



EA Holder:
Skemervlei Trust
P.O. Box 249
Clanwilliam
8135
Tel: 027 482 1701
grondwerke@smiting.co.za

Reference No: WC30/5/1/3/2/10349MP

To whom it may concern

25 February 2025

RE: APPROVAL OF AN ENVIRONMENTAL AUTHORIZATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AS AMENDED (NEMA), AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 (AS AMENDED 2017) FOR MINING PERMIT APPLICATION IN RESPECT OF SAND (GENERAL) LOCATED ON A PORTION OF THE REMAINING EXTENT OF PORTION 2 OF FARM 199, SITUATED IN THE MAGISTERIAL DISTRICT OF CLANWILLIAM, WESTERN CAPE PROVINCE

Notice is hereby given that Environmental Authorisation was granted in terms of the National Environmental Management Act, 1998 (Act No 107 of 1998) and the Environmental Impact Assessment Regulations, 2014 (as amended 2017) to Skemervlei Trust to carry out the following activity:

- Mine sand from a portion of the Remaining Extent of Portion 2 of Farm 199, Clanwilliam, Western Cape Province.

Date of Decision: 21 February 2025

Date of Issue of Decision: 21 February 2025

Reasons for Decision: See reasons for the decision attached as Annexure 1

Departmental Standard Conditions: See attached as Annexure 2

Appeal Procedure: Any registered I&AP may lodge an appeal against the decision in terms of the National Appeals Regulations. An appellant must submit the appeal to the Minister of Forestry, Fisheries and Environment and a copy of such appeal to the Department of Mineral Resources & Energy (Western Cape Regional Office), within 20 days from the date of notification (17 March 2025), and such appeal must be lodged as prescribed by Chapter 2 of the National Appeal Regulation of 2014, by means of the methods as prescribed below:

the goal isn't to live forever, it is to protect a planet that will



Appeal to the Department of Forestry, Fisheries and Environment:

Attention: Directorate Appeals and Legal Review
Email: appeals@dfffe.gov.za
By Post: Private Bag X447, Pretoria, 0001
By Hand: Environmental House, (473 Steve Biko) corner Steve Biko and Soutpansberg Street,
Arcadia, Pretoria, 0083

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

Attention: Regional Manager: Western Cape Region
By facsimile: (021) 427 1046
Email: Pieter.swart@dmre.gov.za
By Post: Private Bag X09, Roggebaai, 8012
By Hand: 44 Strand Street, 7th Floor, MAP House, Cape Town, 8000

Should you decide to appeal the decision, you must comply with the National Appeal Regulations of 2014 in relation to notification of the applicant and all registered interested and affected parties. A copy of the official appeal form can be obtained from the Department of Forestry, Fisheries and Environment.

We trust you will find this in order. Please do not hesitate to contact us in the event of any uncertainties.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M. Saal', is written in a cursive style.

Murchellin Saal
Greenmined Environmental



mineral resources & energy

Department:
Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

WESTERN CAPE REGION

Tel: 021 427 1000 | Fax: 021 427 1046

Private Bag X9 Roggebaai, 8012 | 7th Floor, MAP House, 44 Strand Street, Cape Town, 8001

From: Mineral Regulation | Sub-Directorate: Mine Environmental Management

Enquiries: Tyrell Mohun E-mail: Tyrell.Mohun@dmre.gov.za EAPASA Registration No: 2023/6866

Reference: WC30/5/1/3/2/10349MP

For Attention: The Trustee/s

Per Email: grondwerke@smiting.co.za
cc: murchellin.s@greenmined.co.za

SKEMERVLEI TRUST
P.O. BOX 249
CLANWILLIAM
8135

Dear Sir/ Madam

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, 2014 AS AMENDED, FOR A MINING PERMIT APPLICATION IN RESPECT OF SAND (GENERAL) LOCATED ON A PORTION OF THE REMAINING EXTENT OF PORTION 2 OF THE FARM 199, SITUATED IN THE MAGISTERIAL DISTRICT OF CLANWILLIAM: WESTERN CAPE REGION

With reference to the abovementioned application, please be advised that the Department has decided to **grant** environmental authorisation in terms of the 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 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 Forestry, Fisheries and Environment, and a copy of such appeal to the Department of Mineral Resources and Energy (Western 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 prescribed below:

APPROVED

Appeal to the Department of Forestry, Fisheries and Environment:

Attention : Directorate Appeals and Legal Review
Email : appeals@dfpe.gov.za
By post : Private Bag X447, PRETORIA, 0001
By hand : Environmental House, Corner Steve Biko and
Soutpansberg Street, Arcadia, Pretoria, 0083

In addition, please provide a copy of the lodged appeal to the Department of Mineral Resources and Energy.

Attention : Regional Manager: Western Cape Region
By facsimile : (021) 427 1046

E-mail : Pieter.Swart@dmre.gov.za
By post : Private Bag X 09, ROGGEBAAI, 8012
By hand : 7th Floor, MAP House, 44 Strand Street, Cape Town, 8001

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,

.....
REGIONAL MANAGER: MINERAL REGULATION
WESTERN CAPE REGIONAL OFFICE

DATE:.....2/2/2025.....

APPROVED



mineral resources & energy

Department:
Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

WESTERN CAPE REGION

Tel: 021 427 1000 | Fax: 021 427 1046

Private Bag X9 Roggebaai, 8012 | 7th Floor, MAP House, 44 Strand Street, Cape Town, 8001

From: Mineral Regulation | Sub-Directorate: Mine Environmental Management

Enquiries: Tyrell Mohun E-mail: Tyrell.Mohun@dmre.gov.za EAPASA Registration No: 2023/6866

Reference: WC30/5/1/3/2/10349MP

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AS AMENDED ("NEMA") AND THE 2014 EIA REGULATIONS AS AMENDED FOR SAND MINING ACTIVITIES:

Reference number:	WC30/5/1/3/2/10349MP
Last amended:	First issue
Holder of authorisation:	Skemervlei Trust
Location of activities:	A Portion of the Remaining Extent of Portion 2 of the Farm 199, Situated in the Clanwilliam Magisterial District

DECISION

ACRONYMS

DEPARTMENT:	Department of Mineral Resources and Energy
ECO:	Environmental Control Officer
EA:	Environmental Authorisation
EIA:	Environmental Impact Assessment
EIA REGULATIONS:	EIA Regulations, 2014 (as amended)
EIR:	Environmental Impact Report
EMPr:	Environmental Management Programme
HWC:	Heritage Western Cape
I&AP:	Interested and Affected Parties
MPRDA:	Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
NEMA:	National Environmental Management Act, 1998 (Act 107 of 1998), as amended
NEMWA:	National Environmental Management: Waste Act, 2008 (Act 59 of 2008), as amended
SAHRA:	South African Heritage Resources Agency

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 activities 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.

APPROVED

ACTIVITY APPLIED FOR

By virtue of the powers conferred on it by NEMA, the Department of Mineral and Energy Resources hereby **Grants** an Environmental Authorization (EA) to the **Skemerveli Trust** with the following contact details:

SKEMERVLEI TRUST
P.O. BOX 249
CLANWILLIAM
8135

Attention : Mr TG Smit
Tel : 027 482 1701
Cell : 082 895 6932
Email : grondwerke@smiting.co.za
Email (cc): : murchellin.s@greenmined.co.za

to undertake the following activities listed in the NEMA: EIA Regulations:

LISTED ACTIVITIES AUTHORISED:

Listed Activities	Activity and/or project description
<p>Activity 21 of Government notice No. R 327 as amended by GN 327 of April 2017 and amended by GNR 501 of June 2021.</p> <p><i>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), as well as any other applicable Activity, contained in this Listing Notice or Listing Notice 3 of 2014 required to exercise a permit.</i></p>	<p>The establishment of a sand mining permit with the total extent of 1.7 ha, which will be divided into two (02) blocks of mineable areas comprising of 1 ha and 0.7 ha respectively.</p> <p>300 mm of topsoil will be removed and stockpiled not greater than 2 metres high to access the underlying sand using a front-end loader. Each block will be mined to a depth between 1.5 – 2 metres below the surface. Concurrent mining will take place, whereby after mining the first block, rehabilitation must take place before moving onto the next block.</p>

Detailed description of the activity are as follows:

The holder is hereby authorised to undertake mining activities including the above listed activities as it relates to the development as follows:

The proposed mining permit area has a total extent of 1.7 ha.

The proposed mining methodology would entail the division of the mineable area into two (02) blocks: 1 ha and 0.7 ha respectively, whereby vegetation would be cleared, and 30 cm topsoil removed and stockpiled not greater than 2 metres high to be used for rehabilitation. The underlying sand should be mined to a depth between 1.5 – 2 metres deep. The mined sand will be loaded directly onto trucks and delivered to customers via the existing access roads. No new access roads must be created.

APPROVED

Site description and location:

Mining activities will be conducted on A Portion of the Remaining Extent of Portion 2 of the Farm 199, Situated in the Clanwilliam Magisterial District, at the following co-ordinates:

ID	Latitude (S)	Longitude (E)
A	-32.13669	18.847114
B	-32.13695	18.84748
C	-32.13745	18.84792
D	-32.13771	18.84792
E	-32.13815	18.84780
F	-32.13857	18.84750
G	-32.13780	18.84642

The SG code for the farm portion is as follows:

- C02000000000019900002

Granting of this EA is subject to the conditions set out below (site specific) and in **Annexure 2** (Departmental Standard Conditions). The Environmental Management Programme (EMPr) attached as part of the reports for the above development submitted as part of the application for an EA complies with Section 24N of NEMA, Appendix 4 of the EIA Regulations, 2014 as amended and is hereby approved and must be adhered to throughout the life cycle of the operation.

APPROVED



ENVIRONMENTAL AUTHORISATION SITE-SPECIFIC CONDITIONS

1. The total extent of the mining permit is strictly limited to 1.7 ha.
2. Concurrent mining and rehabilitation must be done in the mining area as per the approved 'block-mining' method whereby the mineable area will be divided into two (02) blocks of 1 ha and 0.7 ha respectively. Each block will be further divided and mined and rehabilitated before moving onto the next block.
3. Mining activities must strictly be conducted within the approved demarcated mineable area. The other areas outside of the mine layout boundary must be treated as no-go areas.
4. Visible semi-permanent markers must be placed on the mining boundary before mining activities commences and must be kept in place for the duration of mining.
5. The upper 30 cm of topsoil must be stripped and stockpiled before mining to be used for rehabilitation purposes. This topsoil stockpile should be no more than 2 metres high and must be protected against losses by water and wind erosion, as well as alien vegetation.
6. During rehabilitation, the stockpiled topsoil must be spread evenly over the mined area, and the area must be cropped again to prevent erosion. Driving over stockpiled topsoil is prohibited.
7. Sand should only be excavated to a depth between 1.5 and 2 metres from the surface.
8. Access to the site must be limited to the existing access roads and no new access roads must be created on site. All the vehicles used on site must maintain the minimum required speed limit and the signage must be installed on the access road.
9. The material on the trucks leaving the site must be covered with a tarpaulin cloth during transport to prevent excessive dust from blowing away with the wind and causing air pollution and a nuisance to others.
10. Invasive plant species on the mine site both during and after mining must be managed in terms of the Invasive Plant Species Management Plan located in Appendix K.
11. No fuel must be permanently stored on site and no vehicles/machinery should be filled/serviced on site.
12. All construction and operational machinery should be regularly serviced (offsite) to ensure no hydrocarbon spillage/ leaks occur within the mining permit area.
13. All machinery on site including diesel bowsers must be in good condition and ensure that there are no oil/ fuel leaks. As a preventative measure, drip trays must be placed underneath parked machinery equipment to prevent oil/ fuel from leaking onto the ground and polluting the groundwater.
14. Mining activities must be conducted in accordance with the approved Environmental Management Programme and the attached site layout plan
15. No permanent surface infrastructure is permitted on-site.
16. No groundwater may be used by this mining operation.

APPROVED



10. No blasting must take place on site.

18. Noise generated during mining and rehabilitation operations must comply with the Western Cape Noise Control Regulations (Province notice 200/2013).

19. The Final BAR & EMPr must be read in conjunction with the amended closure plan.

20. All recommendations and conditions set out in the approved EMPr must be strictly adhered to.

APPROVED



○ ANNEXURE 1: REASONS FOR THE DECISION

1. KEY FACTORS CONSIDERED IN MAKING THE DECISION

All the information submitted to the Department were considered when evaluating this application. Below is a summary of the main topics that in the Department's view were most significant in making this decision.

- a) The final BAR & EMPr was uploaded onto SAMRAD on the 22nd of November 2024, and two hard copies were submitted to the Department on the 25th of November 2024.
- b) The environmental impacts associated with the proposed activity outlined in the Final BAR will be addressed through the implementation of the proposed mitigation measures outlined in the EMPr compiled by the registered EAP: Murchellin Saal of Greenmined Environmental Consultants.
- c) The screening tool report which is attached in Appendix N of the Final BAR shows various sensitivities for various themes, which include Very High Agriculture, and Terrestrial Biodiversity Themes; High Animal, Civil Aviation, and Palaeontology Themes; a Medium Plant Species Theme; and Low Aquatic Biodiversity, Archaeological and Cultural Heritage, and Defence themes.
- d) The Public Participation Process (PPP) Report is contained in the submitted BAR & EMPr. The PPP that was undertaken by the EAP & Applicant has satisfied the minimum requirements prescribed in the EIA Regulations R982 of 2014 as amended by (GN 326) for public involvement. The PPP results shows that the concerns/ comments raised by I&APs and Organs of State were addressed.
- e) The registered landowner GE Smith of Smith Boerdery provided a letter of support dated the 27th of May 2024 for the proposed sand mine.
- f) A Site Sensitivity Verification and Agricultural Agro-Ecosystem Specialist Assessment Report dated the 1st of October 2024 was compiled by Johaan Lanz (Appendix G)

APPROVED

2 FINDINGS

After consideration of the information and factors listed above, the Department made the following findings –

- a) The need and desirability of the project was adequately addressed.
- b) The potential impacts on the proposed site were clearly investigated and mitigation measures were outlined in the Final BAR and EMPr to the satisfaction of this Department.
- c) The proposed mining area is zoned for Agriculture and was previously farmed. Post mining and rehabilitation, the land-use is intended to revert to agriculture.
- d) The Public Participation Process complied with Chapter 6 of the 2014 EIA Regulations R.982. The PPP included, *inter-alia*, the following:
 - A newspaper advertisement was placed in the local newspaper 'Ons Kontrei' on the 10th of October 2024;
 - A register of all the interested and affected parties was created;
 - Site Notices were placed in public areas: at the Farm entrance and at the Agrimark Clanwilliam on the 4th of October 2024;
 - Notices were sent to all key stakeholders and the registered interested and affected parties.

The PPP has satisfied the minimum requirements prescribed in the EIA Regulations R982 of 2014 as amended by (GN 326) for public involvement and the PPP results shows that as outlined below, the concerns raised by the I&APs and Regulatory Authorities were addressed by the EAP in the final BAR and EMPr.

- The EAP notified all I&AP's of the mining permit application on the 10th of October 2024, and counted a 30-day deadline for comments ending on the 8th of November 2024. DEA&DP disputed the deadline, quoting Regulation 3(1) of the EIA Regulations, 2014 (as amended), subject to sub-regulations (2) and (3) explains that when a period of days must in terms of these Regulations be reckoned from or after a particular day, that period must be reckoned as from the start of the day following that particular day to the end of the last day of the period, but if the last day of the period falls on a Saturday, Sunday or public holiday, that period must be extended to the end of the next day which is not a Saturday, Sunday or public holiday, i.e., the 11th of November 2024. The EAP then contacted this Department for clarity. This Department agreed with the interpretation from DEA&DP and advised that since the newspaper advert and signboard notices have already been published, then a revised notification should be sent to all I&AP's, and for the letter to be updated on their website to allow comments to be received until the 11th of November 2024, which was done.
- Neighbouring property owners, the Ward Councillor of the Cederberg Local Municipality Ward 6, the West Coast District Municipality Development Planning Directorate, the Cederberg Local Municipality, Cape West Coast Biosphere Reserve, the Western Cape Department of Agriculture, the National Department of Water & Sanitation, the Department of Economic Development and Tourism, the Department of Social Development, the Western Cape Department of Labour,

- the Department of Rural Development and Land Reform, SANRAL, and the Clanwilliam Water Users Association, did not provide comments to the EAP.
- Organs of State such as Heritage Western Cape, Cape Nature, the Provincial Department of Environmental Affairs & Development Planning (DEA&DP), the Department of Forestry, Fisheries, and the Environment, the National Department of Water and Sanitation: Clanwilliam Office, and the Department of Transport and Public Works provided comment to the EAP. All comments by the I&APs were adequately addressed by the EAP, with no objections being raised.
- e) A NID application was submitted to Heritage Western Cape (HWC). HWC responded, stating they do not believe that the mining permit would impact on heritage resources, and no further action is required under Section 38 of the National Heritage Resources Act (Act 25 of 1999) in a letter the 21st of November 2024.
- f) The Mine Closure and Rehabilitation plan for this mining operation is located in Appendix J of the Final BAR. The plan was perused and deemed to be unacceptable as the information indicated that blasting would occur on the quarry walls. The issue was discussed with the EAP who then corrected the information, and an amended closure plan was submitted to the Department on the 18th of February 2025 which is deemed suitable for a sand mine which entails no blasting, but rather the backfilling of overburden and topsoil and levelling of the disturbed area. The amended closure plan is attached to the Final BAR & EMPr.
- g) The Department's Mine Health & Safety Directorate's Principal Inspector of Mines (PI) commented on the 28th of November stating that the Directorate did not have an objection to the proposed mining permit.
- h) The applicant has complied with section 24P of NEMA and submitted the financial provision for rehabilitation and remediation of environmental damage caused by mining operations.

APPROVED

d

○ 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 deemed 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 authorised may only be carried out at the property indicated in the EA and or on the approved EMPR.
- 1.4 When 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 holder's responsibility to comply with any other statutory requirements applicable to the undertaking of such activities.
- 1.6 The holder of EA must ensure that all areas where the authorised activities occur have controlled access to ensure the 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 EIA Regulation 4(2) do the following:
Notify all registered I&APs of –
 - 2.1.1 The outcome of the application;
 - 2.1.2 The date of the decision;
 - 2.1.3 The date of issue of the decision and;
 - 2.1.4 The reasons for the decision as included in Annexure 1 and Departmental Standard Conditions in Annexure 2.
- 2.2 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,
- 2.3 Draw the attention of all registered I&APs to the manner in which they may access the decision.
- 2.4 Provide the registered I&APs with:

APPROVED



- 2.4.1 Name of the holder (entity) of this EA
- 2.4.2 Name of the responsible person for this EA
- 2.4.3 Postal address of the holder;
- 2.4.4 Telephonic and fax details of the holder and
- 2.4.5 E-mail address of the holder if any

3. COMMENCEMENT OF ACTIVITIES

- 3.1 In order to ensure safety, all employees must be given the necessary personnel protective equipment (PPE) and any employee without PPE must not be allowed on site.
- 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 Appropriate notification signage must be erected at the mining site, warning the public (residents, visitors etc.) about the hazard around the mining site and presence of heavy vehicles and machinery.
- 3.4 Mitigation measures must be implemented to reduce the risk of erosion and alien species invasion.
- 3.5 Existing topsoil stockpiles and any new topsoil stripped from mining area must be protected from erosion, contamination and/or pollution.
- 3.6 If any soil contamination is noted at any phase of the proposed activities, the contaminated soil must be removed to a licensed waste disposal facility designed for such waste 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.
- 3.7 An integrated waste management approach must be implemented that is based on waste minimization (waste management hierarchy) and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate. Ensure that no refuse generated on the mining area is placed, buried, dumped or deposited on the adjacent properties or public places and open space.
- 3.8 The waste storage site must have a firm, impermeable, chemical resistant floor, and a roof to prevent direct sunlight and rainwater from getting in contact with the waste.
- 3.9 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) as amended, 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 understands 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.

APPROVED

- 3.10 Operational vehicles for mining must be serviced and maintained in the manner whereby excessive smoke and noise production is reduced to acceptable levels, and to prevent oil leaks. Servicing of machinery and vehicles must not take place on site.
- 3.11 Residents (if any) on the property and surrounding areas must be informed if any unusual noise activities are planned.
- 3.12 Dust suppression measures must be implemented on all exposed surface access roads to minimize and control airborne dust.
- 3.13 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 Heritage Western Cape (HWC) (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 Heritage Western Cape (HWC).

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.

- 3.14 Chemical sanitation facilities or systems 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 wastewater treatment works.
- 3.15 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 activities.
- 3.16 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.
- 3.17 The holder of EA must ensure that rehabilitation of the disturbed areas caused by operation at all times comply with the approved EMPR.
- 3.18 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.
- 3.19 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.

APPROVED

- 3.0 An appeal under Section 43 (7) of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended) suspend an EA or exemption or any provisions of conditions attached hereto, or any directive unless the Minister directs otherwise.
- 3.21 Should you be notified by the Minister of a suspension of the authorization pending appeal procedure, you may not commence with the activities until such time that the Minister allows you to commence with such activities in writing.
- 3.22 The department reserves the right to audit and/or inspect the activities without prior notification at any reasonable time and at such frequency as may be determined by the Regional Manager.
- 3.23 Subject to the commencement and duration of the requirements of the mining permit in terms of the MPRDA, this EA is valid for a period of 05 (five) years from the date of which the aforementioned permit is granted or the expiration date of the permit, whichever comes first. Should the mining permit lapse or not be renewed in terms of the MPRDA, this EA will no longer be valid.
- 3.24 This EA will only be effective on the event that a corresponding mining right/permit is issued in terms of MPRDA as amended and none of the activities listed in this EA may commence without a mining right/Permit.
- 3.25 The listed activities, 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.
- 3.26 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 on-site office where the activity (lies) will be undertaken. The EA and EMPR must be produced to any authorised 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 Any complaint received from the I&AP's during all phases of the operation must be attended to as soon as possible and addressed to the satisfaction of all concerned I&AP's.
- 4.4 Material leaving the site must be covered with a cloth during transportation to prevent sand from being blown away by wind and causing pollution.

APPROVED



- 4.5 The holder of the EA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.
- 4.6 The holder of the EA must ensure that all non-recyclable waste is disposed of at waste management facilities licensed to handle such waste and all recyclable waste is collected by licensed waste management facilities for recycling, reuse or treatment.
- 4.7 Non-compliance with any condition of this EA or the approved EMPR is an offence in terms of section 49A(1)(c) of NEMA and may result in criminal proceedings and issuing of a directive in terms of section 28 and or a compliance notice in terms of section 31L of NEMA.
- 4.8 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 authorised by the competent authority in the form of an amendment of the EA and the 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 EA and EMPR.
- 4.9 Rehabilitation of the disturbed surface caused by operation must comply with the approved EMPR.
- 4.10 The Holder of EA must appoint the mine manager or a suitably competent person to familiarize themselves with the contents of the Environmental Authorization and Environmental Management Programme (EMPr) in order to ensure compliance with the conditions of approval contained therein.
- 4.11 The ECO must:
- 4.11.1 Keep and maintain a detailed incidents register (including any spillages of fuels, chemicals or any other material)
 - 4.11.2 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.
 - 4.11.3 Keep records relating to monitoring and auditing on site and avail them for inspection to any relevant authorised officials.
 - 4.11.4 Keep copies of all environmental reports submitted to the department.
 - 4.11.5 Keep the records of all permits, licences and authorisations required by the operation.
 - 4.11.6 Compile a monthly monitoring report and make it available to the department if requested.
- 4.12 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 activities must be limited to the areas authorised for the actual mining works and operational activities and all areas outside of the footprint must be regarded as a “no go” areas.

APPROVED 

- 4.14 Erosion and soil loss must be prevented by making sure that mining is only confined to one phase at a time.
- 4.15 In order to prevent nuisance conditions, the holder of the EA must ensure that all storage skips and bins are not overfilled. The holder of the EA must also make sure that littering of waste within the mining area is prohibited.

5. REPORTING TO THE DEPARTMENT

- 5.1 The holder of EA must:
- 5.1.1 submit and Environmental Audit Report to this department biennially and such report must be done by qualified Environmental Assessment Practitioner and the audit report must specify whether conditions of this environmental authorisation and EMPR/closure plan are adhered to;
 - 5.1.2 The audit report must be in accordance with appendix 7 of the 2014 EIA regulations;
 - 5.1.3 identify and assess any new impacts and risks as a result of undertaking the activities, if applicable
 - 5.1.4 identify shortcomings in the EMPR/closure plan, if applicable;
 - 5.1.5 identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMPR/closure plan;
 - 5.1.6 if applicable, specify that the corrective action/s taken for the previous audit's non-conformities, was adequate; and,
 - 5.1.7 Be submitted by the holder to the competent authority within 30 days from the date on which the auditor finalised the audit.
- 5.2 Should any shortcomings in terms of Regulation 34(4) be identified, the holder must submit recommendation to amend the EMPR/closure plan in order to rectify any shortcomings identified with the aforementioned audit report.
- 5.3 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.
- 5.4 The holder of the EA must, within 24 hours of any 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.
- 5.5 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 5.4, 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 –
- 5.5.1 Correct the impact resulting from the incident;
 - 5.5.2 Prevent the incident from causing any further impact; and
 - 5.5.3 Prevent a recurrence of a similar incident.

APPROVED

8

- 5.5.4 In the event that measures have not been implemented within 21 days of the incident referred to in condition 5.4, 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 that the mine area is demarcated, and as well as effective access control on the site to reasonably prevent unauthorized entry of persons and animals. Signs indicating the risks involved in unauthorized entry must be displayed at the entrance of and around the mine.
- 6.2 Weatherproof, 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 biennially when conducting an 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 and air quality, 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

APPROVED

- 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.
- 8.5 The holder of the EA must comply with Section 28 of the NEMA and conduct mining in an environmentally friendly manner.

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 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended within 180 days of occurrence of lapsing, abandonment, cancellation, cessation, relinquishment and completion of development.
- 10.2 The application for 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, the pumping and treatment of extraneous water, 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 a 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;

APPROVED

- 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 harmonisation 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 EMPR/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.

Kind Regards



.....
REGIONAL MANAGER: MINERAL REGULATION

WESTERN CAPE REGIONAL OFFICE

DATE:..... 21/2/2025

APPROVED