



# mineral resources

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, Enquiries: H.D Mashau E-mail:  
[humbulani.mashau@dmr.gov.za](mailto:humbulani.mashau@dmr.gov.za) Ref No: NC 30/5/1/1/2/ 12353PR

## REGISTERED MAIL

The Directors  
**Duho Mining (Pty) Ltd**  
P.O Box 8936  
**Edenglen**  
1613

For attention: Kwindla Handy Nobaza  
E-mail: [khnobaza@gmail.com](mailto:khnobaza@gmail.com)  
Tell: 071 959 9207

Dear Sir/ Madam

**ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AS AMMENDED ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR ACTIVITIES RELATED TO PROSPECTING RIGHT AND ASSOCIATED INFRASTRUCTURE IN RESPECT OF MANGANESE AND IRON ORE ON THE REMAINDER OF THE FARM OF NCHWANING 267, SITUATED IN THE MAGISTERIAL DISTRICT OF KURUMAN, 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 regulation 20(1) (a)/24(1) (b) of the Environmental Impact Assessment Regulations, 2014 ("EIA Regulations"). The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 4(2) of the EIA Regulations, you are instructed to notify all registered interested and affected parties, in writing within 14 (fourteen) calendar days,

of the date of the Department's decision in respect of your application and the provisions regarding the making of appeals must be provided for in terms of the National Appeal Regulations, 2014.

Should you wish to appeal any aspect of the decision, you must submit the appeal to the Minister of Environmental Affairs, within 20 days from the date of notification, and such appeal must be lodged as prescribed by Chapter 2 of the National Appeal Regulation, 2014 by means of one of the following methods:

By post: Attention: Appeals Directorate and Legal review  
The Minister of Department of Environmental Affairs  
Private Bag X 447  
PRETORIA  
0001

By facsimile: (012) 359 3609; or

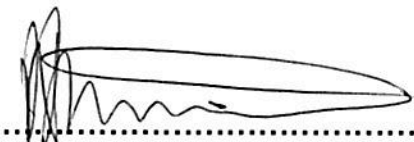
By hand: Environmental House, Corner Steve Biko and  
Soutspanberg, Arcadia, Pretoria, 0083

An electronic copy (word document format) of the appeal and its supporting documents must also be submitted to Mr Ziyaad Hassam.

A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail: [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za)

Should you decide to appeal, you must comply with the National Appeal Regulations, 2014 in relation to notification of all registered interested and affected.

Kind Regards

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a dotted line.

**REGIONAL MANAGER: MINERAL REGULATION**

**NORTERN CAPE REGION**

DATE.....25/10/2019



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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 30/5/1/1/2/ 12353PR
<b>Holder of authorisation:</b>	Duho Mining (Pty) Ltd
<b>Last amended:</b>	First issue
<b>Commodity:</b>	Manganese and Iron Ore
<b>Location of activity:</b>	The remainder of the Farm Nchwaniing 267, Situated in the Magisterial District of Kuruman Northern Cape Region.

## 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>	Environmental Impact Assessment Regulations, 2014
<b>MPRDA:</b> amended	Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
<b>NEMA:WA</b>	National Environmental Management: Waste Act, 2008 (Act 59 of 2008), as amended
<b>EIA:</b>	Environmental Impact Assessment.

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant



should be authorised to undertake **NEMA EIA** listed activity (ies) specified below. Details regarding the basis on which the Department reached this granting decision are set out in **Annexure “1”** of this environmental authorisation.

### **ACTIVITY APPLIED FOR**

By virtue of the powers conferred on it by NEMA, the Department hereby Grant an application for EA by **Duho Mining (Pty) Ltd** with the following contact details –

#### **A.DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION**

The Directors	Registered office Address
<b>Duho Mining (Pty) Ltd</b>	<b>Duho Mining (Pty) Ltd</b>
P.O Box 8936	P.O Box 8936
Edenvale	Edenvale
Johannesburg	Johannesburg
1613	1613

For attention: Kwindla Handy Nobaza  
E-mail: khnobaza@gmail.com  
Cell: 071 959 9207

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

- 1. Listing Notice GRN327 Activity 20-** *“Any activity including the operation of that activity which requires a prospecting right in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including—*
  - (a) associated infrastructure, structures and earthworks, directly related to prospecting 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)]*

**The company is herein authorised to undertake the following alternative related to the listed activity/ies:**

**Description of the activities to be undertaken:**

- 5 pits of 4m x 2m will be excavated;
- Drilling of 10 holes with the depth of 1000m;

### **C. PROPERTY DESCRIPTION AND LOCATION**

The listed activities will take at the remainder of the Farm Nchwaning 267, Situated in the Magisterial District of Kuruman Northern Cape Region. The total footprint of the proposed prospecting area covers an extent of 119ha and it is located approximately 8km to Postmasburg in the Northern Cape Province.

The SG digit codes are: C03100000000047500000

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

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

Thaya Trading Enterprise Cc

9705 Eerste Laan

Rooisand

Kathu

8446

For attention: Kwindla Handy Nobaza

E-mail: khnobaza@gmail.com

Tell: 071 959 9207

### **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 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. 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit and the Burial Grounds and Graves (BGG) Unit has no objections to the proposed development; 38(4)b – The recommendations provided by the heritage specialists are supported and must be adhered to. Further specific conditions are provided for the development as follows; A no-go buffer zone of 30 m must be adhered to around the identified burial ground; 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt /Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA.

Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; 38(4)d – See section 51(1) of the NHRA; 38(4)e – The following conditions apply with regards to the appointment of specialists: (i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA.

- 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