



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

Private Bag X 9, Rogge Bay, 8012, Tel: 021 427 1000, Fax: 021 427 1046
9th Floor Atterbury House, Corner Riebeeck and Lower burg Street, Cape Town, 8001

Enquiries: Ms S.S Mothodini Ref: WC30/5/1/3/2/10086MP

E-Mail Address: Sonia.mothodini@dmr.gov.za

Sub-Directorate: Mine Environmental Management

BY HAND

Sipho Sea Products (Pty) Ltd
1 Orton Street
GANSBAAI
7220

Attention: Mr. C.Loubser

Fax no: (023) 231 1005

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NEMA) AS AMENDED, AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 FOR SAND MINING ON PORTION 30 OF THE FARM KLIP FONTEYN 711 IN CALEDON MAGISTERIAL DISTRICT

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

In terms of regulation 4 (2) of the Environmental Impact Assessment Regulations of 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 Environmental Affairs and a copy of such appeal to the Department of Mineral Resources (Western Cape Regional Office), within 20 days from the date of notification, and such appeal must be lodged as prescribed in Chapter 2 of the National Appeal Regulations of 2014, by means of the methods as prescribed below:

Appeal to the Department of Environmental Affairs

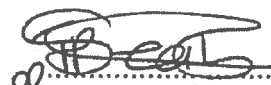
Attention : Directorate Appeals and Legal Review
Email : appealsdirector@environment.gov.za
By post : Private Bag X 447, **PRETORIA**, 0001
By hand : Environmental House, Corner Steve Biko and Soutpansberg Street, Arcadia, **Pretoria**,
0083

Copy of the lodged appeal to the Department of Mineral Resources

Attention : Regional Manager: Western Cape Region
By facsimile : (021) 427 1046
E-mail : Duduzile.kunene@dmr.gov.za
By post : Private Bag X 9, **ROGGE BAY**, 8012
By hand : 9th Floor Atterbury House, Corner Riebeeck and Lower burg 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


.....
P REGIONAL MANAGER: MINERAL REGULATION
WESTERN CAPE REGIONAL OFFICE
DATE: 03/05/2016



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

Private Bag X 9, Rogge Bay, 8012, Tel: 021 427 1056, Fax: 021 427 1046
9th Floor Atterbury House, Cnr Riebeeck Street and Lower burg, Cape Town, 8001

ENVIRONMENTAL AUTHORISATION

Reference number:	WC30/5/1/3/2/10086 MP
Last amended:	First issue
Holder of authorisation:	Sipho Sea Products (Pty)Ltd
Location of activity:	Portion 30 of the Farm Klip Fonteyn 711

DECISION

ACRONYMS

NEMA:	The National Environmental Management Act, 1998 (Act 107 of 1998), as amended
DEPARTMENT:	Department of Mineral Resources.
EA:	Environmental Authorisation.
EMPr:	Environmental Management Programme
BAR:	Basic Assessment Report
I&AP:	Interested and Affected Parties
ECO:	Environmental Control Officer
HWC:	Heritage Western Cape
SAHRA:	South African Heritage Resources Agency
EIA REGULATIONS:	EIA Regulations, 2014
MPRDA:	Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
EIA:	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"** and **2** of this environmental authorisation.

ACTIVITY APPLIED FOR

By virtue of the powers conferred on it by NEMA, the Department hereby Grants an Environmental Authorization to **Sipho Sea Products (Pty) Ltd** with the following contact details –

Mr.C.Loubser
1 Orton Street
GANSBAAI
7220

Tel no: (082) 556 9677

Fax no: (023) 231 1005

to undertake the following activities listed in the NEMA EIA Regulation.

NEMA: LISTED ACTIVITIES:**Listed in the EIA Regulations R. 983 of 2014 as:-**

Activity 21- "Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002(Act No. 28 of 2002), including associated infrastructure ,structures and earthworks, directly related to the extraction of a mineral resources , 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 28 of 2002)".

Activity 22-"The decommissioning of any activity requiring a closure certificate in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No.28 of 2002); or a prospecting right, mining permit, production right or exploration, where the throughput of the activity has reduced by 90% or more over a period of 5 years excluding where the competent authority has in writing agreed that such reduction in throughput does not constitute closure".

Activity 27-"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for -"

- (i) the undertaking of a linear activity; or
- (ii) maintenance purposes undertaken

Listed in the EIA Regulations R. 985 of 2014 as:-

Activity 12-"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan".

The proposed sand mining area is situated on portion 30 of the farm Klip fonteyn 711 in Overstrand Local Municipality, Caledon Magisterial District. The proposed mining area is situated on land that is currently zoned as Agricultural. Clearing of overburden and stockpiling of topsoil using a bulldozer, loading of sand into trucks using Front end Loader. The total extent of the proposed mining permit area is 4.72 ha and it is divided into 5 mining blocks. Only one block at a time to the extent of 0.9ha at any one time will be cleared and mined. Mining of sand will be conducted concurrently with rehabilitation and the phase will be rehabilitated before mining progresses to the next phase.

Detailed specifications of the activity are as follows:

Proposed mining permit activities details are as follows:				
The proposed sand mining area is situated on Agricultural land.				
Clearing of overburden and stockpiling of topsoil using a bulldozer, loading of sand into trucks using Front end Loader.				
The total extent of the proposed mining permit area is 4.72 ha and it is divided into five (5) mining blocks.				
Only one block at a time to the extent of 0.9ha at any one time will be cleared and mined.				
The site will be accessed directly from public road.				
Topsoil -300m depth to be removed.				
Coordinate system/s				
Y & X-WG21(m)				
Lat &Long-WGS84 Decimal Degrees				
ID	Y	X	Latitude(S)	Longitude (E)
A	-32323.46	3830623.08	-34.603736	19.35239
B	-32510.11	3830761.55	-34.604384	19.354428
C	-32570.82	3830787.56	-34.604616	19.355091
D	-32550.61	3830922.22	-34.605829	19.354876
E	-32248.33	3830870.82	-34.605377	19.351578

The 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 reports for the above development submitted as part of the application for an EA is hereby approved and must be adhered to throughout the life cycle of the operation.

EA SITE SPECIFIC CONDITIONS

1. Mining of sand must be conducted in accordance to the approved Final Basic Assessment Report and Environmental Management Plan and the attached mine layout plan.
2. Visible semi-permanent markers must be placed along the boundaries of the approved mining area before any mining activity commences.
3. 300mm of top soil must be stripped before extraction of sand commences and stockpiled to be used during rehabilitation of the mined area.
4. The holder of the EA must control dust from the mining area and access road to acceptable standards.
5. Alien vegetation must be cleared and rehabilitation must be done in such a way that the area may retain to its natural state.
6. Access to the mining area must be through existing access roads to the farm and no new access road with sole purpose of accessing the mining area must be constructed.
7. Stockpiling of sand must not take place in the mining area and the sand must immediately be hauled away after mining.
8. The final perimeter slopes must be rehabilitated to a slope not steeper than 1:3.

9. The mining activities must substantially comply with the environmental management programme prepared by Ms Olivia Braaf of Braaf Environmental Practitioners dated 05 November 2015.

ANNEXURE 1: REASONS FOR THE DECISION

1. Background

Sipho Sea Products (Pty) Ltd submitted an application for EA for activities listed in the EIA Regulations and of 2014 as:

Listed in the EIA Regulations R. 983 of 2014 as:-

Activity 21- "Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002(Act No. 28 of 2002), including associated infrastructure ,structures and earthworks, directly related to the extraction of a mineral resources , 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 28 of 2002)".

Activity 27-"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for -"

- (i) the undertaking of a linear activity; or
- (ii) maintenance purposes undertaken

Listed in the EIA Regulations R. 985 of 2014 as:-

Activity 12-"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan".

Sipho Sea Products (Pty) Ltd appointed Olivia Braaf of Braaf Environmental Practitioners to undertake the Basic Assessment Report Process as required by EIA Regulations, 2014.

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 received by the department on June 2015;
- b) The information contained in the FBAR received by the Department on 05 November 2015;
- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations of 2014;
- d) Public Participation Process (PPP) attached as Appendix 2 of the Final Basic Assessment Report;
- e) Locality Maps attached to the Final Basic Assessment Report;
- f) Mine plans attached to the Final Basic Assessment Report;
- g) The findings of site inspection conducted by Ms Sonia Mothodini of this Department and Mr Albert de Wit representing the Applicant, on 25 February 2016.

3. 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 outlined.
- b) The findings of site inspection conducted by Ms Sonia Mothodini of this Department and Mr Albert de Wit representing the Applicant, on 25 February 2016.
 - The proposed project is within the transformed area and is surrounded by natural vegetation.
 - The site is accessed through an existing access road to the farm.
 - No heritage features were observed.
- c) Public Participation Process complied with Chapter 6 of the EIA Regulations R.982. The PPP included, *inter-alia*, the following:
 - A newspaper advertisement was placed in the local newspaper "Hermanus times" on 25 June 2015;
 - Notices were placed on fenced boundary at farm entrance off van Dyk street;
 - Notices were sent to all key stakeholders and the registered interested and affected parties;
 - The interested and affected parties received the written notices and comments and issues raised by interested and affected parties were adequately addressed in the Final Basic Assessment Report.

ANNEXURE 2: DEPARTMENTAL STANDARD CONDITIONS

1 SCOPE OF AUTHORISATION

- 1.1 The holder of EA must 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, must only be carried out at the property indicated in the EA and or on the approved EMPr.
- 1.4 Where 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 responsibility of the holder to comply with any other statutory requirements that may be applicable to the undertaking of such activities.
- 1.6 The holder of EA must ensure that all areas where the authorised activity occur have controlled access to ensure 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:
- 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 Departmental Standard Conditions in Annexure 2.
- 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.
- 2.5 Provide the registered I&APs with:
 - 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;
 - 2.5.5 Telephonic and fax details of the holder and
 - 2.5.6 E-mail address of the holder if any.

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 mining 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 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 Mining 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 on 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 Mining 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 proposed activity, 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.
- 3.9 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 areas and open space.
- 3.10 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 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.
- 3.11 Mining vehicle must be serviced and maintained in the manner whereby no excessive smokes and 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.
- 3.12 Residents (if any) on the property and surrounding areas must be informed if any unusually noisy activities are planned.
- 3.13 Dust suppression measures must be implemented on all exposed surface to minimize and control airborne dust.
- 3.14 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.
- 3.15 Care must be taken to ensure that the material and excavated soil required for backfilling are free of contamination from hydrocarbons.
- 3.16 Hydraulic fluid 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.
- 3.17 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.
 - 3.18 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.
 - 3.19 The holder of EA must ensure that rehabilitation of the disturbed areas caused by operation 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 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.
 - 3.22 Should you be notified by the Minister of a suspension of the authorisation 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.
 - 3.23 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.
 - 3.24 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 for the listed Mining activity is valid for the period for which the aforesaid Permit is granted provided that this activity must commence within 10 years. If the commencement of the proposed activity does not occur within the specified period, the EA lapses and a new application for EA in terms of the NEMA and the EIA Regulations should be made for the activity to be undertaken.
 - 3.26 This EA will only be effective on the event that a corresponding Permit is issued in terms of MPRDA as amended and none of the activities listed in this EA may commence without permit.
 - 3.27 The listed activity, 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 authorisation is suspended until such time as the appeal is decided.
 - 3.28 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 activities 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 Regular monitoring and maintenance of storm water drainage facilities must be conducted at all times, if damaged as directed by the Department or any other relevant authority.
- 4.4 The holder of the EA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.
- 4.5 The holder of the EA must ensure that all non-recyclable waste are disposed of at waste management facilities licenced to handle such wastes and all recyclable waste are collected by licenced waste management facilities for recycling, reuse or treatment.
- 4.6 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.
- 4.7 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 to the aforesaid 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 EMPr.
- 4.8 Rehabilitation of the disturbed surface caused by operation at all times must comply with the approved EMPr.
- 4.9 The Holder of EA must ensure that the name and contact details of the ECO is made available to the Regional Manager within 30 days of commencement. The holder of EA must also ensure that an ECO is always available on site to ensure that activities at all times comply with the issued EA and approved EMPr.
- 4.10 The ECO must:
 - 4.10.1 Keep and maintain a detailed incidents register (including any spillages of fuels, chemicals or any other material)
 - 4.10.2 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.
 - 4.10.3 Keep records relating to monitoring and auditing on site and avail them for inspection to any relevant authorised officials.
 - 4.10.4 Keep copies of all environmental reports submitted to the Department.
 - 4.10.5 Keep the records of all permits, licences and authorisations required by the operation.

- 4.10.6 Compile a monthly monitoring report and make it available to the Department if requested.
- 4.11 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.
- 4.12 The footprint of the activities 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.
- 4.13 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.
- 4.14 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.
- 4.15 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:
- 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 EMP/closure plan are adhered to;
 - 5.1.2 The audit report must be in accordance to 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 EMP/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 EMP;
 - 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 EMP/closure plan in order to rectify any shortcomings identified with the aforementioned audit report.
- 5.3 Any complaint received from the I&AP during all phases of the operation must be attended to as soon as possible and addressed to the satisfaction of all concerned interested and affected 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 submitted in terms of section 24P of 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, 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 Correct the impact resulting from the incident;
 - 5.6.2 Prevent the incident from causing any further impact; and
 - 5.6.3 Prevent a recurrence of a similar incident.
 - 5.6.4 In the event that measures have not been implemented within 21 days of the incident referred to in condition 5.5, 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 effective access control on the site to reasonably prevent unauthorised entry. Signs indicating the risks involved in unauthorised entry must be displayed at each entrance.
- 6.2 Weather proof, 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 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, 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 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 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;
- 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 EMP/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 activity/ies 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: 2016/05/13



TP- A Theart
(S id merwe)

OVERSTRAND MUNICIPALITY
P.O. Box 20
HERMANUS
7200

Date:
09.10.2015

Enquiries:
Ms Lianne Muller
Tel: 021 980 3023
Fax: 021 980 3053

Attention: Ilze le Roux

PORTION 30 OF THE FARM KLIPFONTEYN NO. 711, DIVISION CALEDON: APPLICATION FOR CONSENT USE: F J C CONSULTING
YOUR REF: PTN 30/711 GRCA (2924)
OUR REF: 03131/15

Your request dated 09 October 2015 refers.

1. Eskom Distribution has no objection to the proposal and would like to comment as follows:
 - (i) The proposed construction, is not affected by Eskom services and should be referred to the Local Authority
2. **NOTE:** (i) Not in Eskom area of supply as confirmed by our Geographic mapping office.

Yours faithfully

pp.

LIANNE MULLER
LAND DEVELOPMENT - BRACKENFELL

FILE NO:	PTN 30/711
SCAN NO:	27
COLLABORATOR NO:	847254

Western Region
Eskom Road Brackenfell 7560 PO Box 222 Brackenfell 7561 SA

Eskom Holdings SOC Limited Reg No 2002/015527/30





**Western Cape
Government**

Agriculture



Cor Van Der Walt
LandUse Management
Email: LandUse.Elsenburg@elsenburg.com
tel: +27 21 808 5099 fax: +27 21 808 5092

OUR REFERENCE : 20/9/2/4/2/561
YOUR REFERENCE : Ptn 30/711 GR CAL (2924)
ENQUIRIES : Cor van der Walt

*TR- A Theart
(S Jd Merwe)*

Overstrand Municipality
PO Box 20
HERMANUS
7200

FILE NO:	Ptn 30/711
SCAN NO:	34
COLLABORATOR NO:	873147

Att: S van der Merwe

**PROPOSED CONSENT USE: DIVISION CALEDON
PORTION 30 OF THE FARM KLIPFONTEYN NO 711**

Your application of 09 October 2015 has reference.

The Western Cape Department of Agriculture has no objection to the proposed sand mine on above mentioned property with the following conditions:

- Put all measures in place to ensure proper post-mining rehabilitation of affected areas to as close to the original condition as possible;
- Limit the visual impacts associated with mining;
- Be careful not to damage agricultural infrastructure
- Allow day to day farming activities to continue unrestricted.

Please note:

- Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely


A. ASIROUX Pr Eng

DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT

2016-01-11

Copies:

FJC Consulting

PO Box 7434

ROGGEBAAL

8012

Department of Environmental Affairs & Development Planning

1 Dorp Street

CAPE TOWN

8001



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X120, Pretoria, 0001
Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

From: Directorate Land Use and Soil Management
Tel: 012-319-7634 Fax: 012-329-5938 E-mail: NhlakaD@daff.gov.za
Enquiries: Helpdesk Ref: 2015_10_0230

Director: Infrastructure and Planning
Overstrand Municipality
P.O. Box 20
HERMANUS
7200

Attention: S. Muller

APPLICATION FOR CONSENT USE ON PORTION 30 (PORTION OF PORTION 6) OF THE FARM KLIPFONTEYN NO. 711, DIVISION CALEDON, WESTERN CAPE PROVINCE

Your letter bearing reference Ptn 30/711 GRCAL(2924) dated 09 October 2015 refers.

This department has no objection against the proposed consent use for a sand mine on a portion measuring approximately 4, 72 hectares from an agricultural point of view.

The comment does not exempt the property from the provisions of any other law, with special reference to the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) and does not purport to interfere with the rights of any person who may have an interest in the agricultural land.

It is trusted you find the decision in order.

Yours faithfully

DR M E TAU

**DEPUTY DIRECTOR GENERAL: FORESTRY AND NATURAL RESOURCES MANAGEMENT
DELEGATE OF THE MINISTER**

DATE: 04.04.2016



TP - A Theart
(S vld merke)

FILE NO: Ptn 30/711
SCAN NO: 14
COLLABORATOR NO: 903409

CC: Land Use and Soil Management P.O.Box 380 BELLVILLE 7535
CC: Mr Brandon Layman Landuse Management Department of Agriculture: Western Cape Private Bag x 1 ELSENBURG 7607



ROAD NETWORK MANAGEMENT
Email: Grace.Swanepoel@westerncape.gov.za
tel: +27 21 483 4669
Rm 335, 9 Dorp Street, Cape Town, 8001
PO Box 2603, Cape Town, 8000

REFERENCE: 16/9/6/1-28/72 (Job 16789)

ENQUIRIES: GD Swanepoel

DATE: 25 August 2016

The Municipal Manager
Overstrand Municipality
PO Box 20
HERMANUS
7200

Attention: Ms A Calitz

Dear Madam

PORTION 30 OF FARM 711, CALEDON: CONSENT USE APPLICATION FOR A SAND MINE

1. Your e-mail received on 4 July 2016 refers.
2. The subject property is located in the Gansbaai area and takes access off Divisional Road 1214 at \pm km 1.15.
3. This application is for Consent Use in order to operate a sand mine on 4.72ha.
4. This Branch offers no objection to the Consent Use application in terms of the Land Use Planning Act, No 3 of 2014 subject to the hard-surfacing of the access at \pm km 1.15 off Divisional Road 1214 and the provision of a hard-surfaced shoulder to accommodate the vehicles turning left into the facility.
5. All designs are to be submitted to the Design Directorate (Ms M Hofmeyr 021 483 3999) of this Branch for final approval.

Yours faithfully

ML WATTERS
For **CHIEF DIRECTOR: ROAD NETWORK MANAGEMENT**

3 [AUG 2016

ENDORSEMENTS

1. Overstrand Municipality

Attention: Ms Alida Calitz (e-mail: alida@overstrand.gov.za)

2. Mr ML Watters (e-mail)

3. Mr F Fakier (e-mail)

4. Planning Section