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Netesimondzawo

Departement van Landbou,
Landelike Ontwikkeling,
Grond en Ongewing Sake

umNyango weZelimo
UkuThuthukiswa kweeNdawo zamaKhaya,
iNarha neeNdaba zaBhoduluko

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Dear Sir,

APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED MULTIPLE LISTED ACTIVITIES ASSOCIATED WITH THE YZERMYN UNDERGROUND COAL MINE LOCATED ON VARIOUS FARMS AT MABOLA UNDER THE JURISDICTION OF PIXLEY KA SEME LOCAL MUNICIPALITY, MPUMALANGA PROVINCE.

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Your attention is drawn to Chapter 7 of the Regulations, which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 days of receiving this letter, by means of one of the following methods:

By facsimile: (013) 766 6067/8

By post: Private Bag x 11219
Nelspruit
1200

By hand: Building 6, No 7 Government Boulevard,
Riverside Park
Nelspruit
1200

Listed activities	Activity/Project description
containers with a combined capacity of 80 but not exceeding 500 cubic metres.	<p>site.</p> <p>An explosives magazine storage facility will be constructed. Not more than 1 000 kg of explosive is anticipated to be stored within the explosives magazine.</p>
<p>GN R. 544 Item 18:</p> <p>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from:</p> <p>(l) a watercourse;</p> <p>but excluding where such infilling, depositing , dredging, excavation, removal or moving;</p> <p>(a) is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or</p> <p>(b) occurs behind the development setback line.</p>	<p>Portions of the mine surface infrastructure, such as the adit platform, administration buildings,internal access roads, workshops, vehicle wash bay, sewage treatment facility, water treatment plant, storm water control infrastructure such as clean and dirty water berms and channels and PCD may be located within a wetland, as per the layout plan shown in Annexure 2. 12.10ha of wetland areas will be directly impacted on by the surface infrastructure. During the construction phase, the site for surface infrastructure will be cleared of all vegetation and topsoil will be stripped to a depth of 700 mm or more, in areas where construction will be taking place.</p>
<p>GN R. 544 Item 22:</p> <p>The construction of a road, outside urban areas,</p> <p>(i) with a reserve wider than 13,5 meters or,</p> <p>(ii) where no reserve exists where the road is wider than 8 metres.</p>	<p>The construction of internal access roads wider than 8m within the surface infrastructure layout.</p>
<p>GN R. 544 Item 26:</p> <p>Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)</p>	<p>The proposed mining project may trigger Section 53(1) of the NEM:BA as the target area falls within an ecosystem according to classification</p>

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(NEM:BA).	in terms of section 52(1)(a) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) i.e. Wakkerstroom Montane Grassland (Gm 14) (Endangered).
<u>GN R. 544 Item 47:</u> The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre - (i) where the existing reserve is wider than 13,5 meters; or (ii) where no reserve exists, where the existing road is wider than 8 metres – excluding widening or lengthening occurring inside urban areas.	The widening of existing internal track roads within the surface infrastructure layout by more than 6m.
<u>GN R. 545 Item 5:</u> The construction of facilities or infrastructure for any process or activity which requires a permit or license in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent and which is not identified in Notice No. 544 of 2010 or included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case that Act will apply.	The mining activities have the potential to generate or release emissions, pollution or effluent, particularly with regards to the storm water control infrastructure and PCD, for which permits and licenses are required (i.e. Water Use Licence in terms of the National Water Act 1998 (Act 36 of 1998)(NWA).
<u>GN R. 545 Item 6:</u> The construction of facilities or infrastructure for the bulk transportation of dangerous goods - (iii) in solid form, outside an industrial complex, using funiculars or conveyors with a throughput capacity of more than 50 tons day.	An enclosed conveyor system will be installed within the surface infrastructure layout of the mine as indicated in Annexure 2, in order to transport the coal from the underground operations to the ROM 'raw coal' stockpile.
<u>GN R. 545 Item 15:</u> Physical alteration of undeveloped, vacant or derelict	The total footprint of the mine surface infrastructure will be

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<p>land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more; except where such physical alteration takes place for:</p> <p>(i) linear development activities; or</p> <p>(ii) agriculture or afforestation where activity 16 in this Schedule will apply.</p>	<p>approximately 22.4ha. During the construction phase, the site for surface infrastructure will be cleared of all vegetation.</p>
<p><u>GN R. 546 Item 4:</u></p> <p>The construction of a road wider than 4 metres with a reserve less than 13,5metres.</p> <p>(a) In Mpumalanga:</p> <p>ii. Outside urban areas, in:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve.</p>	<p>The unpaved road stretching from the proposed mine access to the R543 will need to be upgraded to accommodate mine vehicles.</p> <p>The construction of internal access roads wider than 8m within the surface infrastructure layout.</p> <p>According to the Pixley KaSeme Local Municipality EMF (2011), the prospecting right falls within a critical biodiversity area (CBA). Portions of the mine area are also recognized in the Mpumalanga Biodiversity Sector Plan (MBSP) as Irreplaceable and Optimal Critical Biodiversity Areas (CBAs).</p> <p>The mine lies within an Endangered ecosystem; the Wakkerstroom Montane Grassland (Gm 14). The site borders the KwaMandhlampisi Protected Environment and surface infrastructure will be constructed just outside of the Mabola Protected Environment. The area falls within the South Eastern Escarpment National Spatial Biodiversity</p>

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	<p>Assessment (NSBA) Priority Area. The area comprises habitat that has been zoned by the national Mining and Biodiversity Guideline as having the Highest Importance for Biodiversity. The site is regarded as Important and necessary in terms of Mpumalanga Biodiversity Conservation Plan.</p>
<p>GN R. 546 Item 12: The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>(a) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>(b) Within critical biodiversity areas identified in bioregional plans;</p>	<p>The site for surface infrastructure will be cleared of all vegetation during the construction phase. The area to be cleared has been calculated at approximately 224 028 m².</p> <p>According to the Pixley ka Seme Local Municipality EMF (2011), the prospecting right falls within a critical biodiversity area (CBA). Portions of the mine area are also recognized in the Mpumalanga Biodiversity Sector Plan (MBSP) as Irreplaceable and Optimal Critical Biodiversity Areas (CBAs). The mine lies within an Endangered ecosystem; the Wakkerstroom Montane Grassland (Gm 14).</p>
<p>GN R. 546 Item 13: The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation,</p> <p>(a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority.</p> <p>(c) In Mpumalanga:</p> <p>ii. Outside urban areas, the following:</p>	<p>The site for surface infrastructure will be cleared of all vegetation during the construction phase. The area to be cleared has been calculated at approximately 224 028 m².</p>