



## ENVIRONMENTAL AUTHORISATION

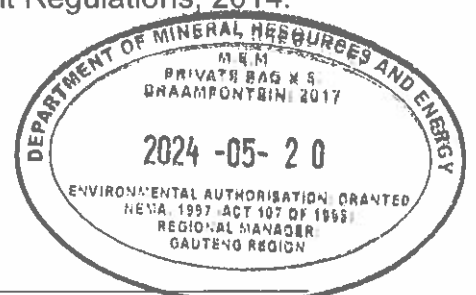
**Reference number:** GP 30/5/1/1/2 (10781) PR  
**Last amended:** First Issue  
**Holder of authorisation:** Mtluva Mining (Pty) Ltd  
**Location of activity:**

Portions 11, 15, 16, 17 (a portion of Portion 2 and a portion of Portion 14 of the farm Onbekend 398 JR, as well as Portions 8, 9, 13, 14, 15, 16, 17, 19, 43 and the Remaining Extent of Portion 3 of the farm Kameelzynkraal 547 JR; situated in the Magisterial District of Tshwane, Gauteng Province.

## DECISION

### ACRONYMS

**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  
**EIA** : Environmental Impact Assessment.  
**EIA REGULATIONS** : Environmental Impacts Assessment Regulations, 2014.  
**DEPARTMENT** : Department of Mineral Resources.  
**EA** : Environmental Authorisation.



<b>EAP</b>	: Environmental Assessment Practitioner
<b>BAR</b>	: Basic Assessment Report
<b>EMPr</b>	: Environmental Management Programme
<b>I&amp;APs</b>	: Interested and Affected Parties
<b>ECO</b>	: Environmental Control Officer
<b>M</b>	: Metres
<b>MPRDA</b>	: Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) as amended

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this EA, that the applicant is hereby authorised to undertake the listed activities specified below. Details regarding the basis on which the Department reached this decision are set out in this EA.

### ACTIVITIES APPLIED FOR

By virtue of the powers conferred on it by NEMA and NEMWA, the Department hereby grants an environmental authorization to **Mtluva Mining (Pty) Ltd** with the following contact details—

**Mr S Mahlangu**

Plot 20

Beynespoort 335 JR

**PRETORIA**

1000

Tel: 083 716 4960

E-mail: [Mahlangu.mahlangu@yahoo.com](mailto:Mahlangu.mahlangu@yahoo.com)



to undertake the following activities listed in the EIA Regulations, hereafter referred to as 'the activity':

Listed activities	Activity/ Project Description
<p><u>GN R. 327 Item 20:</u></p> <p><i>“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 —</i></p> <p><i>(a) associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource;</i></p> <p><i>(b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing.”</i></p>	<p><i>Prospecting activities</i></p>

as described in the BAR received on 07 July 2023 in respect of Portions 11, 15, 16, 17 (a portion of Portion 2 and a portion of Portion 14 of the farm Onbekend 398 JR, as well as Portions 8, 9, 13, 14, 15, 16, 17, 19, 43 and the Remaining Extent of Portion 3 of the farm Kameelzykraal 547 JR; situated in the Magisterial District of Tshwane, Gauteng Province, hereafter referred to as “the property”.

**Detailed specifications of activities are as follows:**

- Site preparation which will include vegetation clearance and topsoil removal in some instances will be undertaken for the establishment of the drill sites;
- Drilling of 10 boreholes will be undertaken at a maximum depth of 50m with each borehole sump area of 10m of length and 10m of breath;
- Rehabilitation of the overall site and closure; and
- A water tank will be used to provide the water supply for the drilling process.

The granting of this EA is subject to the conditions set out below (site specific) and in Annexure 2 (Departmental standard conditions). The EMPr attached submitted as part of the application for an EA is hereby approved and must be adhered to throughout the life cycle of the operation.



## REASONS FOR THE DECISION

### 1. Background

Isowel Tech Solutions (Pty) Ltd submitted an application for an EA for the activities listed in the EIA Regulations as:

Listed activities	Activity/ Project Description
<p><u>GN R. 327 Item 21:</u></p> <p><i>“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 —</i></p> <p><i>(a) associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource;</i></p> <p><i>(b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing.”</i></p>	<p><i>Prospecting activities</i></p>

### 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 submitted for an environmental authorisation.
- b) The information contained in the BAR received by the Department on 27 January 2022.



- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations.
- d) Public Participation Process (PPP) attached to the BAR received on 27 January 2022.

### 3. Key factors considered in making the decision

All information presented to the Department was taken into account in 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) A sufficient PPP was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations.
- b) The environmental impacts associated with the proposed activity will be addressed by the implementation of proposed mitigation measures outlined in the BAR received on 27 December 2022.



### 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 are outlined.
- b) Public Participation Process complied with Chapter 6 of the EIA Regulations. The PPP included, *inter-alia*, the following:
  - On-site notices were placed in English in the vicinity of the proposed project site, Municipality offices, Post Office, gravel road leading to the farms, at the Library;
  - Newspaper advertisement was placed in the local newspaper, "The Streeknuus" on 29 November 2021; and
  - Background Information Document (BID) was sent to Interested and Affected Parties (I&AP) through e-mail and facsimile from 28 October 2021.

## SITE SPECIFIC CONDITIONS

1. This EA only authorises the listed activities specified above, and a new authorisation must be applied for in respect of any new listed activity.
2. No prospecting activities may be undertaken within 100 metres of a watercourse.
3. No protected tree or plant species may be removed without a permit obtained from the relevant authorities.
4. Should any protected tree and/ or plant species be discovered, a buffer of atleast 100 metres must be implemented.
5. Should any historical, cultural, paleontological resources and graves be found in the sites, all construction activities must be suspended and South African Heritage Resources Agency (SAHRA) must be contacted immediately. The discoveries must be cordoned off.
6. Should there be a construction campsite, it must not be located within 100 metres of a watercourse.
7. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal.

## DEPARTMENTAL STANDARD CONDITIONS



### 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 activity, which is authorised herein, may only be carried out at the property indicated in this EA.
- 1.4 In cases where any contact details of the holder of the EA 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.
- 1.6 The holder of the EA must ensure that all areas where the authorised activity occurs have controlled access to ensure safety of people and animals.

## 2 APPEAL OF AUTHORISATION

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

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.

2.2.4 The reasons for the decision and 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 Appeal Regulations, 2014.

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 the:

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.

2.5.5 E-mail address of the holder, if any.

### 3 COMMENCEMENT OF THE ACTIVITY

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 signalling 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 to 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 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.

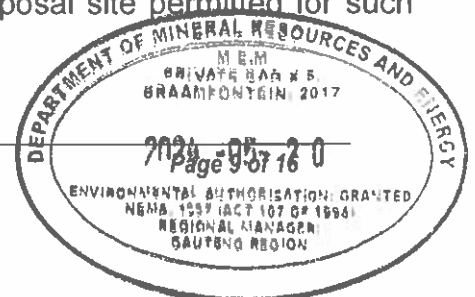
3.8 If any soil contamination is noted at any phase of the development, the contaminated soil must be removed to a licensed waste disposal facility and the site must be rehabilitated. The opportunity for the onsite remediation and re-use of contaminated



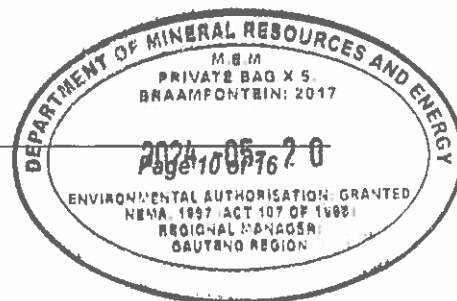


soil must be investigated prior to the disposal and this Department must be informed in this regard.

- 3.9 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), 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 development. It is the responsibility of the holder of EA 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.
- 3.10 Construction vehicles must be serviced and maintained in the manner whereby no excessive smokes are released, noise production is reduced to acceptable levels, and oil leaks are prevented. Contaminated soil must be remediated on site or removed to an authorised landfill site.
- 3.11 Residents (if any) on the property and surrounding areas must be informed if any unusually noisy activities are planned.
- 3.12 Dust suppression measures must be implemented on all exposed surface to minimize and control airborne dust.
- 3.13 Mixing of cement, concrete, paints, solvent, sealants and adhesive, if done on site, 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.
- 3.14 Care must be taken to ensure that the material and excavated soil required for backfilling are free of contamination from hydrocarbons.
- 3.15 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 must be cleared up by removing the spillage together with the polluted solids and dispose it in an authorised disposal site permitted for such waste.



- 3.16 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.
- 3.17 The holder of the 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 the Department of Water and Sanitation prior to the commencement of such activities.
- 3.18 This EA does not purport to absolve the holder of the EA from his or her common law obligations towards the owner of the surface of land affected.
- 3.19 The holder of the EA must ensure that rehabilitation of the disturbed areas caused by the development at all times comply with the approved EMPr.
- 3.20 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.
- 3.21 The holder of the 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 licence is issued in respect of that activity if licence is required.
- 3.22 Should you be notified by the Minister of a suspension of the authorisation pending appeal procedure, you may not commence or continue with the activity until such time that the Minister, in writing, allows you to commence or continue with such activity.
- 3.23 The Department reserves the right to audit and/or inspect the activity without prior notification at any reasonable time and at such frequency as may be determined by the Regional Manager.
- 3.24 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

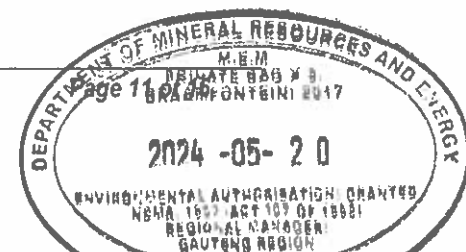


prevented from coming into contact with the waste and must be diverted away from the storage site.

- 3.25 Subject to the commencement and duration requirements of the MPRDA and NEMA, the EA is valid for the period for which the prospecting activity is issued for.
- 3.26 This EA will only be effective on the event that a corresponding prospecting right is granted in terms of the provisions of the MPRDA and the listed activity specified in this EA may not commence without such a right.
- 3.28 The activity, including site preparation, may 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 authorisation is suspended until such time that the appeal is finalised.
- 3.29 Should there be any conflicting conditions between this EA and other approval granted by other authorities, it is upon the holder of the EA to bring it to the attention of the Department for resolution.

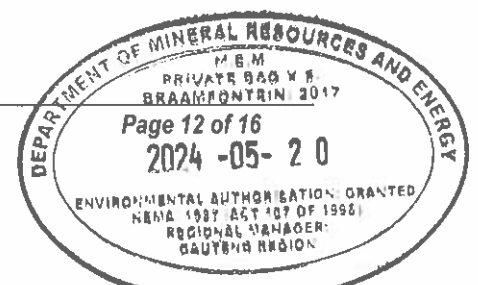
#### 4. MANAGEMENT OF ACTIVITY

- 4.1 A copy of the EA and EMPr must be kept at the property or on site office where the activity will be undertaken. The EA and EMPr must be produced to any authorised officials of the Department who request to see such documents and must be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work on site.
- 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.
- 4.5 A buffer zone of 100 metres between the activity and the residential areas, cemeteries or burial grounds must be clearly demarcated and maintained.
- 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 non-recyclable waste are disposed of at a waste management facility licensed to handle such wastes and all recyclable waste



are collected by licensed waste management recyclers for recycling, reuse or treatment.

- 4.8 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.
- 4.9 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 the NEMA.
- 4.10 Should it be discovered or come to the attention of the Department that the EA has been obtained through fraud, non-disclosure of information or misrepresentation of a material fact, the Department will suspend the EA in terms of the provisions of regulation 38(1) of the EIA Regulations.
- 4.11 The holder of the EA must ensure that the names and contact details of an ECO is made available to the Regional Manager within 30 days of commencement. The holder of the EA must also ensure that the ECO is always available on site to ensure that the activity complies with the issued EA and approved EMPr at all times.
- 4.12 The ECO must:
- 4.13.1 Keep and maintain a detailed incidents register (including any spillages of fuels, chemicals or any other material).
  - 4.13.2 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.
  - 4.13.3 Keep records relating to monitoring and auditing on site and avail them for inspection to any relevant authorised officials.
  - 4.13.4 Keep copies of all environmental reports submitted to the Department.
  - 4.13.5 Keep the records of all permits, licences and authorisations required by the operation.
  - 4.13.6 Compile a monthly monitoring report and make it available to the Department if requested.
- 4.13 The duties and responsibilities of the ECO do not exempt the holder of the EA from the legal obligations in terms of the NEMA and NEMWA.



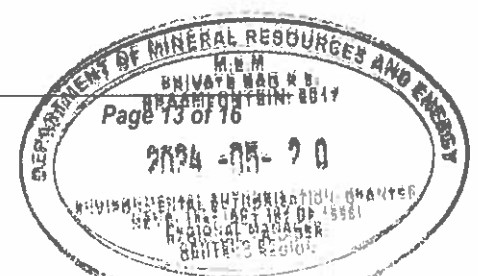
- 4.14 The footprint of the activity must be limited on the areas authorised for the actual construction works and operational activities and all areas outside of the footprint must be regarded as a "no go" areas.
- 4.15 Erosion and soil loss must be prevented by minimizing the construction site exposed to surface water run-off. Where necessary erosion stabilizing action such as gabions or re-vegetation must be implemented to prevent further habitat deterioration.
- 4.16 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 minimise the risk involved. Records of training and verification of competence must be kept by the holder EA.
- 4.17 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 submit and Environmental Audit Report to this Department biennially and such report must be done by qualified Environmental Assessment Practitioner. The audit report must specify the following:

- 5.1.1 Identify and assess any new impacts and risks as a result of undertaking the activity, if applicable;
- 5.1.2. Identify shortcomings in the EMP, if any;
- 5.1.2 Identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMPr;
- 5.1.3 If applicable, specify that the corrective action/s taken for the previous audit's non-conformities, were adequate;
- 5.1.4 Specify the name of the auditor and
- 5.1.5 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) of the EIA Regulations be identified, the holder must submit recommendation to amend the EMPr in order to rectify any shortcomings identified with the aforementioned audit report.



- 5.3 Any complaint received from the I&APs during all phases of the operation must be attended to as soon as possible and addressed to the satisfaction of all concerned 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 in terms of section 24P of the 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 above, 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 –
- 5.6.1.1 Correct the impact resulting from the incident;
  - 5.6.1.2 Prevent the incident from causing any further impact; and
  - 5.6.1.3 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, this Department 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 to the site to prevent unauthorised entry. Signs indicating the risks involved in unauthorised entry must be displayed at each entrance.

## 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 audit and after each emergency and or major accident. The plan must, amongst others, include:
- 7.1.1 Site Fire
  - 7.1.3 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 the 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. DECOMMISSIONING



9.1 Decommissioning of individual activities must comply with the EIA Regulations.

## 10. SITE CLOSURE

10.1 The holder of EA must apply for a closure certificate in terms of Section 43 of the MPRDA within 180 days of occurrence of lapsing, abandonment, cancellation, cessation, relinquishment and completion of development.

10.2 The application for a closure certificate indicated above must be submitted together with all relevant documents as indicated in Section 43 of MPRDA.

10.3 The holder of the 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 certain portion of financial provision for residual, health or environmental impacts that might be known in future.

10.4 The holder of the EA must only make use of indigenous vegetation for rehabilitation purposes.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the EA, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998, and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The authorisation is accordingly granted.

Kind Regards



REGIONAL MANAGER: MINERAL AND PETROLEUM REGULATION  
GAUTENG REGION

DATE: 28/05/2024

