



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

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Sub-Directorate: Mine Environmental Management Ref No.: FS 30/5/1/3/3/2/1 (10293) EM

The Applicant

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EVALUATION OF AN APPLICATION FOR AN ENVIRONMENTAL AUTHORISATION FOR MINING LODGED IN TERMS OF REGULATION 16 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 (AS AMENDED) (HEREIN REFERRED TO AS THE EIA REGULATIONS) IN RESPECT OF A PORTION OF THE FARM JOEL MOLLAP 10, SITUATED IN THE MAGISTERIAL DISTRICT OF FOURIESBURG IN THE FREE STATE REGION.

1. The abovementioned application lodged on the **30th of September 2019** and acknowledged on the **16th of October 2019** 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 the provisions of regulation 15(1)-(3) of the EIA Regulations 2014 as amended.

3. Your application has been checked as required in terms of regulation 17 of the EIA Regulations 2014 as amended and the following issues which need to be addressed by **15th of November 2019** have been noted;
- a) The application does not comply with regulation 12 of the EIA Regulations, 2014 as amended. Please appoint an Environmental Assessment Practitioner (EAP) to manage your application.
 - b) The Curriculum Vitae of the EAP must be attached.
 - c) Item no.5 must also be revised as the GNR number stated is outdated.
 - d) The applicant did not sign the application form, please ensure that the application form has been signed by the applicant and the appointed Environmental Assessment Practitioner (EAP).
 - e) An undertaking under oath was not done to affirm that all information submitted or to be submitted for the purpose of this application is true and correct as required by regulation 16(1)(b)(iv) of the EIA Regulations, 2014 as amended.
4. Based on paragraph 3 above, you are hereby requested to submit by the **15th of November 2019**, a revised application form which addresses all the requirements of regulation 16(b) of the EIA Regulations 2014 as amended, 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 one copy must also be submitted **manually** to this office
5. In view of the aforementioned application form, you are hereby also requested to submit by the **20th of January 2020**, **three (3) copies manually and one (1) electronic copy through SAMRAD a basic assessment report and EMPr, inclusive of specialist reports**. The aforementioned reports must 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 1, 4 and 6 of the EIA Regulations for the minimum requirements set for the aforementioned reports.
6. **The public participation process should be conducted as stipulated in chapter 6 of the EIA Regulations and taking into considerations any guidelines applicable for public participation.** The acceptable minimum requirements by this office for conducting public participation process are as follows:
- 6.1 Fixing a notice board in terms of Regulation 41 (1) (a) of the EIA Regulations, the notice board must comply with Regulation 41 (3) & (4) and must also include the date, time and venue of the meeting.

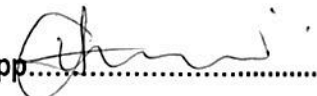
- 6.2 Giving a written notice in terms of Regulation 41 (1) (b) of the EIA Regulations. The written notice must comply with Regulation 41 (3) and must also include the date, time and venue of the meeting.
- 6.3 Placing a newspaper advert in terms of Regulation 41 (1) (c) or (d) of the EIA Regulations. The newspaper advert must comply with Regulation 41 (3) and must also include the date, time and venue of the meeting.
- 6.4 Using reasonable alternative methods in terms of Regulation 41 (1) (e) of the EIA Regulations.

7. The results of public participation must include the following but not limited to:

- 7.1 Agenda and minutes of the meeting,
 - 7.2 Original attendance register with names and signatures,
 - 7.3 A copy of the presentation or information/reports presented,
 - 7.4 A copy of the newspaper advert and notice. Note that the copy must be visible and in case of a newspaper advert, the date and the name of the newspaper must be reflected,
 - 7.5 All comments/concerns/responses raised by the interested and affected parties,
 - 7.6 Any other correspondences relating to public participation process must be submitted together with the BAR &EMPr.
8. 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 delays in processing and finalisation of the application.
9. The basic assessment report and an EMPr to be submitted as mentioned on paragraph 3 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 (Free State Regional Office)**.
10. 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 Permits and submit the proof and result of such consultation as part of the reports requested on paragraph 6 above.

11. You should also note that commencement with a listed activity without an environmental authorisation contravenes the provisions of section 24F (1) of National Environmental Management Act, 1998 (Act 107 of 1998), as amended (NEMA) and constitutes an offence in terms of section 49A (1) (a) of NEMA.
12. 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 of 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 Sincerely



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ACTING REGIONAL MANAGER: MINERAL REGULATION

FREE STATE REGION

DATE 24/10/2019

Please quote this office file number as reference for any correspondence regarding this application.