



# mineral resources

Department:  
Mineral Resources  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 6093 Kimberley, 8300; Tel: 0538071700; Fax: 0538311314  
41 Schmdtsdrift Roads, Kimberley 8300

Enquiries: Humbulani Mashau Ref No: NC 30/5/1/3/2/ (10695) MP  
E-mail address: [humbulani.mashau@dmr.gov.za](mailto:humbulani.mashau@dmr.gov.za)  
Mine Environmental Management

## BY HAND

**Palesa Keisha Mulaudzi**

Postnet Suite 504

Private Bag x3

**Northriding**

2162

**Attention: Mrs. Mulaudzi Palesa Keisha**

**Email: [info@pmulaudzi.co.za](mailto:info@pmulaudzi.co.za)**

**ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 of 1998) AS AMENDED (NEMA) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2017: ACTIVITY RELATED TO PROSPECT PRODUCTION AND ASSOCIATED INFRASTRUCTURE FOR MINING PERMIT OF DIAMONDS ON A PIECE OF LONGLANDS 350, SITUATED IN THE MAGISTERIAL DISTRICT OF KIMBERLEY NORTHERN CAPE REGION.**

With reference to the abovementioned application, please be advised that the Department has decided to **grant** an environmental authorisation in terms of Section 24 L of National Environmental Management Act (Act 107 of 1998). The environmental authorisation and reasons for the decision are attached herewith.

In terms of Regulation 4 (2) of the Environmental Impact Assessment Regulations of 2017, 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 Environmental Affairs and a copy of such appeal to the Department of Mineral Resources (Northern Cape 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 per prescribed below:

**Appeal to the Department of Environmental Affairs**

**Attention** : Directorate Appeals and Legal Review

**Email** : [appealsdirector@environment.gov.za](mailto: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: Northern Cape Region

**By facsimile** :( 053) 8328 593

**E-mail** : [Ntombi.Mayekiso@dmr.gov.za](mailto:Ntombi.Mayekiso@dmr.gov.za)

**By post** : Private Bag X 6093, **Kimberley**, 8300

**By hand** : DMR Building, 65 Phakaamile Mabija Street, **Kimberley**, 8301

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.

Kind Regards

  
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**REGIONAL MANAGER: MINERAL REGULATION**

**NORTHERN CAPE REGIONAL OFFICE**

**DATE:** 04/04/2019



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Department:  
Mineral Resources  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 6093 Kimberley, 8300; Tel: 0538071700; Fax: 0538328593  
65 Phakamile Mabija, 1<sup>st</sup> Floor Permanent Building, Kimberley 8300

## ENVIRONMENTAL AUTHORISATION

<b>Reference number:</b>	NC 30/5/1/3/2 (10634) EM
<b>Last amended:</b>	First issue
<b>Holder of authorisation:</b>	Palesa Keisha Mulaudzi
<b>Location of activities:</b>	On piece of land on Farm 350, magisterial district of Barkly West.

## DECISION

### ACRONYMS

<b>NEMA:</b>	The National Environmental Management Act, 1998 (Act 107 of 1998), as amended
<b>DEPARTMENT:</b>	Department of Mineral Resources.
<b>EA:</b>	Environmental Authorisation.
<b>EMPr:</b>	Environmental Management Programme
<b>BAR:</b>	Basic Assessment Report
<b>I&amp;AP:</b>	Interested and Affected Parties
<b>ECO:</b>	Environmental Control Officer
<b>SAHRA:</b>	South African Heritage Resources Agency
<b>EIA REGULATIONS:</b>	EIA Regulations, 2017
<b>MPRDA:</b>	Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
<b>EIA:</b>	Environmental Impact Assessment.

The Department is satisfied, on the basis of information availed to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake **NEMA** and **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.

### **ACTIVITY APPLIED FOR**

By virtue of the powers conferred on it by NEMA the Department hereby grant an application for EA by **Palesa Keisha Mulaudzi** with the following contact details –

**Palesa Keisha Mulaudzi**

Postnet Suite 504

Private Bag x3

**Northriding**

2162

**Tel no:** (072) 013 4984

To undertake the following activities listed in the NEMA and EIA Regulation.

### **LIST OF ACTIVITIES AUTHORISED IN TERMS OF NEMA**

**Government Notice No. R.327 of 07 April 2017 –**

**Activity Number: 21**

Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including — (a) associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource[,] ; or [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)] (b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing;



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

#### **PROPERTY DESCRIPTION AND LOCATION**

A listed activity will take place on a certain piece of land of Farm 350 Longlands, situated in the magisterial district of Barkly West, Northern Cape. The area of interest is situated approximately 15 Km North West of Barkly West Town and 55 Km North West of Kimberley. The SG digit codes are: C007000300000010000000

Co-ordinates of the boundary of the property are those that are described in the final site layout map attached hereto hereinafter referred to as "the site".

#### **D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER**

**Zandile Dwane**

Private Bag x3

**Northriding**

2162

For attention: Zandile Dwane

Tell: 083 265 7992

## **E. CONDITIONS OF AUTHORISATION**

### **1. SCOPE OF AUTHORISATION**

- 1.1. The holder of the EA shall be responsible for ensuring compliance with the conditions contained in the EA. This includes any person acting on the holder's behalf, including but not limited to an agent, servant, contractor, subcontractor, employee, consultant or any person rendering a service to the holder of EA.
- 1.2. Any changes to, or deviation from the project description set out in this EA must be approved in writing by this Department before such changes or deviation may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviation and it may be necessary for the holder of the EA to apply for further authorisation in terms of the EIA Regulations.
- 1.3. The activities, which are authorised, may only be carried out at the property (ies) indicated in the EA and or on the approved EMPr.
- 1.4. Where any of the holders of the EA contact details change including the name of the responsible person, physical/postal address or telephonic details, the holder of the EA must notify the Department as soon as the new details become known to the holder of the EA.
- 1.5. The EA does not negate the responsibility of the holder to comply with any other statutory requirements that may be applicable to the undertaking of such activity (ies).
- 1.6. The holder of the EA must ensure that all areas where the authorised activities occur have controlled access to ensure safety of people and animals.
- 1.7. The holder of the EA must implement an Emergency Preparedness Plan and review it bi-annually when conducting audit and after each emergency and major incident. The holder must notify the competent authority in writing, within 24 hours thereof of the occurrence.
- 1.8. The holder of an authorisation as the case may be, must apply for an closure certificate upon the lapsing, abandonment or cancellation of the right in

question, cessation of the mining, the relinquishment of the portion of the mining of the land to which a right . An application for a closure certificate must be made to the Regional Manager in whose region the land in question is situated within 180 days of the occurrence of the lapsing, abandonment, cancellation, cessation, and relinquishment.

## **2 APPEAL OF AUTHORISATION**

**2.1** The holder of EA must in writing, within 14 (fourteen) calendar days of the date of this decision and in accordance with EIA Regulation 4(2)-

**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 this Annexure 2 (Departmental Standard Conditions).

**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.

## **3 COMMENCEMENT OF THE ACTIVITY (IES)**

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

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

**3.3** 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.



- 3.4 Appropriate notification sign(s) must be erected at the construction site, warning the public (residents, visitors etc.) about the hazard around the construction site and presence of heavy vehicles and machinery.
- 3.5 Construction must include design measures that allow surface and subsurface movement of water along the drainage lines so as not to impede natural surface and subsurface water flow, and drainage measures must promote the dissipation of storm water runoff.
- 3.6 Vegetation clearance must be limited areas where the individual activities will occur, and mitigation measures must be implemented to reduce the risk of erosion and alien species invasion.
- 3.7 The holder of EA must note that in terms of the National Forest Act, 1998 (Act No .84 of 1998) protected plant species, also listed in Northern Cape Nature Conservation (NCNCA) Act no. 9 of 2009 must not be cut, disturbed, damaged, destroyed and their products must not be possessed, collected, removed, transported, exported, donated, purchased or sold unless permission is granted by the Department of Agriculture, Forestry and Fisheries.
- 3.8 Construction areas (e.g. material lay down areas), topsoil and subsoil must be protected from contamination or pollution. Stockpiling must not take place in drainage lines or areas where it will impede surface water runoff.
- 3.9 If any soil contamination is noted at any phase of the proposed activity (ies), the contaminated soil must be removed to a licensed waste disposal facility and the site must be rehabilitated to the satisfaction of the Department and Department of Water and Sanitation. The opportunity for the onsite remediation and re-use of contaminated soil must be investigated prior to the disposal and this Department must be informed in this regard.
- 3.10 An integrated waste management approach must be implemented that is based on waste minimization and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate. Uncontaminated rubble generated on the premises can be re-used as back filling material on site. Ensure that no refuse or rubble generated on the premises is placed, dumped or deposited on the adjacent properties or public places and open space.



- 3.11 In terms of sections 28 and 30 of NEMA, and sections 19 and 20 of the National Water Act, 1998 (Act No. 36 of 1998), any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the holder of the EA reads through and understand the legislative requirements pertaining to the operation. 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.
- 3.12 Construction vehicle must be serviced and maintained in the manner whereby no excessive smokes is released, 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 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 Northern Cape Heritage Resource Agency (NCHRA) (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 Northern Cape Heritage Resource Agency (NCHRA).

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.

3.18 Care must be taken to ensure that the material and excavated soil required for backfilling are free of contamination from hydrocarbons.

3.19 Hydraulic fluids 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.

3.20 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.

3.21 The holder of EA must ensure that any water uses listed in terms of section 21 of National Water Act, 1998 (Act 36 of 1998) must get authorization from Department of Water and Sanitation prior to the commencement of such activity (ies). The holder of the EA shall note that in terms of Section 19 (1) of the national Water Act, 1998 (Act No. 36 of 1998). "An owner of land , a person who occupies or uses the land on which – (a) any activity or process is or was performed or undertaken; or (b) any other situation exists, which caused or is likely to cause pollution of a water source must take all reasonable measures to prevent any such pollution from occurring, continuing or recurring."

Therefore any pollution incident (s) associated with the proposed project shall be reported to the relevant Regional Office of the DMR and Department of Water and Sanitation within 24 hours.