

APPENDIX E

DMR PRE-APPLICATION CONSULTATION

From: Thivhulawi Kolani [<mailto:Thivhulawi.Kolani@dmr.gov.za>]
Sent: 14 December 2017 09:49 AM
To: Donovan Henning
Cc: Karoon Moodley; Azwianewi Nelwamondo; Christian Van Der Hoven
Subject: RE: FW:

All environmental issues from MPRDA has been moved to NEMA except closure process

From: Donovan Henning [<mailto:DonavanH@nemai.co.za>]
Sent: 13 December 2017 06:21 AM
To: Thivhulawi Kolani
Cc: Karoon Moodley; Azwianewi Nelwamondo; Christian Van Der Hoven
Subject: RE: FW:

Dear Thivhulawi

Thank you for the information.

However, my understanding is that this exemption was virtually nullified with the following amendment of the MPRDA, which compels the exempted organ of state to still seek Environmental Authorisation. May you please confirm.

Amendment of section 106 of Act 28 of 2002

76. Section 106 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) Despite subsection (1), the organ of state so exempted must submit **[an environmental management programme for approval in terms of section 39 (4)]** relevant environmental reports required in terms of Chapter 5 of the National Environmental Management Act, 1998, to obtain an environmental authorisation.”.

From: Thivhulawi Kolani [<mailto:Thivhulawi.Kolani@dmr.gov.za>]
Sent: 15 December 2017 09:26 AM
To: Donovan Henning <DonavanH@nemai.co.za>
Cc: Azwianewi Nelwamondo <ANelwamondo@tcta.co.za>; Christian Van Der Hoven <ChristianVdH@nemai.co.za>
Subject: RE: FW:

I spoke to DEA they said DMR will be the competent authority for clearance of vegetation related to mining.

From: Donovan Henning [<mailto:DonavanH@nemai.co.za>]
Sent: 15 December 2017 05:45 AM
To: Thivhulawi Kolani
Cc: Karoon Moodley; Azwianewi Nelwamondo; Christian Van Der Hoven
Subject: RE: FW:

Dear Thivhulawi

We are still unclear about the implications in terms of the listed activities that need to be applied for in terms of the proposed Borrow Pits. Is this exemption still valid? And if so, do we then exclude the activity pertaining to a mining right but include all other activities triggered by the mining activity (e.g. clearing of vegetation)?

May you also please advise if you have managed to speak to DEA about them being the Competent Authority for the Borrow Pits.

Regards
Donovan Henning

To 'Thivhulawi Kolani'
Cc: Donovan Henning

Good Morning Thivhulawi

Thank you for taking my call.

As discussed, with regards to the MCWAP 2A Borrow Pits application:

1. We will submit hardcopies and CDs of the DMR Application Form for Environmental Authorisation, the Application Form will include all listed activities related to mining, clearance, and access roads;
2. The Regulation 2.2 Plan will be included as an appendix to the Application Form;
3. All proof of public notification for the borrow pits will be included in the Final Scoping Report.
4. Hardcopies and CDs of the Draft Scoping Report will be submitted together with the Application Form;
5. Online submission of the application form will be conducted at the DMR offices once delivered. After the submission we will receive the DMR reference number to be included in the Final Scoping Report. Notification of IAPs of the DMR reference number is not compulsory as part of the EIA Regulations.

Thank you again for your time and assistance.

Kind regards,

Christian van der Hoven
Environmental Consultant

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