



# BONGANI MINERALS (PTY) LIMITED

REGISTRATION NUMBER: 2002/030414/07

04<sup>th</sup> December 2018

Mr Johannes Coetzee  
P.O. Box 171  
Piketberg , 7320  
Western Cape , South Africa

C.C: The Regional Manager – DMR – Mr Duduzile Kunene

[Duduzile.Kunene@dmr.gov.za](mailto:Duduzile.Kunene@dmr.gov.za)

Dear Mr Johannes Coetzee ,

**Re: Notification , consultation and request for access with land owners**

I would like to confirm that Bongani Minerals (Pty) is the registered Prospecting Right holder in terms of Department of Mineral resources Reference No.: WC30/5/1/1/2/434PR over your property being:

**Portion 6 (Remaining Extent) of the Farm Namaquasfontein , Swartland District , Western Cape (Title Deed: T78579/1991)**

I would hereby like to take this opportunity to inform you that Bongani Minerals (Pty) Ltd has submitted an application for a Mining Right in terms of Section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No 28 of 2002) with Reference No.: WC30/5/1/2/2/10110MR

We are fully aware of the environmental sensitivity of the Moutonshoek valley and thus we will be embarking on a full Environmental Impact Assessment (EIA) , which will be conducted by an independent environmental practitioner and a team of independent specialists who will conduct the EIA and specialist studies and all these documents and information will be provided to you as land owner and interested and affected party.

In a previous application it seems that there was a sense of conflict and mistrust between the land owners and the applicant which we would like to sincerely change as we are embarking on an independent full EIA process in terms of NEMA EIA Regulations to ensure that the proposed listed activities are properly investigated and that the impact of such activities are fully recorded in the EIA.

**We thus kindly and respectfully request that you as land owner allows the independent environmental practitioner and team of specialists access to your property to conduct the following studies:**

- Heritage Impact Assessment
- Palaeontological Impact Assessment

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- Ecological study focussing on the terrestrial fauna and flora
- Air, Dust and Noise Impact Assessment
- Geohydrological Impact Assessment focusing on all the aspects related to groundwater
- Freshwater Ecological Assessment focusing on the hydrology, wetlands, and aquatic fauna
- Socio-economic study
- Traffic Impact Assessment
- Agricultural Impact Assessment
- Engineering Services Report

1. In terms of Chapter 6 of the NEMA EIA Regulations (2017) Section 39:

(1) If the proponent is not the owner or the person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain the written consent of the landowner or person in control of the land to undertake such activity on that land.

(2) Sub-regulation (1) above does not apply in respect of

- a. Linear activities;
- b. Activities constituting or activities directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral or petroleum resource; and
- c. Strategic integrated projects as contemplated in the Infrastructure Development Act, 2014

**In light of sub-regulation (2) the proponent/applicant doesn't need a landowners consent before applying for an EA.**

2. In terms of NEMA the project triggers the following listed activities:

- GNR 324 Listing Notice 3 of 2017 Activity 4:  
*The development of a road wider than 4 metres with a reserve less than 13.5 metres.*
  - i. *Western Cape*
    - j) *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;*
    - ii) *Within critical biodiversity areas identified in bioregional plans.*
- GNR 324 Listing Notice 3 of 2017 Activity 12:  
*The clearance of an area of 300 square metres or more of indigenous vegetation.*
  - ii. *Western Cape*

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- ii) Areas outside urban areas:
  - (aa) Areas containing indigenous vegetation.

- GNR 324 Listing Notice 3 of 2017 Activity 18:  
*The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.*
- iii. Western Cape
  - iii) Areas outside urban areas:
    - (aa) Areas containing indigenous vegetation.
- GNR 325 Listing Notice 2 of 2017 Activity 15:  
*The clearance of an area of 20 hectares or more of indigenous vegetation.*
- GNR 325 Listing Notice 2 of 2017 Activity 17:  
*Any activity including the operation of that activity which requires a mining right as contemplated in section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including –*
  - a) *Associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource; or*
  - b) *The primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing.*
- GNR 327 Listing Notice 1 of 2017 Activity 14:  
*The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic meters.*
- GNR 327 Listing Notice 1 of 2017 Activity 22:  
*The decommissioning of any activity requiring –*
  - iii) *a closure certificate in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (act No. 28 of 2002); or*
  - iv) *a prospecting right, mining right, mining permit, production right or exploration right, where the throughput of the activity has reduced by 90% or more over a period of 5 years excluding where the competent authority has in writing agreed that such reduction in throughput does not constitute closure.*
- GNR 327 Listing Notice 1 of 2017 Activity 24:  
*The development of a road –*
  - ii) *with a reserve wider than 13.5 meters, or where no reserve exists where the road is wider than 8 metres.*
- GNR 327 Listing Notice 1 of 2017 Activity 28:  
*Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:*

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*ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.*

- GNR 327 Listing Notice 1 of 2017 Activity 56:

*The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre –*

*ii) Where no reserve exists, where the existing road is wider than 8 metres.*

We sincerely thank you for your co-operation in regards to the above and we assure you of our best intent at all times.

Yours Faithfully

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Lionel Koster  
Director

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