



## mineral resources & energy

Department:  
Minerals Resources and Energy  
REPUBLIC OF SOUTH AFRICA

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**Sub-Directorate:** Mine Environmental Management

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**Ref No.:** FS 30/5/1/3/3/2/1 (10328) EM

**Baron Minerals**  
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**Attention: Mr.S. Radebe**  
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**EVALUATION OF AN APPLICATION FOR AN ENVIRONMENTAL AUTHORISATION FOR MINING PERMIT LODGED IN TERMS OF REGULATION 16 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (HEREIN REFERRED TO AS THE EIA REGULATIONS) IN RESPECT OF THE FARM TREKPAD 727, SITUATED IN THE MAGISTERIAL DISTRICT OF BETHLEHEM IN THE FREE STATE PROVINCE.**

1. The abovementioned application received by this Department on the 04<sup>th</sup> of March 2021 and acknowledged on the 12 March 2021 refers.
2. You are hereby kindly advised that only those activities listed on the application form will be considered for authorisation. The onus is on the applicant to ensure that all

activities related to the proposed project are included on the application. Your attention is brought to regulation 15(1)-(3) of the EIA Regulation.

3. Your application has been checked as required in terms of regulation 17 of the EIA Regulations and there were issues concerning the NEMA application submitted.
  - a. Revised application form which addresses all the requirements of regulation 16(b) of the EIA Regulations 2014, as amended.
  - b. Item 5 of the application form, you are requested to use the listing notices from the amended regulation that was amended in April 2017 as you did not include listing notice number that you are applying for, for example ( listing notice 1 is GNR 327). Please also indicate the activity name and description as it from the EIA listing notices.
  - c. The applicant must appoint the Environmental Assessment Practitioner and curriculum Vitae of the Environmental Assessment Practitioner must be attached on the application form as appendix 1 as per item 3 of the application form.
  - d. The appointed EAP must sign the application form.
  - e. Your application also does not have an undertaking under oath or affirmation as required. As a result, the application does not comply with the provisions of regulation 16(1)((b)(iv) of the EIA Regulations.
  - f. Please ensure that all proposed mining activities, structures and associated infrastructure must fall within the proposed mining area.
  - g. Please ensure that the BAR and EMPr includes the A3 size clear mine layout plan of the proposed area. The map must be of acceptable quality and as a minimum, have the following attributes:
    - Co-ordinates;
    - Legible legends;
    - Scale of 1:50000;
    - Indication of alternatives, all structures and associated infrastructure and sensitive environmental features; and
    - Access road to proposed mining area:
4. Based on paragraph 2 above, you are hereby kindly requested to submit by the 13 April 2021, a revised application form which addresses all the requirements of regulation 16(b) of the EIA Regulations 2014, putting more focus on the issues raised above. The revised form should be uploaded on the SAMRAD online application system


as an Annexure using the same method the initial form was uploaded and a copy must also be submitted manually to this office.

5. In view of the aforementioned application form and the paragraph 2 above, you are hereby requested to submit by the **28 June 2021**, Three (3) copies manually and one (1) electronic copy through SAMRAD, of a basic assessment report, inclusive of specialist reports and an EMPr which have been subjected to the public participation process of at least 30 days incorporating the comments received, including all comments from the competent authority. Kindly refer to section 24N(2) of National Environmental Management Act, 1998 (Act 107 of 1998) as amended and Appendix 2, 4 and 6 of the EIA Regulations for the minimum requirements set for the aforementioned reports. The public participation process should be conducted as stipulated in chapter 6 of the EIA Regulations and taking into considerations any guideline applicable for public participation.
6. You should also take into account the minimum requirements with regard to specific specialist studies which should be undertaken for any development or projects such as a Heritage Impact Assessment Studies, **Biodiversity/Ecological Studies and Wetland delineation**. It is the EAP's responsibility to identify the specialist studies required for this environmental authorisation in order to avoid delay in processing and finalisation of the application.
7. The basic assessment report and an EMPr to be submitted as mentioned on paragraph 5 and 6 above must also first be subjected to a 30 days consultation process with every State department which administers a law relating to a matter affecting the environment, **and this include this department (regional office)**.
8. Your consultation must be extended to the Department of Land Affairs if the land is state owned or in the event the land is subject to land restitution, consult the office of the Commission on Restitution and Land Rights and submit the proof and result of such consultation as part of the reports requested on paragraph above.
9. Kindly note that acknowledgement of your environmental authorisation application does not grant you a right to commence with the listed activity/ies (mining operation) applied for. Your application will be processed and a recommendation on granting or refusal of an environmental authorisation will be forwarded to the Minister or his delegate for consideration, and the decision will be communicated as stipulated in regulation 4(1) of the EIA Regulations.

10. You should also note that commencement with a listed activity without an environmental authorisation contravenes the provisions of section 24F (1) of NEMA and constitutes an offence in terms of section 49A (1) (a) of the said Act.

11. Further note that in terms of regulation 45 of the EIA Regulations, your failure to submit the documents or meet any timeframes prescribed in terms of the said Regulations will result in your application deemed to have lapsed (**refer to paragraph 5 above**). The provisions or regulation 19(1)(b) of the EIA Regulations should be used where deemed necessary as once this application lapses, the department will not process any documentation submitted outside the prescribed timeframe.

Yours faithfully

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**REGIONAL MANAGER: MINERAL REGULATION**

**FREE STATE REGION**

**DATE** 29/03/2021  
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*Please quote this office file number as reference for any correspondence regarding this application.*