mineral &
petroleum resources
Department:
Mineral and Petroleum Resources
REPUBLIC OF SOUTH AFRICA

Private Bag X9, Rogge Bay, 8012, Tel: (021) 427 1000, Fax: (021) 427 1046
7th Floor, MAP House, 44 Strand Street, Cape Town, 8012
Enquiries: Nomfundo Magubane **EAPASA:** Registration No. 2019/1033
Email: nomfundo.magubane@dmpr.gov.za **Ref:** (WC) 30/5/1/1/2/10474PR
Sub-Directorate: Mine Environmental Management

Trans Hex Heavy Minerals Mining (Pty) Ltd
PO Box 723
Parow
7499

Attention: Aaron Larkens
E-mail: aaronl@transhex.co.za
Cc e-mail: sleyde@srk.co.za

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998, (NEMA) AS AMENDED, AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 AS AMENDED FOR A MULTI-COMMODITY PROSEPECTING RIGHT IN THE MARINE SEA CONCESSION 11A, 12A, 13A, 11B, 12B AND 13B 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 Environment and a copy of such appeal to the Department of Mineral & Petroleum Resources (Western Cape Regional Office)**, within 20 days from the date of notification, and such appeal must be lodged as prescribed in the **National Appeal Regulations 2025**, by means of the methods as prescribed below:

Appeal to the Department of Forestry, Fisheries and Environment

Attention	: Directorate Appeals and Legal Review
Email	: appeals@dffe.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 & Petroleum Resources

Attention	: Regional Manager: Western Cape Region
E-mail	: pieter.swart@dmpr.gov.za
By post	: Private Bag X 09, Roggebaai, 8012
By hand	: 7th Floor, MAP House, 44 Strand Street, Cape Town, 8012

Should you decide to appeal, you must comply with the National Appeal Regulations 2025 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 Environment.

Kind Regards

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REGIONAL MANAGER: MINERAL REGULATION
WESTERN CAPE REGIONAL OFFICE
DATE: 14/7/2026

mineral &
petroleum resources

Department:
Mineral and Petroleum Resources
REPUBLIC OF SOUTH AFRICA

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

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998, (NEMA) AS AMENDED, AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 AS AMENDED FOR A MULTI-COMMODITY A SEA CONCESSION 11A, 12A, 13A, 11B, 12B AND 13B MAGISTERIAL DISTRICT OF VAN RHYNSDORP: WESTERN CAPE REGION

Reference number:	WC 30/5/1/1/2/10474 PR
Last amended:	First issue
Holder of authorisation:	**Trans Hex Heavy Minerals Mining (Pty) Ltd**
Location of activities:	Sea Concession 11A, 12A, 13A, 11B, 12B and 13B Magisterial District of Van Rhynsdorp: Western Cape Region

DECISION

ACRONYMS

BAR:	Basic Assessment Report
DEPARTMENT:	Department of Mineral & Petroleum Resources
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, based on 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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ACTIVITIES 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 **Trans Hex Heavy Minerals Mining (Pty) Ltd** with the following contact details –

Trans Hex Heavy Minerals Mining (Pty) Ltd
PO Box 723
Parow
7499

Attention: Aaron Larkens
E-mail: aaronl@transhex.co.za
Cc e-mail: sleyde@srk.co.za

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

Listed Activities applied for in the NEMA EIA Regulations:	Activity and/or project description
Activity 20 of Government notice No. R 983 as amended by GN 327 of April 2017 *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) as well as any other applicable activity as contained in listing notice 2 or in listing notice 3 of 2014, required to exercise the Prospecting Right*	The proposed development involves an application for a prospecting right for **Gemstones:** Amethyst Apatite, Chrysoberyl, Emeralds, Epidote, Beryl, Corundum, Kyanite, Ruby, Sapphire, Topaz, Tourmaline, Zircon (Excluding Diamonds). **Precious Metals**: Gold, Platinum group metal, Silver. **Ferrous & Non-Ferrous Metals:** Magnetite, Hematite, Tungsten, Pyrite, Sulphide Minerals (Copper, Lead, Zinc,Tin) Tantalite/Niobium, Lithium, Molybdenum. **Heavy Minerals;** Rutile, Ilmenite, Zircon, Monazite, Garnet, Rare Earth Elements, Leucoxene Prospecting activities will be in Sea Concession 11A, 12A, 13A, 11B ,12B , 13B. **The total extent of the application area is 32 113Ha.** Prospecting activities will include • 1650 drill samples • 2230 Vibracore samples • 625 Grab Samples Total area of disturbance is 10 771m²
Activity 19 of listing notice 2 (Government notice no. R984 as amended in 2021) *The removal and disposal of minerals contemplated in terms of section 20 of the Mineral and Petroleum Resources*	*Bulk sampling will be conducted by means of 1.5m³ - mechanical clam, 625 grab samples will be collected.*

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Development Act, 2002 (Act No. 28 of 2002), as well as any other applicable activity as contained in listing notice, in listing notice 1 of 2014, or listing notice 3 of 2014 required to exercise the permission	
Activity 19A (GN R983) ***The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;*** ***but excluding where such infilling, depositing, dredging, excavation, removal or moving— (a) will occur behind a development setback;***	Dredging and removal more them 5m³ of sea material as part of the prospecting activities

Detailed description of the Prospecting activities are as follow:

- The actual area is 32 113Ha in extent.
- Ongoing surveys will be conducted during prospecting operations to continually develop geological models.
- Geological surveying will be undertaken by a customized survey vessel, the *MV Good Wind* or similar vessel.
- The vessel is equipped with:
- A multibeam echosounder designed to produce high resolution digital terrain models of the seafloor by transmitting a 30 kHz sounding in a wide swathe below the vessel.
- Sounds levels from the acoustic equipment range between 190 to 22 dB re 1 μPa^3 at 1m. The proposed sound surveys will be undertaken in specific priority areas in the sea concession, at water depths between 30m to 70m. The survey transects will be spaced 50m to 100m apart.
- Vibracore Sampling – marine prospecting tool to collect samples from a seabed. Core samples of between 3m-6m in length with an internal diameter of 106mm will be taken. The sample is contained within a PVC pipe is capped and stored onboard the vessel. – **the sampling footprint of Vibracorer is 0.0095m² as such 2230 samples will be collected with a total disturbance of 21m²**
- The proposed drill sampling activities will be undertaken using the *MV The Explorer* or similar sampling vessel. – **in total drill samples 1650 in concessions areas (11B, 12B, 13B) with a total disturbance of 8250m²**
- Bulk sampling will be conducted by means of 1.5m² - mechanical clam grab, deployed from DP Star or Good Wind survey – the samples will be taken from the sea floor which will hoisted to the surface. **A total of 625 samples will be collected, with the total disturbance of 2500m²**
- The drill bit can penetrate sediments up to 12m deep.
- Prospecting will be undertaken the *MV Ya Toivo* mining vessel or similar/smaller vessel equipped with drilling technology. The vessel is equipped with a track-mounted subsea crawler capable of working to water depths of up to 200m.
- Concurrent rehabilitation will occur as a result of the prospecting activities.

Site description and location:

The prospecting activities will be conducted in Sea Concession 11A, 12A, 13A,11B,12B,13B Magisterial District of Van Rhynsdorp, Western Cape at the following co-ordinates defining the Prospecting area:

Boundary points of Sea Concession B represented by the corner points	Latitude	Longitude
Sea Concession 11A		
NW	31°12'54.25"	17°47'55.33"
NE	31°12'54.65"	17°48'42.91"
SE	31°27'19.05"	17°59'37.05"
SW	31°27'19.24"	17°58'52.17"
Sea Concession 12A		
NW	31°27'19.24"	17°58'52.17"
NE	31°27'19.05"	17°59'37.05"
SE	31°42'38.01"	18°11'43.13"
SW	31°42'38.17"	18°11'1.11"
Sea Concession 13A		
NW	31°42'38.17"	18°11'1.11"
NE	31°42'38.01"	18°11'43.13"
SE	31°49'0.07"	18°13'48.10"
SW	31°49'0.03"	18°13'11.64"
Sea Concession 13A		
NW	31°42'38.17"	18°11'1.11"
NE	31°42'38.01"	18°11'43.13"
SE	31°49'0.07"	18°13'48.10"
SW	31°49'0.03"	18°13'11.64"
Sea Concession 11B		
NW	31°12'54.42"	17°45'28.67"
NE	31°12'54.25"	17°47'55.33"
SE	31°27'19.24"	17°58'52.17"
SW	31°27'19.22"	17°56'44.30"
Sea Concession 12B		
NW	31°27'19.22"	17°56'44.30"
NE	31°27'19.24"	17°58'52.17"
SE	31°42'38.17"	18°11'1.11"
SW	31°42'38.02"	18°9'17.94"
Sea Concession 13B		
NW	31°42'38.02"	18°9'17.94"
NE	31°42'38.17"	18°11'1.11"
SE	31°49'0.03"	18°13'11.64"
SW	31°49'0.02"	18°11'37.49"

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.

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ENVIRONMENTAL AUTHORISATION SITE SPECIFIC CONDITIONS

1. Prospecting activities must be conducted in accordance with the approved Environmental Management Programme.
2. The holder of the EA must appoint a Marine Mammal Observer (MMO) to ensure compliance especially during the acoustic geophysical survey and submit an appointment letter to this Department prior to the commencement of the acoustic geophysical survey including the contact details of the appointed official.
3. Terminate sampling/survey if any marine mammals exhibit affected behaviour within 500m of the survey vessel or equipment & resume only after the marine mammals/penguin has vacated the area.
4. No Geophysical surveys are to be conducted from June to November to avoid the potential disturbance of the movement of migratory cetaceans (Particularly Baleen whales).
5. Conduct soft starts for any equipment with source levels greater then 210 dB re 1 Pa at 1m over a period of 20mins to allow marine mammals and diving birds adequate time leave the vicinity.
6. Geophysical surveying must occur during daylight hours with good visibility.
7. Avoid sampling in the immediate vicinity of the rocky outcrop areas or identified sensitive habitats.
8. All geological staff and contractors must be informed during the Environmental Awareness Training of the need to watch for such material during the processing of any seabed samples collected and that they are provided with information about how to identify both fossils and prehistoric stone artefacts
9. The EA Holder must communicate the required safety zones around the survey & sampling vessels by issuing daily navigational warnings for the duration of the samplings through SANHO.
10. The EA Holder must notify all the mariculture operators 48hours prior to conducting prospecting/sampling in the vicinity of the mariculture operations.
11. Waste Management onboard the vessels must be in compliance with MARPOL standards.
12. Ensure that the vessels operate in accordance with the South African Maritime Safety Authority (SAMSA).
13. The EA holder is responsible in ensure that the Department is accommodated for inspections within the approved prospecting areas and at the frequency determined by the Department.
14. All the specialist studies' recommendations must be strictly adhered to.

ANNEXURE 1: REASONS FOR THE DECISION

1. Key factors considered in making the decision

All the information presented to the Department was considered 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 procedure that has been followed is in accordance with the NEMA and the EIA Regulations of 2014.

b) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the NEMA EIA Regulations.

c) The environmental impacts associated with the proposed activity will be addressed through the implementation of the proposed mitigation measures outlined in the EMPR compiled by Sam Leyde of SRK Consulting (Pty) Ltd.

d) The Scoping Report (SR) and Plan of Study for Environmental Impact Assessment was received by the Department on 24 October 2024 and acknowledged on 29 October 2024. The Scoping Report was accepted on 11 December 2024.

e) 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 were addressed by the Applicant in the EIA and EMPR.

f) Comments received from interested and affected parties of the proposed development were considered.

g) Marine Ecology Impact Assessment attached to the EIA/EMPR as Appendix C1.

h) Fisheries Impact Assessment attached to the EIA/EMPR as Appendix C2.

i) Socio-economic Impact Assessment attached to the EIA/EMPR as Appendix C3.

j) Marine Heritage Impact Assessment attached to the EIA/EMPR as Appendix C4.

k) The Comments from Mine Health and Safety were in support of the proposed project;

l) The Applicant has 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.

3. Findings

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

a) The potential impacts on the proposed prospecting were clearly investigated, and mitigation measures were outlined.

b) The need and desirability of the project was outlined in detailed.

c) The 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 on Die Burger 30 August 2024 & on Ons Kontrei Newspaper – 30 August 2024.
- Community notices in Afrikaans & English were placed in the local community areas.
- A register of Interested & Affected Parties was opened.
- Notices and BID were sent to all key stakeholders including all the registered interested and affected parties via emails.
- Proof of consultation and comments was received from the Interested and Affected Parties.
- Comments and issues raised by interested and affected parties were adequately addressed in the EIAR
- An open day was conducted in July 2025
- A public Meeting was held
- The applicant has complied with Section 24P of the NEMA.

d) The **Marine Ecology Impact Assessment was complied** stated, that the main marine impacts are associated with exploitation activities that are related to the acoustic impacts and the marine mammals and the disturbance and loss of benthic fauna in the sampling footprint. Most of the potential impacts associated with the prospecting activities would occur in the immediate vicinity of the vessel, would be of short-term duration and low to medium intensity. The recommended management actions and mitigation measures would reduce the negative impacts.

e) The Fisheries Impact Assessment was compiled stated that the proposed prospecting activities are likely to present localized impacts of very low overall significance to fishing and mariculture operations. The proposed activities are considered acceptable subject to adherence to the mitigation and stakeholder engagement measures detailed in the specialist report.

f) **The Socio-economic Impact Assessment was compiled,** stated that the prospecting activities would have a very low to medium impacts on employment, fishing, aquafarming, tourism, social services, sense of place and health and safety. However, it can contribute towards the country's public services, infrastructure development and social programmes through taxes and prospecting fees, thereby supporting its overall socio-economic development in country as a whole.

g) **The Marine Heritage Impact Assessment complied by John Gribble of TerraMare Archaeology (Pty) Ltd** stated that although seabed activities may result in the destruction of paleontological and submerged prehistoric archaeological resources, however through the surveys it is also an opportunity to obtain potentially significant fossils.

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.

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 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 prospecting area is placed, buried, dumped or deposited on the adjacent properties or public places and open space.

3.4 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.

3.5 The protection of all historical and pre-historical cultural resources must remain on site and no prospecting activities are allowed within 100 diameters from those resources. Should any heritage remains be exposed during operation or any actions on the site, the following shall be applied:

(i) All work at the affected area must cease.
(ii) These must immediately be reported to the South African Heritage Resource Agency (SAHRA) and or Western Cape Heritage Resource Agency (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 SAHRA and or Western Cape Heritage Resource Agency.
(iii) The area should be demarcated in order to prevent any further work there until an investigation has been completed.
(iv) An archaeologist should be contacted immediately to provide advice on the matter.
(v) Should it be a minor issue, the archaeologist will decide on future action. Depending on the nature of the find, it may include a site visit.
(vi) If needed the necessary permit will be applied for with SAHRA. This will be done in conjunction with the appointed archaeologist.
(vii) The removal of such archaeological material will be done by the archaeologist in lieu of the approval given by SAHRA, including any conditions stipulated by the latter.
(viii) Work on site will only continue after the archaeologist/ SAHRA has agreed to such a matter.

Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; maddens, 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

3.6 This EA does not purport to absolve the holder of EA from its common law obligations towards the owner of the land or ocean and coast affected.

3.7 The holder of EA must ensure that rehabilitation of the disturbed areas caused by operation at all times comply with the approved EMPr.

3.8 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.

3.9 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.

3.10 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.

3.11 Should you be notified by the Minister of a suspension of the authorization pending appeal procedure, you may not commence with the activities until such time that the Minister allows you to commence with such activities in writing.

3.12 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.

3.13 Subject to the commencement and duration requirements of the MPRDA and NEMA for the listed prospecting activities, the EA is valid for the period for which the aforesaid Prospecting Right is granted provided that this activity commences within 5 years. If the commencement of the proposed activities 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 must be made for the activity to be undertaken.

3.14 This EA will only be effective on the event that a corresponding prospecting permit is issued in terms of MPRDA as amended and none of the activities listed in this EA may commence without a prospecting permit.

3.15 The listed activities, including site preparation, must not commence within 20 (twenty) calendar days of the date of the notification of the decision being sent to the registered I&APs. In the event that an appeal is lodged with the appeal administrator, the effect of this environmental authorization is suspended until such time as the appeal is decided.

3.16 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 contents of the EMPr and its objectives must be made known to all contractors, subcontractors, agent and any other people working on the site, and any updates or amendments to the EMPr must be submitted to the department for approval.

4.3 Any complaint received from the I&AP during all phases of the operation must be recorded in a complaint register and attended to within 7 working days to the satisfaction of all concerned interested and affected parties.

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 a waste management facilities licensed to handle such wastes and all recyclable waste are collected by licensed waste management facilities for recycling, reuse or treatment.

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 prospecting 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 operation must comply with the approved EMPr.

4.10 The Holder of EA must appoint the ECO before commencement of prospecting activities and 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 readily available to ensure that activities at all times 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.

4.12 The footprint of the activities must be limited on the areas authorised for the actual prospecting works and operational activities and all areas outside of the footprint must be regarded as a "no go" areas.

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 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 Spillage
7.1.2 Natural disasters
7.1.3 Industrial action
7.1.4 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.

7 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 prospecting activities in an environmentally friendly manner.

9 COMMISSIONING AND DECOMMISSIONING

9.1 The commissioning and decommissioning of individual activity 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 & Petroleum Resources in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

13 RECOMMENDATIONS

In view of the above, the NEMA principles, compliance with the conditions stipulated in this EA, and compliance with the EMPR/closure plan, the competent authority is satisfied that the proposed listed activities will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of NEMA, and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels. **The 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: 14/7/2026