeding 10 square metres in size; (iv) dams, where the dam, including infrastructure and water surface area exceeds 10 square metres in size; (v) weirs, where the weir, including infrastructure and water surface area exceeds 10 square metres in size; (vi) bulk storm water outlet structures exceeding 10 square metres in size; (vii) marinas exceeding 10 square metres in size; (viii) jetties exceeding 10 square metres in size; (ix) slipways exceeding 10 square metres in size; (x) buildings exceeding 10 square metres in size; (xi) boardwalks exceeding 10 square metres in size; or (xii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs - (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding the development of infrastructure or structures within existing

ports or harbours that will not increase the development footprint of the port or harbour. **[Listed activity 14];**

4. The expansion of—(i) canals where the canal is expanded by 10 square metres or more in size; (ii) channels where the channel is expanded by 10 square metres or more in size; (iii) bridges where the bridge is expanded by 10 square metres or more in size; (iv) dams where the dam is expanded by 10 square metres or more in size; (v) weirs where the weir is expanded by 10 square metres or more in size; (vi) bulk storm water outlet structures where the structure is expanded by 10 square metres or more in size; (vii) marinas where the marina is expanded by 10 square metres or more in size; (viii) jetties where the jetty is expanded by 10 square metres or more in size; (ix) slipways where the slipway is expanded by 10 square metres or more in size; (x) buildings where the building is expanded by 10 square metres or more in size; (xi) boardwalks where the boardwalk is expanded by 10 square metres or more in size; or (xii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such development occurs— a) within a watercourse; b) in front of a development setback adopted in the prescribed manner; or c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour. **[Listed activity 23];**
5. The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre. **[Listed activity 18];**
6. The development of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres. **[Listed activity 10];**
7. The expansion of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage facilities or infrastructure will be expanded by 30 cubic metres or more but no more than 80 cubic metres. **[Listed activity 22]**
8. The development of reservoirs for bulk water supply with a capacity of more than 250 cubic metres. **[Listed activity 2]**

NEM: WA Listed Activities

Government Notice No. Regulation 921 of 29 November 2013

Category A

1. The construction of a facility for a waste management activity listed in category A of this Schedule **[Listed activity 12];**

2. The establishment or reclamation of a residue stockpile or residue deposit resulting from activities which requires a prospecting right or mining permit in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) [Listed activity 15];

Government Notice No. Regulation 921 of 29 November 2013

Category B

1. The disposal of any quantity of hazardous waste to land [Listed activity 7]
2. The construction of a facility for a waste management activity listed in Category B of this Schedule (not in isolation to associated waste management activity) [Listed activity 10].
3. The establishment or reclamation of a residue stockpile or residue deposit resulting from activities which require a mining right exploration right or production right in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) [Listed activity 11]

Government Notice No. Regulation 921 of 29 November 2013

Category C

1. The storage of general waste at a facility that has the capacity to store in excess of 100m³ of general waste at any one time. [Listed activity 1]
2. The storage of hazardous waste at a facility that has the capacity to store in excess of 80m³ of hazardous waste at any one time. [Listed activity 2]
3. The storage of waste tyres in a storage area exceeding 500m²[Listed activity 2]

Detailed specifications of the activity are as follows:

Proposed expansion of Tailings Storage Facility (TSF) details are as follows:
Area to be transformed – 170 ha, TSF with the capacity of 433 000m ³ , Average Discharge to the facility -262 tones / month, Average height - 46 metres
Proposed Return Water Dam (RWD) details are as follows:
Area to be transformed – 12.8 ha, Average Discharge to the facility -10 500 m ³ / day and Final Height - 6 metres
Topsoil Stockpile - area to be transformed – 10 ha, Final Height - 2 metres
Proposed construction of access and internal road - 6.5 ha, Length – 3.5 kilometre Width – 6m
Proposed construction of pipelines – 11.4 ha
Digging of foundations and trenches 4 ha
Crushing of waste rock 5 ha

Increase concentrator plant 33.5 ha
Construction of bridge 1 ha
Increase size of the Waste Rock Dump (WRD)
Increase the size Tailings Storage Facility (TSF) 170 ha
Salvage yard for temporary storage of general and hazardous waste area to be Disturbed is 0.62 ha, the salvage yard will be 1000m ²
Increase the mine product stockpiles by 4.6 ha
Sewage treatment plant 0.44 ha and have capacity of 600 kl per day
Storing and handling dangerous goods 737.5m ³ (0.15 ha)
Water pipeline and storm water infrastructure 1200m ³
Construction and operation of water storage reservoir 0.33 ha
Construction and operation of settling and return water dams 0.103 ha
Construction of erosion control measures along watercourses within the mine area 1 ha
Installation of generator or solar power plant on site, for backup power 30 ha
Construction of additional mine housing 23 ha
Pollution control dams (2 dams) area to be disturbed 4.2 ha and total volume of 78 000m ³

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

IEA SITE SPECIFIC CONDITIONS

1. The site for Tailing Storage Facility across Option/Alternative 1 is approved.
2. Prior commencement of the authorised activities all boreholes located within the proposed Tailings Storage Facility footprint must be sealed to prevent seepage once these facilities are constructed.
3. A clean and dirty water separation system should be the first system to be developed on site.
4. The new proposed Return Water Dam must be fence off to prevent any unauthorised access and to prevent livestock from drinking the water in the dam.
5. Prior commencement of the authorised activities, an amended Integrated Water Use License (IWUL) and approvals for the proposed TSF expansion, water storage reservoirs, sewage treatment plant, erosion control measures, bridge, return water dam and associated structures, designs and infrastructures must be obtained from the Department of Water and Sanitation (DWS).
6. Prior commencement of the solar power plant an authorisation for the proposed solar power plant and associated structure must be obtained from the Department of Environmental Affairs.

7. Prior commencement of phase 1a housing an authorisation and approvals for the proposed housing development, designs and associated structures and infrastructures must be obtained from the municipality.
8. All development footprint areas affected by the proposed development must remain as small as possible and must not encroach onto the surrounding sensitive areas and the associated buffer zones.

ANNEXURE 1: REASONS FOR THE DECISION

1. Background

Bakubung Minerals (Pty) Ltd submitted an application for an amendment of an IEA for activities listed in the EIA Regulations, 2014 and NEM: WA Listed Activities (Category A , B and C) of the National Environmental Management: Waste Act 59 of 2008 as:

NEMA: Listed Activities:

Government Notice No. Regulation 983 of 04 December 2014

1. The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water – i) with an internal diameter of 0,36 metres or more; or ii) with a peak throughput of 120 litres per second or more; [**Listed activity 9**];
2. The development and related operation of infrastructure exceeding 1000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes – i) with an internal diameter of 0,36 metres or more or ii) with a peak throughput of 120 litres per second or more [**Listed activity 10**];
3. The development of – i) canals exceeding 100 square metres in size; ii) channels exceeding 100 square metres in size; iii) bridges exceeding 100 square metres in size; iv) dams, where the dam, including infrastructure and water surface area, exceeds 100 square metres in size; v) weirs, where the weir, including infrastructure and water surface area, exceeds 100 square metres in size; vi) bulk storm water outlet structures exceeding 100 square metres in size; vii) marinas exceeding 100 square metres in size; viii) jetties exceeding 100 square metres in size; ix) slipways exceeding 100 square metres in size; x) buildings exceeding 100 square metres in size; xi) boardwalks exceeding 100 square metres in size; or xii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs – a) within a watercourse; b) in front of a development setback; or c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse. [**Listed activity 12**];

4. The development of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50000 cubic metres or more, unless such storage falls within the ambit of activity 16 in Listing Notice 2 of 2014 [**Listed activity 13**];
5. The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from- a watercourse [**Listed Activity 19**];
6. The development of- i) a road for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010 or ii) a road with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres [**Listed activity 24**];
7. The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where the such clearance of indigenous vegetation is required for –i) The undertaking of the linear activity; or ii) Maintenance purposes undertaken in accordance with a maintenance management plan [**Listed activity 27**];
8. 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 associated infrastructure, structures and earthworks directly related to the extraction of a mineral resource, including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002). [**Listed activity 21**];
9. Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development: i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes. [**Listed activity 28**];
10. The continuation of any development where the environmental authorisation has lapsed and where the continuation of the development, after the date the environmental authorisation has lapsed will meet the threshold of any activity or activities listed in this Notice, Listing Notice 2 of 2014, or Listing Notice 3 or Listing Notice 4 of 2014. [**Listed activity 32**];
11. The expansion or changes to existing facilities for any process or activity where such expansion or changes will result in the need for a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the release of emissions or pollution, excluding— i) where the facility, process or activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act,

2008 applies; or ii) the expansion of or changes to existing facilities for the treatment of effluent, wastewater or sewage where the capacity will be increased by less than 15 000 cubic metres per day. [**Listed activity 34**];

12. The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of more than 2000 cubic metres but less than 15000 cubic metres. [**Listed activity 25**];
13. The development of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres. [**Listed activity 14**];
14. The development of facilities or infrastructure for the generation of electricity from a renewable resource where – i) the electricity output is more than 10 megawatts but less than 20 megawatts; or ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare; [**Listed activity 1**];
15. The development and related operation of facilities or infrastructure for the generation of electricity from a non-renewable resource where – i) the electricity output is more than 10 megawatts but less than 20 megawatts; or ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare. [**Listed activity 2**];

Government Notice No. Regulation 984 of 04 December 2014

1. The development of facilities or infrastructure for any process or activity which requires a permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent [**Listed activity 6**];
2. The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for- i) the undertaking of a linear activity or ii) maintenance purposes undertaken in accordance with a maintenance management plan [**Listed activity 15**];
3. The development of a dam where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the high water mark of the dam covers an area of 10 hectares or more [**Listed activity 16**];
4. Any activity including the operation of that activity which requires a mining right as contemplated in section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource, including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) [**Listed activity 17**];

5. Any activity including the operation of that activity associated with the primary processing of a mineral resource including winning, reduction, extraction, classifying, concentrating, crushing, screening and washing but excluding the smelting, beneficiation, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies [**Listed activity 21**].
6. The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of 15000 cubic metres or more. [**Listed activity 25**].
7. The development of facilities or infrastructure, for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of more than 500 cubic metres. [**Listed activity 4**]
8. The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs within an urban area. [**Listed activity 1**]
9. The development and related operation of facilities or infrastructure for the generation of electricity from a non-renewable resource where the electricity output is 20 megawatts or more. . [**Listed activity 2**]

Government Notice No. Regulation 985 of 04 December 2014

1. The development of a road wider than 4 metres with a reserve less than 13,5 metres. [**Listed activity 4**];
2. The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. [**Listed activity 12**];
3. The development of—(i) canals exceeding 10 square metres in size ; (ii) channels exceeding 10 square metres in size; (iii) bridges exceeding 10 square metres in size; (iv) dams, where the dam, including infrastructure and water surface area exceeds 10 square metres in size; (v) weirs, where the weir, including infrastructure and water surface area exceeds 10 square metres in size; (vi) bulk storm water outlet structures exceeding 10 square metres in size; (vii) marinas exceeding 10 square metres in size; (viii) jetties exceeding 10 square metres in size; (ix) slipways exceeding 10 square metres in size; (x) buildings exceeding 10 square metres in size; (xi) boardwalks exceeding 10 square metres in size; or (xii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs - (a) within a watercourse; (b) in front of a development setback; or (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour. [**Listed activity 14**];

4. The expansion of—(i) canals where the canal is expanded by 10 square metres or more in size; (ii) channels where the channel is expanded by 10 square metres or more in size; (iii) bridges where the bridge is expanded by 10 square metres or more in size; (iv) dams where the dam is expanded by 10 square metres or more in size; (v) weirs where the weir is expanded by 10 square metres or more in size; (vi) bulk storm water outlet structures where the structure is expanded by 10 square metres or more in size; (vii) marinas where the marina is expanded by 10 square metres or more in size; (viii) jetties where the jetty is expanded by 10 square metres or more in size; (ix) slipways where the slipway is expanded by 10 square metres or more in size; (x) buildings where the building is expanded by 10 square metres or more in size; (xi) boardwalks where the boardwalk is expanded by 10 square metres or more in size; or (xii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such development occurs— a) within a watercourse; b) in front of a development setback adopted in the prescribed manner; or c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour. [**Listed activity 23**];
5. The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre. [**Listed activity 18**];
6. The development of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres. [**Listed activity 10**];
7. The expansion of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage facilities or infrastructure will be expanded by 30 cubic metres or more but no more than 80 cubic metres. [**Listed activity 22**]
8. The development of reservoirs for bulk water supply with a capacity of more than 250 cubic metres. [**Listed activity 2**]

NEM: WA Listed Activities

Government Notice No. Regulation 921 of 29 November 2013

Category A

1. The construction of a facility for a waste management activity listed in category A of this Schedule [**Listed activity 12**];
2. The establishment or reclamation of a residue stockpile or residue deposit resulting from activities which requires a prospecting right or mining permit in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) [**Listed activity 15**];

Government Notice No. Regulation 921 of 29 November 2013

Category B

1. The disposal of any quantity of hazardous waste to land [**Listed activity 7**].
2. The construction of a facility for a waste management activity listed in Category B of this Schedule (not in isolation to associated waste management activity) [**Listed activity 10**].
3. The establishment or reclamation of a residue stockpile or residue deposit resulting from activities which require a mining right exploration right or production right in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) [**Listed activity 11**]

Government Notice No. Regulation 921 of 29 November 2013

Category C

1. The storage of general waste at a facility that has the capacity to store in excess of 100m³ of general waste at any one time. [**Listed activity 1**]
2. The storage of hazardous waste at a facility that has the capacity to store in excess of 80m³ of hazardous waste at any one time. [**Listed activity 2**]
3. The storage of waste tyres in a storage area exceeding 500m² [**Listed activity 2**]

Bakubung Minerals (Pty) Ltd appointed SLR Consulting (Pty) Ltd to undertake the Scoping and Environmental Impact Assessment process as prescribed by Regulation 21 and 23 of the NEMA: EIA Regulations, 2014.

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 30 September 2015;
- b) The information contained in the EIAR received by the Department on 09 May 2016;
- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations, 2014;
- d) The Heritage Specialist Report attached to the EIAR as Appendix Q;
- e) Aquatic ecology Impact Assessment Report as Appendix M;
- f) The Noise Specialist Report attached to the EIAR as Appendix N;

- g) Traffic Impact Assessment Report attached as Appendix O of the EIAR;
- h) The Air Quality Specialist Report attached to the EIAR as Appendix R;
- i) The Groundwater Specialist Report attached to the EIAR as Appendix H;
- j) Watercourse Impact Assessment Report attached to the EIAR as Appendix I;
- k) Vegetation Impact Assessment Report attached to the EIAR as Appendix K;
- l) Faunal Impact Assessment Report attached to the EIAR as Appendix L;
- m) The Soils and Land Capability Specialist report attached to the EIAR as Appendix J;
- n) Closure cost assessment attached to the EIAR as Appendix S;
- o) Public Participation Process (PPP) attached as Appendix E of the EIAR;
- p) Design documents attached to the EIAR as Appendix U;
- q) The Socio Economic Specialist Report attached to the EIAR as Appendix P
- r) Housing plan and associated designs Report attached to the EIAR as Appendix T;

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) The environmental impacts associated with the proposed activities will be addressed by the proposed mitigation measures outlined in the EMPr compiled by Ms Chiara Kotze of SLR Consulting (Pty) Ltd;
- b) As required in terms of section 24 P of NEMA as read together with Regulation 4 of the regulations pertaining to the financial provision for prospecting, exploration, mining or production operations, the company has supported their application with the requested financial provision to the amount of **R1 016 360.94 (One million, sixteen thousand, three hundred and sixty rand, ninety four cent only)**. The said amount was provided in a form of a bank guarantee (**Guarantee Number: TPG001005**) issued by Investec Bank Limited. The original bank guarantee was received by this office on the 23 November 2016 (folio 15 on the file refers).
- c) A sufficient Public Participation Process (PPP) was undertaken and the applicant has satisfied the minimum requirements as prescribed in Chapter 6 Regulation 41 of the EIA Regulations, 2014;
- d) The Heritage Specialist Report dated 31 March 2016; compiled Polke Birkholtz from PGS Heritage indicated that the development is not expected to have impact on

heritage. It is also recommended that the mitigation measures outline in the heritage report be implemented before the construction commences.

- e) The Noise Specialist Report dated May 2016; compiled by Derek Cosijn partner with Jongens Kett Associates and Calyx Environmental CC indicates that mitigation measures indicated in section 6 of the report need to be considered. Noise mitigation measures will need to be design and check by acoustical engineer in order to optimised the design parameter and ensure that the cost of measure is optimised.
- f) The Air Quality Specialist report dated May 2016; compiled by N Shackleton of Airshed Planning Professionals is in support of development as the risk assessment conducted and findings indicates that the proposed activity will not give rise to significantly detrimental impact to ambient air quality of the area and surrounding communities;
- g) Groundwater Specialist Report dated February 2016; compiled by Thenga D of DTM Mining Protect and Services is in support of development as the proposed activity's impacts to groundwater will be addressed by the proposed mitigation measures outlined in the report;
- h) Watercourse Delineation Report dated March 2016; compiled by L.E.R. Grobler of De Castro & Brits Ecological Consultants outlined the recommendation and monitoring method that can be used as the mitigation measures in the report;
- i) Biodiversity Specialist Report dated January 2016; compiled by Duncan McKenzie of De Castro & Brits Ecological Consultants indicates that all mitigation measure and recommendations presented in the report should be adhered to as to ensure the ecology within proposed site as well surrounding zone of influence is protected or adequately rehabilitated in order to minimize the deviations from the present ecological state;
- j) The Soils, Land Use and Land Capability Specialist Report dated February 2016; compiled by P.S. Rossouw of De Castro & Brits Ecological Consultants concludes that the proposed project will have impact on the environment however the impact can be managed through the implementation of the mitigation measures outlined.

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 outlined.
- b) Public Participation Process complied with Chapter 6 Regulation 41 of the EIA Regulations, 2014. The PPP included, inter-alia, the following:
 - A newspaper advertisements were placed in the local newspaper "Rustenburg Herald 17 July 2015, Sowetan 22 July 2015 and Ledig Sun July 2015;

- Site notice board notifying stakeholders and I&APs of the proposed activities were placed at conspicuous places in the project area.
- I&APs were notified of the public meeting via e-mails, short message services and flyers distributed in the area.
- Public meeting was held on the 12 August 2015 at Bakubung Tribal hall. Another public meeting was held on the 11 August 2015 at Phatsima Hall.
- Potential I&APs were notified of the opportunity to participate and the invitation to register as I&APs. The announcement was sent by means of writing notification and it was accompanied by a BID and registration and comment sheet by post, e-mail or fax.
- BID document was written in English and Setswana

ANNEXURE 2

DEPARTMENTAL STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1 The holder of the amended IEA shall be responsible for ensuring compliance with the conditions contained in the amended IEA. 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 amended IEA.
- 1.2 Any changes to, or deviation from the project description set out in this amended IEA 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 activities, which are authorised, may only be carried out at the properties indicated in the amended IEA and or on the approved EMPr.
- 1.4 Where any of the holder of the amended IEA contact details change including name of the responsible person, physical or postal address/ or telephonic details, the holder of the amended IEA must notify the Department as soon as the new details become known to the holder of the IEA.
- 1.5 The amended IEA does not negate the responsibility of the holder to comply with any other statutory requirements that may be applicable to the undertaking of such activities.
- 1.6 The holder of the amended IEA must ensure that all areas where the authorised activities occur have controlled access to ensure safety of people and animals.

2 APPEAL OF AUTHORISATION

- 2.1 The holder of the amended IEA must in writing, within 14 (fourteen) calendar days from the date of this decision and in accordance with regulation 4 (2) of the EIA Regulations, 2014 must 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,
- 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 amended IEA
 - 2.5.2 Name of the responsible person for this amended IEA
 - 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 ACTIVITIES

- 3.1 In order to ensure safety, all employees must be given the necessary personnel protective equipment (PPE).
- 3.2 All pipelines must be regularly inspected in order to ensure they are in good working order to prevent spills of tailings and contaminated water within wetlands.
- 3.3 This amended IEA must be provided to the site operator and the requirements thereof must be made fully known to him or her.
- 3.4 Hauling routes for construction vehicles and machinery must be clearly marked and appropriate signaling 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.
- 3.5 Appropriate notification sign 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.
- 3.6 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.

- 3.7 Vegetation clearance must be limited areas where the individual activities will occur, and mitigation measures must be implemented to reduce the risk of erosion and alien species invasion.
- 3.8 The holder of the amended IEA must note that in terms of the National Forest Act (Act No.84 of 1998) protected plant species, 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 relevant Competent Authority.
- 3.9 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.
- 3.10 If any soil contamination is noted at any phase of the proposed activities, 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.
- 3.11 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.
- 3.12 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 IEA reads through and understand the legislative requirements pertaining to the project. It is the Applicant's 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.
- 3.13 Construction vehicle must be serviced and maintained in the manner whereby no excessive smokes and noise production is reduced to acceptable levels, and to prevent oil leaks. Contaminated soil must be remediated on site or removed to an authorised landfill site.
- 3.14 Residents (if any) on the properties and surrounding areas must be informed if any unusually noisy activities are planned.
- 3.15 Dust suppression measures must be implemented on all exposed surface to minimize and control airborne dust.

- 3.16 Mixing of cement, concrete, paints, solvent, sealants and adhesive 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.
- 3.17 Should any heritage remains be exposed during operation or any actions on the site, these must immediately be reported to the South African Heritage Resource Agency (SAHRA) and or North West Province Heritage Resource Agency (NWPHRA) (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from the South African Heritage Resource Agency (SAHRA) and or North West Province Heritage Resource Agency (NWPHRA).
- 3.18 Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; middens, indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials. A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.
- 3.19 Care must be taken to ensure that the material and excavated soil required for backfilling are free of contamination from hydrocarbons.
- 3.20 Hydraulic fluid or chemicals required during construction 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 should be cleaned immediately by removing spillage together with the polluted solids and dispose it in the authorised disposal site permitted of such waste. The regional office of the Department of Water and Sanitation must be notified within 24 hours of an incident that may pollute surface and underground water resources.
- 3.21 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.
- 3.22 The holder of the amended IEA must ensure that any water uses listed in terms of Section 21 of National Water Act must get authorization from Department of Water and Sanitation prior to the commencement of such activities.
- 3.23 This amended IEA does not purport to absolve the holder of IEA from its common law obligations towards the owner of the surface of land affected.
- 3.24 The holder of the amended IEA must ensure that rehabilitation of the disturbed areas caused by operation at all times comply with the approved EMPr.

- 3.25 This amended IEA may be amended or withdrawn at any stage for non-compliance and provides no relief from the provisions of any other relevant statutory or contractual obligations.
- 3.26 The holder of the amended IEA must note that in terms Section 43A of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008), residue deposit and residue stockpile must be deposited and managed in a prescribed manner on any site demarcated for that purpose in the Environmental Management Plan or Environmental Management Programme. No person may temporary or permanently deposits residue stockpile or residue deposit on any area or site other than on site indicated on the Environmental Management Plan or Environmental Management Programme.
- 3.27 The holder of the amended IEA 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.
- 3.28 An appeal under Section 43 (7) of the National Environmental Management Act, 1998 (Act 107 of 1998) (as amended) suspend an IEA or exemption or any provisions of conditions attached hereto, or any directive unless the Minister directs otherwise.
- 3.29 Should you be notified by the Minister of a suspension of the authorisation pending appeal procedure, you may not commence with the activity (ies) until such time that the Minister allows you to commence with such activity (ies) in writing.
- 3.30 The Department reserves the right to audit and/or inspect the activity (ies) without prior notification at any reasonable time and at such frequency as may be determined by the Regional Manager.
- 3.31 The waste storage site must have a firm, impermeable, chemical resistant floors and a roof to prevent direct sunlight and rain water from getting in contact with the waste.
- 3.32 The storage of hydrocarbons must have bund walls 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.
- 3.33 Subject to the commencement and duration requirements of the MPRDA and NEMA for the listed mining activity is valid for the period for which the aforesaid right is granted provided that this activity must commence within 10 years. If the commencement of the proposed activity does not occur within the specified period, the EA lapses and a new application for IEA in terms of the NEMA and the EIA Regulations, 2014 should be made for the activity to be undertaken.
- 3.34 The commissioning and decommissioning of individual activity within the overall listed mining activity must take place within the phases and timeframes as set out in EMP or EMPr.

- 3.35 This amended IEA will only be effective on the event that a corresponding mining right is issued in terms of MPRDA as amended and none of the activities listed in this amended IEA may commence without a mining right.
- 3.36 The listed activities, 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 as the appeal is decided.
- 3.37 Should there be any conflicting conditions between this amended IEA and other approval granted by other authorities, it is upon the holder of the amended IEA to bring it to the attention of the Department for resolution.

4 MANAGEMENT OF ACTIVITIES

- 4.1 A copy of the amended IEA and EMPr must be kept at the property or on site office where the activity/lies will be undertaken. The amended IEA and EMPr must be produced to any authorised officials of the Department who request to see it and must be made available for inspection by any employee or agent of the holder of the IEA who works or undertakes work at the properties.
- 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, and any updates or amendments to the EMPr must be submitted to the Department for approval.
- 4.3 Regular monitoring and maintenance of storm water drainage facilities must be conducted at all times, if damaged as directed by the Department or any other relevant authority.
- 4.4 A buffer zone of 100 metres between the activities and the residential areas, cemeteries or burial grounds must be clearly demarcated and maintained.
- 4.5 The holder of the amended IEA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.
- 4.6 The holder of the amended IEA must ensure that all non-recyclable waste are disposed of at waste management facilities licenced to handle such wastes and all recyclable waste are collected by licenced waste management facilities for recycling, reuse or treatment.
- 4.7 The holder of the amended IEA must ensure that all liquid wastes, whose emissions to water or land could cause pollution are diverted to sewer, after testing water quality and receiving written approval from the relevant local authority.
- 4.8 Non-compliance with any condition of this amended IEA or EMPr may result in the issuing of a directive in terms of section 28 and or a compliance notice in terms of section 31L of NEMA.
- 4.9 Only listed activities that are expressly specified in the EMPr that forms part of this amended IEA may be conducted, and additional or new activities not specified

herein must be applied for by the holder and authorised by the competent authority in the form of an amendment to the aforesaid EMPr before such activities may be commenced with. This condition is also applicable in the case of the amendment, addition, substitution, correction and removal or updating of any detail in the aforesaid EMPr.

- 4.10 This amended IEA only authorizes activities specified in the EMPr /closure plan and a new authorisation must be applied for in respect of any new activity not specified as part of the EMPr.
- 4.11 Rehabilitation of the disturbed surface caused by operation at all times must comply with the approved EMPr.
- 4.12 The holder of the amended IEA must ensure that the name and contact details of the ECO is made available to the Regional Manager within 30 days of commencement. The holder of the amended IEA must also ensure that an ECO is always available on site to ensure that activities at all times comply with the issued amended IEA and approved EMPr.
- 4.13 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.
- 4.14 The duties and responsibility of the ECO should not be seen as exempting the holder of the amended IEA from the legal obligations in terms of the NEMWA and NEMA.
- 4.15 The footprint of the activities must be limited on the areas authorised for the actual construction works and operational activities and all areas outside of the footprint must be regarded as a "no go" areas.
- 4.16 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.

- 4.17 The holder of the amended IEA 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 amended IEA.
- 4.18 In order to prevent nuisance conditions, the holder of the amended IEA must ensure that all storage skips and bins are not overfilled.

5 REPORTING TO THE DEPARTMENT

5.1 The holder of EA must:

- 5.5.1 Submit an Environmental Audit Report to this Department biennially and such report must be done by qualified Environmental Assessment Practitioner and the audit report must specify whether conditions of this environmental authorisation and EMP/closure plan are adhered to;
 - 5.5.2 Identify and assess any new impacts and risks as a result of undertaking the activities, if applicable;
 - 5.5.3 Identify shortcomings in the EMP/closure plan, if applicable;
 - 5.5.4 Identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMP/closure plan;
 - 5.5.5 If applicable, specify that the corrective action/s taken for the previous audit's non-conformities, was adequate;
 - 5.5.6 Specify the name of the auditor and must be submitted by the holder to the competent authority within 30 days from the date on which the auditor finalized the audit;
- 5.2 Should any shortcomings in terms of Regulation 34 (4) be identified, the holder must submit recommendation to amend the EMP/closure plan in order to rectify any shortcomings identified with the aforementioned audit report.
- 5.3 Any complaint received from the Interested and Affected Parties 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 amended IEA must annually assess the environmental liabilities of the operation by using the master rates in line with the applicable Consumer Price Index (CPI) at the time and address the shortfall on the financial provision submitted in terms of section 24P of NEMA.
- 5.5 The holder of the amended IEA 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 amended 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, 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 Correct the impact resulting from the incident;

5.6.2 Prevent the incident from causing any further impact; and

5.6.3 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, the Competent Authority may implement the necessary measures at the cost of the holder of the amended IEA.

6 SITE SECURITY AND ACCESS CONTROL

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

6.2 Weather proof, durable and legible notices in at least three official languages applicable in the area must be displayed at each entrance to the Site. These notices must prohibit unauthorised entry and state the hours of operation, the name, address and telephone number of the holder of the amended IEA and the person responsible for the operation of the site.

7 EMERGENCY PREPAREDNESS PLAN

7.1 The holder of the amended IEA 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

7.1.2 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 center closer to the site.

7.2 The holder of amended IEA 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 amended IEA 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 amended IEA 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 amended IEA must submit mitigation measures to the satisfaction of the Competent Authority.

9 COMMISSIONING AND DECOMMISSIONING

- 9.1 The commissioning and decommissioning of individual activity within the overall listed mining activities must take place within the phases and timeframes as set out in EMPr.

10 SITE CLOSURE

- 10.1 The holder of amended IEA must apply for a closure certificate in terms of Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002) as amended within 180 days of occurrence of lapsing, abandonment, cancellation, cessation, relinquishment and completion of development.
- 10.2 The application for closure indicated above must be submitted together with all relevant documents as indicated in Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended.
- 10.3 No exotic plants may be used for rehabilitation purposes only indigenous plant can be utilized for rehabilitation purposes.
- 10.4 The holder of amended IEA remains responsible for any environmental liability, pollution or ecological degradation, compliance with the conditions of amended IEA and the management and sustainable closure thereof until the Minister has issued a Closure Certificate in terms of Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002) as amended. Where necessary the Minister may retain certain portion of financial provision for residual, health or environmental impacts that might be known in future.

11 NEMA PRINCIPLES

The NEMA Principles (set out in Section 2 of NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), inter alia, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures; and
- the selection of the best practicable environmental option.

12 DISCLAIMER

The Department of Mineral Resources in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

13 RECOMMENDATIONS

In view of the above, the NEMA principles, compliance with the conditions stipulated in this amended IEA, and compliance with the EMP/closure plan, the competent authority is satisfied that the proposed listed activity/ies will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of NEMA, and that any potentially detrimental environmental impacts resulting from the listed activity/ies can be mitigated to acceptable levels. The authorisation is accordingly granted.

Your interest in the future of our environment is appreciated.

Kind Regards



.....
CHIEF DIRECTOR: MINERAL REGULATION
WESTERN REGIONS
DEPARTMENT OF MINERAL RESOURCES
 DATE: 27/3/2017