



mineral resources & energy

Department:
Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag X 09, Roggebaai, 8012, Tel: 021 427 1000, Fax: 021 427 1046
44 Strand Street, MAP House, 7th Floor, Cape Town, 8012

Enquiries: Willy van Breda **EAPASA:** Registration No. 2021/4134

E-Mail Address: willry.vanbreda@dmre.gov.za **Ref:** (WC) 30/5/1/1/3/2/1 (10454) PR

Sub-Directorate: Mine Environmental Management

Fish By The Sea (Pty) Ltd
PO Box 8037
Elandsfontein
1406

Attention: Charl van Wyk
Email: charl@talentpac.com
Cc email: bernard@enviroafrica.co.za

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NEMA) AS AMENDED, AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 AS AMENDED FOR A PROSPECTING RIGHT APPLICATION FOR DIAMONDS (ALLUVIAL), DIAMONDS (GENERAL) AND DIAMONDS ON A PORTION OF PORTION 4 OF FARM RIETFONTEIN EXTENSION 151, PORTION OF PORTION 4 OF FARM GRAAUWDUINEN 152 INCLUDING THE ADJACENT SURFZONE UP TO THE LOW WATER MARK BUT EXCLUDING THE AREA 31.49 METERS BELOW THE LOW WATER MARK, SITUATED IN THE MAGISTERIAL DISTRICT OF VAN RHYNSDORP: WESTERN CAPE REGION

With reference to the above-mentioned 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 the 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, 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:

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Appeal to the Department of Forestry, Fisheries and the Environment

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

Please provide a copy of the lodged appeal to the Department of Mineral Resources & 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 : 44 Strand Street, MAP House, 7th Floor, Cape Town, 8012

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 Forestry, Fisheries and the Environment.

Kind Regards

.....
REGIONAL MANAGER: MINERAL REGULATION
WESTERN CAPE REGIONAL OFFICE
DATE: *6/1/2025*

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mineral resources & energy

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Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag X 09, Roggebaai, 8012, Tel: 021 427 1000, Fax: 021 427 1046
44 Strand Street, MAP House, 7th Floor, Cape Town, 8012

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 A PROSPECTING RIGHT FOR DIAMONDS (ALLUVIAL), DIAMONDS (GENERAL) AND DIAMONDS

Reference number:	(WC) 30/5/1/1/3/2/1 (10454) PR
Last amended:	First issue
Holder of authorisation:	Fish By The Sea (Pty) Ltd
Location of activities:	A portion of portion 4 of farm Rietfontein extension 151, portion of portion 4 of farm Graauwduinen 152 including the adjacent surfzone up to the low water mark but excluding the area 31.49 meters below the low water mark, Van Rhynsdorp Magisterial District, Western Cape

DECISION

ACRONYMS

BAR:	Basic Assessment Report
DEPARTMENT:	Department of Mineral Resources & Energy
ECO:	Environmental Control Officer
EA:	Environmental Authorisation
EIA:	Environmental Impact Assessment
EIA REGULATIONS:	EIA Regulations, 2014
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.

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ACTIVITY APPLIED FOR

By virtue of the powers conferred on it by NEMA, the Department of Mineral Resources & Energy hereby **grants** an Environmental Authorisation (EA) to **Fish By The Sea (Pty) Ltd** to undertake the following activities listed in the NEMA EIA Regulations with the following contact details:

Fish By The Sea (Pty) Ltd
PO Box 8037
Elandsfontein
1406

Attention: Charl van Wyk
Email: charl@talentpac.com
Cc email: bernard@enviroafrica.co.za

Listed Activities Authorised	Activity and/or project description
<p>Activity 20 of Listing Notice 1 (Government notice No. R 983 of 2014 (as amended): <i>Any activity including the operation of that activity which requires a prospecting right in terms of section 16 of the MPRDA, as well as any other applicable activity as contained in this Listing Notice or Listing Notice 3 of 2014 required to exercise the prospecting right.</i></p> <p>Activity 19 of Listing Notice 2 (Government notice No. 984 of 2014 (as amended): <i>The removal and disposal of a mineral, which requires a permission in terms of section 20 of the MPRDA, as well as any other applicable activity as contained in Listing Notice 2, in Listing Notice 1 of 2014 or Listing Notice 3 of 2014, required to exercise the permission.</i></p>	<p>The development proposal entails prospecting and bulk sampling for alluvial diamonds. The total prospecting area will be within an area of about 121ha. This requires a prospecting right.</p> <p>This operation is for the removal and disposal of bulk samples of minerals. Total footprint of all Bulk samples ± 18ha. Total volume of all bulk samples for immediate backfill is about 270 0000m³.</p>

The holder is hereby authorised to undertake the following prospecting activities:

- Existing access road to the site and existing farm roads on site will be used for prospecting activities and no new roads will be constructed.
- No water will be extracted.
- No secondary processing plant and services will be developed on the prospecting site.
- A temporary equipment laydown area will be developed at one of the informal campsites used for recreational activities. This is also the area where the earth moving equipment will be parked when not in use and will include secured storage (containerized storage) area and a mobile chemical toilet.
- Fuel will be contained in a mobile bowser provided with a bunded parking area.
- The closure objectives for the proposed prospecting activities would entail rehabilitating the proposed site as much as possible to a state resembling the state of the site before the proposed prospecting activities commenced with.

Description of planned non-invasive activities:

Phase 1: Literature Study Imagery Analysis Geological Mapping Geophysical Survey

Description of planned invasive activities:

Decision for Granting of an Environmental Authorisation: Ref No WC 30/5/1/1/3/2/1(10454) PR Page 4 of 16

APPROVED

Phase 2: Preliminary evaluation - Prospecting pits

- Pit development will be the same as for trench development (Bulk Sampling) but on a much smaller scale and it is anticipated that 16 such pits will be developed.
- Pits will be backfilled immediately for security and safety reasons before the project moved to the next pit position.
- Pits will each be maximum of 5.0m long and 2.0m wide (10m²).
- Topsoil to a depth of 50cm will be stockpiled separate from overburden.
- Depth of overburden will be 5m and will be stockpiled separate from topsoil.
- Depth of gravel will be 1m which will be logged and photographed.
- Total depth of a prospecting pit will be 6.5m below surface.
- Footprint per pit including 3m bench will be 11m long x 8m wide (88m²).

Phase 3: Bulk sampling (Trenches)

- There will only ever be one prospecting trench pit open at any given time.
- A maximum of four prospecting trench pits will be developed.
- Beach sand will be removed to create a berm of average 5m high around the excavation to prevent seawater and waves entering the excavation.
- The depth of a prospecting trench will be 10-15m below surface.
- Footprint per prospecting trench will be 300m long x 150m wide (4.5ha).

Site description and location:

The prospecting activities will only be conducted on:

Portion 4 of the Farm Rietfontein Extension No. 151, Van Rhynsdorp Magisterial District, Western Cape with the Surveyor General Code: C0780000000015100004.

Portion 4 of the Farm Graauw Duinen No. 152152 including the adjacent surfzone up to the low water mark but excluding the area 31.49 meters below the low water mark, Van Rhynsdorp Magisterial District, Western Cape with the Surveyor General Code: C07800000000015200004.

Coordinates of the 16 prospecting pits:

Point	Latitude	Longitude
Prospecting pit 1	31.255619°S	17.860775°E
Prospecting pit 2	31.256553°S	17.861111°E
Prospecting pit 3	31.257136°S	17.861508°E
Prospecting pit 4	31.262731°S	17.865267°E
Prospecting pit 5	31.262886°S	17.860775°E
Prospecting pit 6	31.263347°S	17.865794°E
Prospecting pit 7	31.263836°S	17.866253°E
Prospecting pit 8	31.264319°S	17.866525°E
Prospecting pit 9	31.273153°S	17.872158°E
Prospecting pit 10	31.273753°S	17.872450°E
Prospecting pit 11	31.274278°S	17.872833°E
Prospecting pit 12	31.274706°S	17.873289°E
Prospecting pit 13	31.267475°S	17.879053°E
Prospecting pit 14	31.268500°S	17.879422°E
Prospecting pit 15	31.269133°S	17.879975°E
Prospecting pit 16	31.269736°S	17.879894°E

The coordinates of the 4 prospecting trenches:

Point	Corner 1	Corner 2	Corner 3	Corner 4
Trench 1	31.273345°S 17.871481°E	31.272528°S 17.872895°E	31.275539°S 17.873402°E	31.274822°S 17.874708°E
Trench 2	31.255929°S 17.859907°E	31.255144°S 17.861224°E	31.258203°S 17.861512°E	31.257431°S 17.862826°E
Trench 3	31.262918°S 17.864358°E	31.262198°S 17.865705°E	31.265276°S 17.865987°E	31.264537°S 17.867312°E
Trench 4	31.283954°S 17.878833°E	31.283757°S 17.880088°E	31.286550°S 17.879626°E	31.286158°S 17.881066°E

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 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.

ENVIRONMENTAL AUTHORISATION SITE SPECIFIC CONDITIONS

1. Prospecting activities must be conducted in accordance with the approved Environmental Management Programme and the attached layout plan.
2. Access to the site must be negotiated with the landowners before entering the site.
3. Access to the site must be through existing access roads and farm roads/tracks and the construction of new access roads are prohibited.
4. The number of prospecting pits are limited to 16 in total.
5. The number of prospecting trenches are limited to 4 in total.
6. Trenches must be a minimum of 25m away from the sand dunes on the seaward side.
7. A map containing the approved locations of the prospecting pits and prospecting trenches is attached to this EA.
8. No prospecting activities are permitted during the Easter holiday, school holidays and the December and January holiday period. Rehabilitation of trenches must be completed before those holiday periods start.

ANNEXURE 1: REASONS FOR THE DECISION

1. Key factors considered in making the decision

All the information presented to the Department was taken into account during the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below:

- a) The information contained in the application form uploaded and received by the Department on 31 October 2023. The EA application was acknowledged by this Department on 7 November 2023.

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- b) The Scoping Report (SR) and Plan of Study for the Environmental Impact Assessment was received by the Department on 19 February 2024 and accepted on 4 April 2024.
- c) A Regulation 19(b) extension was requested by the applicant on 23 July 2024 and it was accepted by the Department on 24 July 2024. The new due date for the submission of the final EIA & EMPR was 12 September 2024.
- d) The information contained in the EIA & EMPR received by this department on 11 September 2024 and acknowledged by the Department on 26 September 2024.
- e) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the NEMA EIA Regulations.
- f) The environmental impacts associated with the proposed activities outlined in the EIA & EMPR will be addressed through the implementation of the proposed mitigation measures outlined in the EMPR compiled by Bernard de Witt from EnviroAfrica.
- g) Public Participation Process Report (PPP) as enclosed within the EIA & EMPR. The Public Participation Process (PPP) that was undertaken by the applicant 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 the concerns raised by the I&APs and the Authorities that are relevant to this prospecting application were addressed by the Applicant in the EIA & EMPR.
- h) Underwater Heritage Impact Assessment attached to the EIA & EMPR as Appendix 9.
- i) Palaeontological Impact Assessment attached to the EIA & EMPR as Appendix 10.
- j) Marine Ecology Impact Assessment attached to the EIA & EMPR as Appendix 11.
- k) Botanical-Biodiversity Assessment attached to the EIA & EMPR as Appendix 12.
- l) The Applicant was requested 19 November 2024 to provide the financial provision for the management of environmental impacts. The applicant complied with Section 24P of the National Environmental Management Act, 1998 (Act 107 of 1998) and provided the financial provision for the management of environmental impacts on 3 December 2024.
- m) Comments received from the Principal Inspector of Mines, CapeNature, Department of Forestry, Fisheries and the Environment, Matzikama Local Municipality, Western Cape Department of Agriculture.

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 were outlined.
- b) The need and desirability of the project was clearly addressed.
- c) The proposed site is zoned for Agriculture, but no agricultural activities take place thereon. The proposed site is instead used informally by kelp collectors and by campers that set up informal recreational campsites. The areas inland from the proposed site are used as range for livestock to graze.

- d) Public Participation Process complied with Chapter 6 of the 2014 EIA Regulations R.982 as amended by (GN 326). The PPP included, *inter-alia*, the following:
- A newspaper advertisement was placed in the local newspaper Ons Kontrei on 13 January 2024.
 - Site notice boards were placed on the entrance gates to the property for the public participation process.
 - The draft Scoping Report was sent to I&APs for comments via e-mail on 16 January 2024 and it was also available on the EnviroAfrica website.
 - The draft EIA & EMPR was sent to I&APs for comments via e-mail on 20 June 2024 and it was also available on the EnviroAfrica website.
 - The revised draft EIA & EMPR was sent to I&APs for comments via e-mail on 8 August 2024 and it was also available on the EnviroAfrica website.
 - Proof of consultation and comments received from the I&APs is included in the EIA & EMPR.
 - Comments and issues raised by I&APs and relating to the prospecting application were adequately addressed in the EIA & EMPR.
- e) The Principal Inspector of Mines had no issues relating to health and safety.
- f) The applicant submitted a Development Application form to the South African Heritage Resources Agency (SAHRA) on 27 August 2024. SAHRA to date has not provided any comments.
- g) Underwater Heritage Impact Assessment confirmed that there are no definite wrecks within the proposed prospecting area. There are six wrecks that may possibly be within Concession 11A. One is a modern wreck, dating to 1953. While the wreck is officially protected by the NHRA, as it is older than 60 years, it has a low heritage significance. Two date from 1870 and 1890 and also have a low significance. There are reports of a search for a shipwreck in Namaqualand in 1739, ergo the three missing VOC ships from 1739 are included here. These could be anywhere on this coast and without more information, the area or even the existence of the wrecks cannot be verified. There is a very low possibility that impacts to underwater heritage could occur through the proposed development. The present report finds that the project is feasible, so long as the stipulated management (mitigation) measures are applied
- h) Palaeontological Impact Assessment confirmed that there are no known outcrops of sensitive fossiliferous strata in the proposed area that require protection as NO-GO areas. It is recommended that a requirement to be alert for fossil bones and archaeological shipwreck material which may be uncovered during the prospecting be included in the Environmental Management Programme (EMPR) for the proposed prospecting operations. In the event of such discoveries the Fossil Finds Procedure provided below, for incorporation into the Environmental Management Programme for the proposed prospecting, must be followed.
- i) Marine Ecology Impact Assessment stated that impacts to the intertidal and shallow subtidal marine biota are highly localised and effects would be transient with all impacts being fully reversible over the short-term. Furthermore, as diamond mining operations have been ongoing along this section of the coast for decades, the proposed sampling area cannot be considered particularly "pristine".

High safety standards and good house-keeping must form an integral part of any operations on the shore from start-up, including, but not limited to:

- drip trays and bunding under all vehicles and equipment on the shore where losses are likely to occur;
- no vehicle maintenance or refuelling on shore;
- accidental diesel and hydrocarbon spills to be cleaned up accordingly;
- collect and dispose polluted soil at appropriate bio-remediation sites.

Initiate infilling of individual sampling holes on completion of sampling at that site. This should involve back-filling excavations using excess sediments and discards and restoring the beach profile to that resembling the pre-sampling situation.

- j) Botanical-Biodiversity Assessment stated that there are None of the threatened or sensitive plant species (Species of Conservation Concern) were found during the survey. The probability of the occurrence of such species of conservation concern may be confirmed by a survey in a different season. However, the dunes would hardly be affected so impact on SCC would be negligible. Another survey is thus not warranted.

The screening tool grossly overestimates the sensitivity indicating that it is very highly sensitive. The observations in this study indicate that the biodiversity has Medium sensitivity as for the botanical sensitivity above.

No mammals and reptiles were directly observed, but there are indications that mammals frequent the dunes and from time-to-time the beaches.

The birds frequenting the littoral zone of the beaches would be negatively impacted by the bulk sampling operation, however, they are mobile and would probably temporarily avoid areas where the prospecting is taking place.

No dung beetles were found and only one butterfly species, *Vanessa cardui* (cosmopolitan). These species would not be affected by the prospecting.

Entry into and exit from the beach environment would be through a few access points in the dunes. These routes must be adhered to and no further entry and exit points established.

No activities should be allowed in the dune-field. The prospecting and other activities must be strictly limited to the beach environment.

ANNEXURE 2: DEPARTMENTAL STANDARD CONDITIONS

1 SCOPE OF AUTHORISATION

- 1.1 The holder of the 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 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 authorisation in terms of the EIA Regulations as amended.

- 1.3 The activities, which are authorised must only be carried out at the property indicated in the EA and the approved EMPr.
- 1.4 When any of the holders 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 activities occur 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 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;
 - 2.5.4 Telephonic and fax details of the holder and
 - 2.5.5 E-mail address of the holder if any.

3 COMMENCEMENT OF THE 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 Hauling routes for prospecting vehicles and machinery must be clearly marked and appropriate signaling must be posted to that effect. Furthermore, movement of vehicles and machinery must be restricted to the approved prospecting area.

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- 3.4 Appropriate notification sign must be erected at the prospecting site, warning the public (residents, visitors etc.) about the hazard around the prospecting area and presence of vehicles and machinery.
- 3.5 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.
- 3.6 An integrated waste management approach that is based on waste minimization (waste management hierarchy) must be implemented and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate. Ensure that no refuse generated in the mining area is placed, buried, dumped or deposited on the adjacent properties or public places and open space.
- 3.7 In terms of sections 28 and 30 of NEMA, 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.
- 3.8 Vehicles and machineries must be serviced and maintained in the manner whereby excessive smokes and noise production is reduced to acceptable levels, and to prevent oil leaks. Servicing of machinery and vehicles must not take place on site.
- 3.9 Residents (if any) on the property and surrounding areas must be informed of any unusual noise activities in the mining area.
- 3.10 Dust suppression measures must be implemented on all exposed surface and access road to minimize and control airborne dust.
- 3.11 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).
- 3.12 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.
- 3.13 The holder of EA must ensure that rehabilitation of the disturbed areas caused by operation at all times comply with the approved EMPr.
- 3.14 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.
- 3.15 The holder of EA must note that in terms of 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.

- 4.6 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.
- 4.7 Non-compliance with any condition of this EA and 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 EA must be undertaken, any additional or new activities not specified herein must be applied for by the holder and authorised by the competent authority 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.
- 4.9 Rehabilitation of the disturbed surface caused by operations must comply with the approved EMPr.
- 4.10 The holder of EA must also ensure that an Environmental Control Officer (ECO) is readily available to ensure that activities always comply with the issued EA and approved EMPr.
- 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.
 - 4.11.7 The duties and responsibility of the ECO must not be seen as exempting the holder of the EA from the legal obligations in terms of the NEMA.

5 REPORTING TO THE DEPARTMENT

- 5.1 The holder of EA must:
- 5.1.1 Submit an 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 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 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;
 - 5.1.6 If applicable, specify that the corrective action/s taken for the previous audit's non-conformities, was adequate and must;
 - 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.
 - 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 effective access control to the site to reasonably prevent unauthorised entry. Signs indicating the risks involved in unauthorised entry must be displayed at the entrance.
- 6.2 The mining area must be fenced off and lockable gates must be installed to restrict unauthorised access to the site.
- 6.3 Weather proof, durable and legible notices in at least three official languages applicable in the area must be displayed at the 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 draft, maintain and implement an emergency preparedness plan and review it annually 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 center 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 and/or degradation, 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.
- 8.5 The holder of the EA must comply with Section 28 of the NEMA and conduct mining activities in an environmentally friendly manner.

9 COMMISSIONING AND DECOMMISSIONING

- 9.1 The commissioning and decommissioning of individual activities within the overall listed prospecting activities must take place within the phases and timeframes as set out in 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 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

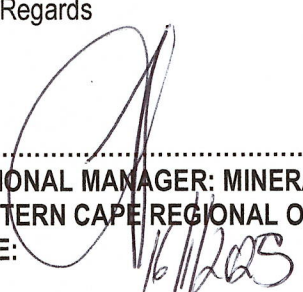
The Department of Mineral Resources & Energy in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily 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 Environmental Authorisation is accordingly granted.**

Your interest in the future of our environment is appreciated.

Kind Regards

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REGIONAL MANAGER: MINERAL REGULATION
WESTERN CAPE REGIONAL OFFICE
DATE:  16/12/25

APPROVED



Corners of Trench 2

- 1 S31.255929°, E17.860775°
- 2 S31.255144°, E17.861111°
- 3 S31.258203°, E17.861508°
- 4 S31.257431°, E17.865267°

Location of Pits in Trench 2

- P1 S31.255619°, E17.860775°
- P2 S31.256553°, E17.861111°
- P3 S31.257136°, E17.861508°
- P4 S31.262731°, E17.865267°

Corners of Trench 3 Centre

- 1 S31.262918°, E17.864358°
- 2 S31.262198°, E17.865705°
- 3 S31.265276°, E17.865987°
- 4 S31.264537°, E17.867312°

Location of Pits in Trench 3

- P5 S31.262886°, E17.860775°
- P6 S31.263347°, E17.865794°
- P7 S31.263836°, E17.866253°
- P8 S31.264319°, E17.866525°

Corners of Trench 1

- 1 S31.273345°, E17.871481°
- 2 S31.272528°, E17.872895°
- 3 S31.275539°, E17.873402°
- 4 S31.274822°, E17.874708°

Location of Pits in Trench 1

- P9 S31.273153°, E17.872158°
- P10 S31.273753°, E17.872450°
- P11 S31.274278°, E17.872833°
- P12 S31.274706°, E17.873289°

Corners of Trench 4 Centre

- 1 S31.283954°, E17.878833°
- 2 S31.283757°, E17.880088°
- 3 S31.286550°, E17.879626°
- 4 S31.286158°, E17.881066°

Location of Pits in Trench 4

- P13 S31.267475°, E17.879053°
- P14 S31.268500°, E17.879422°
- P15 S31.269133°, E17.879975°
- P16 S31.269736°, E17.879894°