



mineral resources & energy

Department:
Minerals Resources and Energy
REPUBLIC OF SOUTH AFRICA

Directorate: Mineral Regulation: North West Region,
Private Bag A1, Klerksdorp, 2570 Cnr Margaretha Prinsloo & Voortrekker Streets
Vaal University of Technology Building, Klerksdorp, 2571
Enquiries: Mr Mulaudzi Mutali. Tel: (018) 487 4300 Fax: (018) 487 4350
E-Mail: mutali.mulaudzi@dmre.gov.za **Ref No.:** NW 30/5/1/3/3/2/1/ 11039 EM

BY HAND

**The Manager
Malebogo Mining Company (Pty) Ltd
P.O. Box 4077
Halfway House
Midrand
1685**

Email address: simon@ugwa.co.za
Cell No: 082 095 8830
Attention: Mr. Simon Netshiozwi

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AS AMENDED (HEREIN REFERRED TO AS "NEMA") AND NEMA: AMENDMENTS TO THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 TO MINE AGGREGATE, LIMESTONE AND MANGANESE ORE IN RESPECT OF CERTAIN PORTION OF PORTION 3 OF THE FARM FARVIEW 410 JQ; SITUATED IN THE MAGISTERIAL DISTRICT OF MAFIKENG: NORTH WEST PROVINCE.

With reference to the above-mentioned application, please be advised that the Department has decided to **grant** an environmental authorisation in terms Regulation 20 (1) (a) of National Environmental Management Act (Act 107 of 1998): Amendments to the EIA Regulations, 2014. The Environmental Authorisation and reasons for the decision are attached herewith.

In terms of regulation 4(2) of the NEMA: amendments to the EIA 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 the 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 by Chapter 2 of the National Appeal Regulations of 2014, by means of the methods as prescribed below:

Appeal to the Department of Forestry, Fisheries and the Environment.

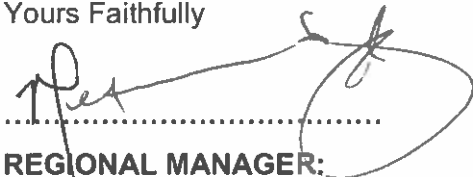
Attention : Directorate Appeals and Legal Review
Email : appeals@environment.gov.za/mrakgogo@environment.gov.za
By post : Private Bag X 447, **PRETORIA**, 0001
By hand : Environmental House, Corner Steve Biko and Soutpansberg Street, Arcadia, **Pretoria**, 0083

Copy of the lodged appeal to the Department of Mineral Resources & Energy

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

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



REGIONAL MANAGER:
MINERAL & PETROLEUM REGULATION
NORTH WEST REGIONAL OFFICE

DATE: 10/12/2022



mineral resources & energy

Department
Minerals Resources and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag A1, Klerksdorp, 2570, Tel: (018) 487 4300, Fax: (018) 487 4394

Vaal University of Technology Building, Cnr Margaretha Prinsloo & Voortrekker Street, Klerksdorp, 2571

ENVIRONMENTAL AUTHORISATION

Reference number: NW 30/5/1/3/3/2/1/ (11039) EM

Last amended: First issue

Holder of authorisation: Malebogo Mining Company (Pty) Ltd

Location of activity: Certain portion of portion 3 of the farm Fairview 410 JQ; situated in the Magisterial District of Mafikeng: North West Province.

DECISION

ACRONYMS

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

DEPARTMENT : Department of Mineral Resources.

EA : Environmental Authorisation.

IEA : Integrated Environmental Authorisation.

EMPr : Environmental Management Programme

BAR : Basic Assessment Report

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: EIA 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.

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

ACTIVITY APPLIED FOR

By virtue of the powers conferred on it by NEMA, the Department hereby grants an EA to Malebogo Mining Company (Pty) Ltd with the following contact details–

**The Manager
Malebogo Mining Company (Pty) Ltd
P.O. Box 4077
Halfway House
Midrand
1685**

**Email address: simon@ugwa.co.za
Cell No: 082 095 8830
Attention: Mr. Simon Netshiozwi**

To undertake the following activities listed in the NEMA: amendments to the EIA Regulations, 2014.

NEMA: LISTED ACTIVITIES:

Government Notice No. 327, NEMA: amendment of the EIA Regulations listing Notice 1 of 2014, read as-

Activity 21 *"Any activity including the operation of that activity which requires a mining permit in terms of section 27 as amended by section 23 of the Mineral and petroleum Resources Development Act, 2002 (Act No. 28 of 2002) as amended, including –*

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



But excluding the secondary processing of a mineral resources, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resources in which case activity 6 in Listing 2 applies"

Activity 27- *The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except 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.*

Detailed specifications of the activities are as follows:

Proposed mining activity details are as follows:
Area to be transformed – 5 ha
Mineral to be mined- Aggregate, Limestone and Manganese ore

The granting of this EA is subject to the conditions set out below (site specific);

EA SITE SPECIFIC CONDITIONS

1. Dumping of waste in the areas earmarked for exclusion must be prevented, through fencing or other management measures. These areas must be properly managed throughout the lifespan of the project in terms of fire, eradication of exotics etc to ensure continuous biodiversity.
2. A buffer zone of 100 meters outside the riparian zone of the stream must be maintained and necessary steps should be taken to prevent siltation during downpours.
3. The contractor/s must ensure that no animals are disturbed, trapped, hunted or killed during the construction phase. Conservation-orientated clauses should be built into contracts for construction personnel.

ANNEXURE 1: REASONS FOR THE DECISION

1. Background

Malebogo Mining Company (Pty) Ltd has applied for EA for the activities listed in the NEMA: amendments to the EIA Regulations, 2014:

Government Notice No. 327, NEMA: amendment of the EIA Regulations listing Notice 1 of 2014, read as-

Activity 21 *"Any activity including the operation of that activity which requires a mining permit in terms of section 27 as amended by section 23 of the Mineral and petroleum Resources Development Act, 2002 (Act No. 28 of 2002) as amended, including –*

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

But excluding the secondary processing of a mineral resources, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resources in which case activity 6 in Listing 2 applies"

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- (i) *the undertaking of a linear activity; or*
- (ii) *maintenance purposes undertaken in accordance with a maintenance management plan.*

Malebogo Mining Company (Pty) Ltd appointed **Ugwa Consulting Services (Pty) Ltd** to compile the BAR and EMPr as prescribed by Regulation 19 of the NEMA: amendments to the 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 02nd March 2022;
- b) The information contained in the BAR and EMPr.
- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the NEMA: amendments to the EIA Regulations, 2014;
- d) Public Participation Process (PPP) attached as Appendix on the submitted BAR;
- e) Newspaper advert published on 17 June 2022 on the "Mahikeng Mall" newspaper.

3. Key factors considered in making the decision

All the information presented to the Department was considered 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 procedure that has been followed is in accordance with the NEMA and NEMA: amendments to the EIA Regulations, 2014.
- b) The environmental impacts associated with the proposed activity will be addressed by the proposed mitigation measures outlined in the EMPr compiled by **Ugwa Consulting Services (Pty) Ltd**
- c) A sufficient Public Participation Process (PPP) was undertaken and the applicant has satisfied the minimum requirements as prescribed in the NEMA: amendments to the EIA Regulations, 2014 for public involvement;
- d) The financial provision to the amount of R84, 787.00 was provide for rehabilitation in a form of a cash deposit.

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 of the NEMA: amendments to the EIA Regulations R.326. The PPP included, *inter-alia*, the following:
 - A newspaper advertisement was placed in the local newspapers "Mahikeng Mail Weekly" newspaper dated 17 June 2022;
 - Notices were sent to all key stakeholders and the registered interested and affected parties.

ANNEXURE 2: DEPARTMENTAL STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1 The holder of EA shall be responsible for ensuring compliance with the conditions contained in the EA. This includes any person acting on the holder's behalf, including but not limited to an agent, servant, contractor, subcontractor, employee, consultant or any person rendering a service to the holder of EA.
- 1.2 Any changes to, or deviation from the project description set out in this EA must be approved in writing by this Department before such changes or deviation may be effected. In assessing whether to grant such approval or not, the Department may request such information as is deems necessary to evaluate the significance and impacts of such changes or deviation and it may be necessary for the holder of the EA to apply for further authorization in terms of the EIA Regulations.
- 1.3 The activities, which are authorized, may only be carried out at the property 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/ activities.

1.6 The holder of EA must ensure that all areas where the authorized activities occur have controlled access to ensure safety of people and animals.

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 regulation 4(2) of the NEMA: amendments to the EIA Regulation, 2014 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 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 ACTIVITIES

- 3.1 **This EA will only be effective on the event that a corresponding mining permit is issued in terms of MPRDA as amended and none of the activities listed in this EA may commence without a mining permit.**
- 3.2 In order to ensure safety, all employees must be given the necessary personnel protective equipment (PPE).
- 3.3 This EA 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 on 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 EA must note that in terms of the National Forest Act, 1998 (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 Department of Agriculture, Forestry and Fisheries.
- 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 activity (ies), the contaminated soil must be removed to a licensed waste disposal facility and the site must be rehabilitated to the satisfaction of this 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 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.
- 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 property (ies) and surrounding areas must be informed if any unusual 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 Care must be taken to ensure that the material and excavated soil required for backfilling are free of contamination from hydrocarbons.
- 3.19 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 artefacts 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.
- 3.20 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 authorized 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 EA 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 activity (ies).



- 3.23 This EA does not purport to absolve the holder of EA from its common law obligations towards the owner of the surface of land affected.
- 3.24 The holder of EA must ensure that rehabilitation of the disturbed areas caused by operation at all times comply with the approved EMPr.
- 3.25 This EA 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 EA must note that in terms Section 43A of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008), residue deposit and residue deposit must be deposited and managed in a prescribed manner on any site demarcated for that purpose in the 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 EA must note that in terms Section 20 of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008), no person may commence, undertake or conduct a waste management activity, except in accordance, with the requirements of norms and standards determined in terms of Section 19 (3) for that activity or a waste management license is issued in respect of that activity if license is required.
- 3.28 Should you be notified by the Minister of a suspension of the authorization 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.
- 3.29 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.
- 3.30 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.
- 3.31 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 encountering the waste and must be diverted away from the storage site.



- 3.32 Subject to the commencement and duration requirements of the MPRDA and NEMA for the listed mining activities, the EA is valid for the period for which the aforesaid mining permit is granted provided that these activities must commence within 1 year. If the commencement of the proposed activities does not occur within the specified period, the EA lapses and a new application for EA in terms of the NEMA and the EIA Regulations should be made for the activity to be undertaken.
- 3.33 The listed activity, including site preparation, must not commence within 20 (twenty) calendar days of the date of the notification of the decision being sent to the registered I&APs. In the event that an appeal is lodged with the appeal administrator, the effect of this environmental authorization is suspended until such time as the appeal is decided.
- 3.34 Should there be any conflicting conditions between this EA and other approval granted by other authorities, it is upon the holder of EA to bring it to the attention of the Department for resolution.

4. MANAGEMENT OF ACTIVITIES

- 4.1 A copy of the EA and EMPr must be kept at the property or onsite office where the activities will be undertaken. The EA and EMPr must be produced to any authorized 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 EA who works or undertakes work at the property.
- 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 If applicable a buffer zone of 100 meters between the activities and the residential areas, cemeteries or burial grounds must be clearly demarcated and maintained.
- 4.5 The holder of the EA must ensure that all non-recyclable waste are disposed of at waste management facilities licensed to handle such wastes and all recyclable waste are collected by licensed waste management facilities for recycling, reuse or treatment.

- 4.6 The holder of the EA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.
- 4.7 The holder of the EA 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 EA 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 EA may be conducted, and additional or new activities not specified herein must be applied for by the holder and authorized 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 Rehabilitation of the disturbed surface caused by operation at all times must comply with the approved EMPr.
- 4.11 The holder of EA 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 EA must also ensure that an ECO is always available on site to ensure that activities always comply with the issued EA and approved EMPr.
- 4.12 The ECO must:
- 4.12.1 Keep and maintain a detailed incidents register (including any spillages of fuels, chemicals or any other material.
- 4.12.2 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.
- 4.12.3 Keep records relating to monitoring and auditing on site and avail them for inspection to any relevant authorised officials.
- 4.12.4 Keep copies of all environmental reports submitted to the Department.
- 4.12.5 Keep the records of all permits, licences and authorisations required by the operation.

- 4.12.6 Compile a monthly monitoring report and make it available to the Department if requested.
- 4.12.7 The duties and responsibility of the ECO should not be seen as exempting the holder of the EA from the legal obligations in terms of the NEMA.
- 4.13 The footprint of the activity (ies) 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.
- 4.14 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.
- 4.15 The holder of the EA must ensure that all personnel who work with hazardous waste are trained to deal with these potential hazardous situations so as to minimize the risk involved. Records of training and verification of competence must be kept by the holder EA.
- 4.16 In order to prevent nuisance conditions, the holder of the EA must ensure that all storage skips and bins are not overfilled.

5 REPORTING TO THE DEPARTMENT

5.1 The holder of EA must:

- 5.1.1 Submit and Environmental Audit Report to this Department bi-annually and such report must be done by qualified Environmental Assessment Practitioner and the audit report must specify whether conditions of this environmental authorization and EMPr/closure plan are adhered to.
- 5.1.2 Identify and assess any new impacts and risks as a result of undertaking the activity/ies, if applicable.
- 5.1.3 Identify shortcomings in the EMPr/closure plan, if applicable.
- 5.1.4 Identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMPr/closure plan;
- 5.1.5 If applicable, specify that the corrective action/s taken for the previous audit's non-conformities, was adequate.

- 5.1.6 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 to rectify any shortcomings identified with the aforementioned audit report.
- 5.3 Any complaint received from I&AP during all phases of the operation must be attended to as soon as possible and addressed to the satisfaction of all concerned interested and affected parties.
- 5.4 The holder of the EA 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 EA must, within 24 hours of incidents occurring, notify the Competent Authority of the occurrence or detection of any incident on the site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.
- 5.6 The holder of the EA 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 EA.



6. SITE SECURITY AND ACCESS CONTROL

- 6.1 The holder of the EA 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 EA and the person responsible for the operation of the site.

7. EMERGENCY PREPAREDNESS PLAN

- 7.1 The holder of the EA must maintain and implement an emergency preparedness plan and review it biannually 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 centre closer to the site.

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

8. INVESTIGATIONS

- 8.1 If in the opinion of the Competent Authority, nuisances or health risks may be or is occurring on the site, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem.
- 8.2 If in the opinion of the Competent Authority, pollution may be or is occurring, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the water quality variables,

at those monitoring points and such frequency as may be specified by the Competent Authority.

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

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

9. COMMISSIONING AND DECOMMISSIONING

9.1 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.

10. SITE CLOSURE

10.1 The holder of EA must apply for a closure certificate in terms of Section 34 of Mineral and Petroleum Resources Development Amendment Act 2008 (Act No. 49 of 2008), within 180 days of occurrence of lapsing, abandonment, cancellation, cessation, relinquishment and completion of development only if the permit has been issued in terms of the Mineral and Petroleum Resources Development Amendment Act 2008 (Act No. 49 of 2008).

10.2 The application for a 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 EA remains responsible for any environmental liability, pollution or ecological degradation, compliance with the conditions of EA 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). 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 harmonization 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 EA, and compliance with the EMP/closure plan, the competent authority is satisfied that the proposed listed activities 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 activities can be mitigated to acceptable levels. The authorisation is accordingly granted.

Your interest in the future of our environment is appreciated.

Environmental Authorisation granted by



REGIONAL MANAGER

MINERAL & PETROLEUM REGULATION

NORTH WEST REGIONAL OFFICE

DATE...10/10/2022...