

LAND USE PLANNING ASSESSMENT REPORT FOR LANGEBERG MUNICIPAL PLANNING TRIBUNAL

(In terms of Sections 56, 65 & 66 of the Langeberg Land Use Planning Bylaw PN 264/2015, 30 July 2015)

EXTENSION OF VALIDITY OF APPROVAL: TEMPORARY DEPARTURE FOR MINING ON REM OF PORTION 1 OF THE FARM CLARENCEWOLD ANNEX NO. 95, ROBERTSON

Meeting Date: 13 May 2021

Reference number	15/4/12/9	Application submission date	27/11/2020	Date report finalised	23/04/2021
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PART A: AUTHOR DETAILS

First name(s) & Surname	Tracy Brunings				
Job title	Assistant Town and Regional Planner				
SACPLAN registration number	Pr. Pln A/951/1997				

PART B: PROPERTY DETAILS

Property description (in accordance with Title Deed)	Rem of Portion 1 of the farm Clarencwold Annex No. 95, Robertson				
Physical address	Off the Clariswold Road and Clariswold East Road (Minor Roads 5914 and 5915), and a servitude right-of-way.	Town	Rural		
Current zoning	Agricultural Zone I	Extent (m ² /ha)	165,9747ha.	Are there existing buildings on the property?	Y N
Applicable zoning scheme	Section 8 Zoning Scheme was applicable at the time of the original application.				
Current land use	Agricultural, Dwelling House and Sheds			Title Deed number & date	T49909/2016
Any restrictive title conditions applicable	Y	N	If Yes, list condition number(s)		
Any third party conditions applicable?	Y	N	If Yes, specify		
Any unauthorised land use/building work	Y	N	If Yes, explain		

PART C: APPLICATION DESCRIPTION

Application has been lodged in terms of Section 15(2)(i) of the Langeberg Land Use Planning Bylaw, PN 264/2015, for a 3-year extension of the validity period of approval dated 20 December 2018, relating to the following:

- Temporary Departure to mine a 5ha. portion of Rem of Portion 1 of the Farm Clarencwold No. 95, Robertson.

PART D: BACKGROUND & SUMMARY OF APPLICANTS MOTIVATION

An application for temporary departure to mine a 5ha. area on Rem of Portion 1 of the Farm Clarencwold Annex No.95, Robertson was approved by the Langeberg Appeal Authority on 20 December 2018 ([Annexure A](#)).

The mining site consists of a sand dune which is infested with invasive alien vegetation. Mining is proposed down to the same level as the surrounding area and thereafter rehabilitated to a natural condition.

The proposed use falls within the definition of Mining, which is only permitted within the Industrial zone III. However, application for a temporary departure may be permitted where it is anticipated that the mining can be completed with a 5-year period.

Condition of approval No. 2.5 reads as follows: "The approval applies for a maximum period of 2 years from the date of this approval. Application may be made to extend this approval prior to the expiration date, up to a maximum of 5 years in total".

A copy of the application for extension of validity is attached at [Annexure B](#). The applicant provides the following motivation for a three year extension of the validity period of the temporary departure:

- All legislation and lawful conditions imposed by all competent authorities regarding mining on the property have been complied with.
- Due to the depressed economic conditions and the state of disaster arising from Covid-19 the planned production from this small-scale sand mine has been much less than originally anticipated. There are still sufficient sand resources remaining in the approved mining permit area to justify extending the temporary departure for another 3 years.

PART E: SUMMARY OF PUBLIC PARTICIPATION

Public participation required in terms of Sections 45- 49 of the By-law?

Y. N

Where participation is required,
state method of advertising

Press

Notices

Ward Councillor

Other

PART F: SUMMARY OF COMMENTS RECEIVED DURING PUBLIC PARTICIPATION (if applicable)

The application was circulated to the surrounding property owners on 26 January 2021. An objection was received from a neighbor, R Burger, located ± 2 km NW of the sand mine, on the opposite side of the Breede River:



Ms Burger's objection is summarized below, and attached at [Annexure C](#):

Objection – R Burger

The objector is of the opinion that the continued operation of the sand mine will be a "big negative" for the area, given the following:

- The applicant is irresponsible, having deliberately started a fire on Rem/1/95.
- The sand mine forms part of a natural wetland and home to endangered species.
- The Breede River floods parts of the application property and will result in sand damage to neighbouring farms and the weir and canal system.
- The delivery trucks cause dust which adversely impacts on the adjoining crops.

Applicant's Response to Objection (Annexure D):

The applicant responded, *ad seriatum*, to the above:

- The fire in question occurred prior to the applicant's ownership of the property and has no bearing on the sand mining application.
- A specialist wetland study for the BAR confirmed that the sand mining site is not a wetland area.
- The sand mining site is 600m away from the floodplain.
- Dust monitoring shows levels far below the limits in the National Dust Control Regulations, 2013. The Department of Transport is satisfied with the dust control measures.

PART G: SUMMARY OF COMMENTS FROM ORGANS OF STATE AND/OR MUNICIPAL DEPARTMENTS (if applicable)

The following departments and organisations were consulted for comment, and no objections to the proposed development were received:

Name	Date	Summary of comments	Recommendation:		
			Support	Object	Comment
Cape Winelands District Municipality	17.08.17 & 16.08.17	No new comments received. CWDM had no objection to the original mining application subject to: No household services will be provided by the CWDM. Effective dust control methods must be put in place when clearing and transporting sand. Additional comments were provided by CWDM Air Quality Division with regard to the NEMA: Air Quality Act 39/2004, and compliance with the National Dust Control regulations (R827, 1/11/13) and WC Noise Regulations (PN 200, 20/06/13).			Comment
Department of Transport	3 March 2021	No objection. It is noted that the Applicant has instituted various measures to control dust along the Minor Roads. These measures are to continue.			Comment
Cape Nature	16.08.17	No new comments received. Previous comments: A large portion of the property forms part of the Breede River floodplain and has been determined to be a CBA. Cape Nature has no objection to the proposed mining, subject to the implementation of mitigation measures recommended by the wetland and botanical specialists, and implementation of a detailed rehabilitation plan, with time frames.			Comment

Department of Environmental Affairs and Development Planning: Development Management	29.08.18	No new comments received. Comments in response to previous appeal: The proposal can only be favourably considered with the Dept of Transport's support.			Comment
Department of Mineral and Energy Resources	22.11.17 & 30.03.21	Environmental Authorisation has been issued for the following activities, subject to compliance with the EMP: 21/R983 – mining permit 22/R983 – decommissioning mining 27/R983 – clearing >1ha. indigenous vegetation. No objection – there is an existing mining permit.			Comment
Department of Agriculture Western Cape	13.11.17 & 16.04.21	No objection to the original application. No objection to the extension subject to rehabilitation and day-to-day farming activities being allowed to continue unrestricted.			Comment
Department of Water Affairs (Breede Gouritz Catchment Management Agency: BGCMA)	23.03.21	No objection subject to compliance with the existing valid General Authorisation (7 May 2018).			Comment

PART H: MUNICIPAL PLANNING EVALUATION OF APPLICATION FOR EXTENSION OF VALIDITY AND OBJECTION LODGED IN REPOSE THERE TO

1. Previous application and Appeal:

- 1.1. The property is 13km south-west of Robertson, with access via Minor Roads 5914 and 5915, and a right-of-way servitude across a neighbouring farm.
- 1.2. An application for temporary departure for sand mining was lodged on 5 July 2017. The Tribunal refused the application based primarily on the undesirable access to the site via a right-of-way across an adjoining farm, without an agreement in place between the respective neighbours; as well as the objection from the Department of Transport with regard to maintenance implications of Minor Roads 5914 and 5915.
- 1.3. Based on legal opinions relating to rights-of-way and maintenance of public roads, the Langeberg Appeal Authority revoked the Tribunal decision and approved the application subject to conditions (The Tribunal item dated 18 December 2018 provides the details relating to the legal opinions).
- 1.4. Condition No. 2.5 of the approval issued by the Langeberg Appeal Authority reads as follows: "The approval applies for a maximum period of 2 years from the date of this approval. Application may be made to extend this approval prior to the expiration date, up to a maximum of 5 years in total". The purpose of this condition was to assist in the process of monitoring compliance with conditions, and to identify any potential impacts and/or changed circumstances that may require attention or are significant enough to justify a decision to not extend the validity of the approval.

2. Impacts of the operational sand mine and / or changed circumstances:

- 2.1. The Department of Transport has monitored the impact on their Minor Roads and notes that the Applicant is implementing various measures to control dust along the Minor Roads. The Department of Transport has no objection to the extension of the validity of the approval. Site inspections reveal that the adjoining Habata agricultural development, which borders Minor Road 5915 has had more significant impacts on the provincial road network than the temporary departure for the sand mine.

- 2.2. With regard to the shared right-of-way access road over the neighbouring property, the neighbour has not objected to the application for extension of validity of the approval of the sand mine. During August to December 2019, the neighbour lodged objections with regard to non-compliance with the conditions relating to the accessway. Discussions ensued between the applicant and the neighbour and improvements were made to the road surface and entrance gate. The DMR (23/10/2019) and the appointed Environmental Control Officer (J Moll, GM Civil Engineering; 2/12/2019) subsequently conducted site inspections and determined the conditions of the EA to be complied with. It is noted that the neighbour will require ongoing cooperation from the owner of the sand mine to implement the mitigation measures, and ongoing monitoring will be required.
- 2.3. The application includes a table headed "A detailed report on the status quo relating to each of the mitigating measures listed in Section 17.16 of the approved EMP", in which compliance with all mitigating measures is recorded.
- 2.4. As stated by the applicant, the current economic conditions and the state of disaster arising from Covid-19, has resulted in a much lower demand for sand in the region. As a result, the sand mine has generated far less impact in terms of traffic and dust than was anticipated. The plan below (extract from the application), viewed together with current google earth imagery, shows that less than 2000m² has been disturbed for the removal of sand from the dune i.e. only $\pm 3,5\%$ of the area for which the mining permit was issued, with a resultant very low impact on the site and its surrounds.

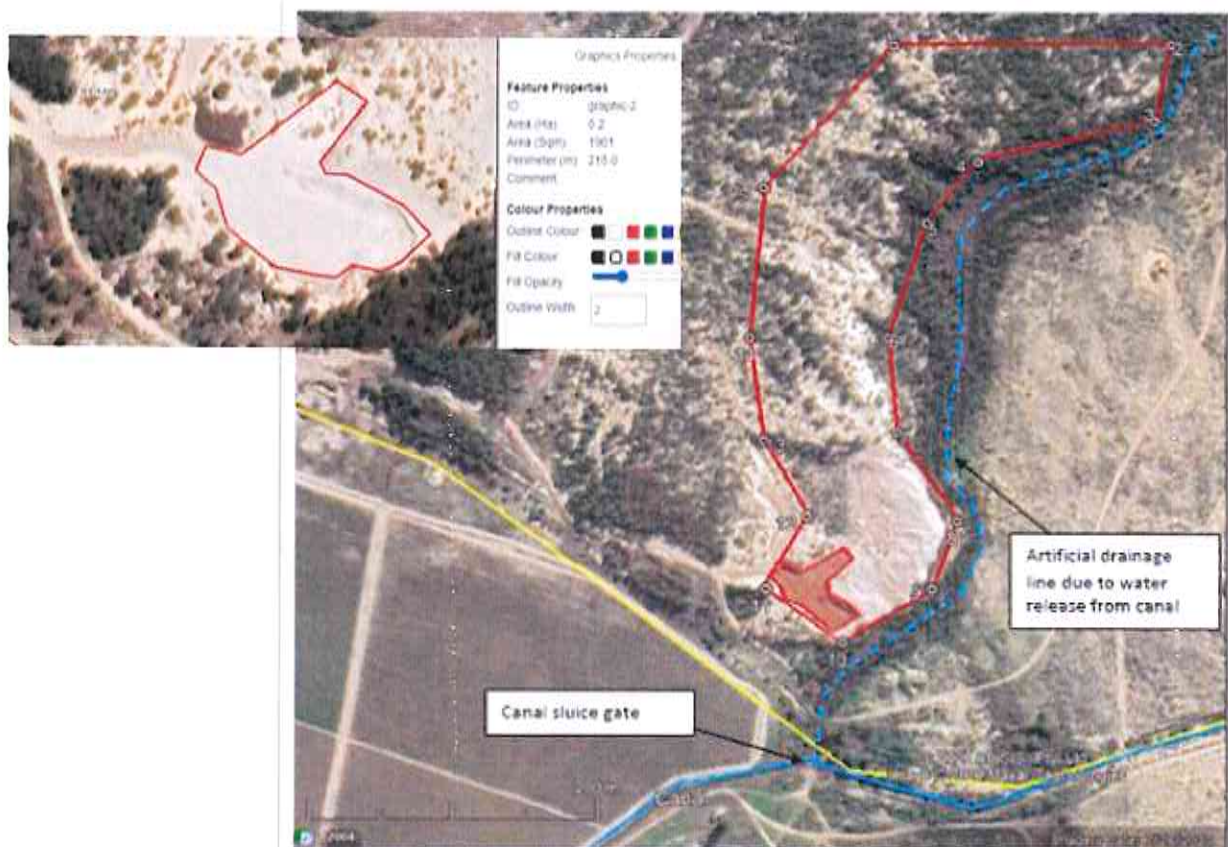


Figure 1: Updated site plan showing the mining permit area

The approved mining permit area is outlined in red and the area mined to date is shaded in red (only 0.16 hectares).

- 2.5. The approval, in December 2018, of the extension of the existing mining right at the relatively large-scale Zandberg mine (6km from the application site and closer to Robertson) is also likely to have had an impact on the smaller volumes of sand removed from Clarencevold than anticipated.

- 2.6. There are still more than sufficient sand resources remaining in the approved Clarencewold mining permit area to justify extending the temporary departure for another 3 years. Based on the rate of sand mining at the nearby long-established Zandberg mine, it is considered unlikely that more than 1 ha. of the approved 5ha mining site will be mined in the next 3 years. The applicant would have to apply to rezone to Industry I should they wish to continue mining once the departure approval lapses.
- 2.7. The environmental concerns raised by the objector relating to fauna, wetlands and flooding, were thoroughly addressed in the original BAR, which included a botanical report and wetland assessment. The botanical report indicates that the dune has low ecological value with no sensitive fauna or flora, and that the proposed mining (and subsequent successful rehabilitation and removal of alien vegetation) will improve the ecological functioning of the identified Core SPC. Further, measures to prevent environmental impacts are imposed in terms of the EA and EMPr.
- 2.8. The objector's concerns relating to the delivery trucks causing dust are addressed in terms of the dust monitoring which is required in terms of the Environmental Authorisation. This monitoring shows levels below the limits permissible in terms of the National Dust Control Regulations, 2013. The Department of Transport is satisfied with the dust control measures. The neighbour, over whose land the servitude runs has not raised concerns about adverse impacts of dust.
- 2.9. The concerns relating to the fire within the area must be taken up with the authorities investigating the fire in question, and are not a relevant consideration in the determination of whether or not to extend the validity of the temporary land use departure.

3. Conclusion

- 3.1. There are no changed circumstances which warrant a decision not to extend the validity of the existing approval.
- 3.2. The applicant is compliant with the conditions of the land use approval dated 20 December 2018.
- 3.3. The sand mining activities have not had any demonstrated negative impact on the sustainability of the natural environment or agricultural activities.
- 3.4. No adverse impacts on traffic or pedestrians in terms of safety and dust have been reported and the Department of Transport has no objection to the application to extend the validity of the approval.
- 3.5. The sand mine is monitored by the Department of Mineral Resources and an appointed Environmental Control Officer: and environmental audits have shown compliance with conditions of approval in terms of the Environmental Authorisation and mining permit.

PART I: ADDITIONAL PLANNING EVALUATION FOR REMOVAL OF RESTRICTIONS (N/A)

PART J: RECOMMENDATION

That the application to extend the validity period of the following approval by 3 years, up to 20 December 2023, be approved in terms of Section 60 of the Langeberg Land Use Planning Bylaw, PN 264/2015:

- Temporary Departure to mine a 5ha, portion of Rem of Portion 1 of the Farm Clarencewold No. 95, Robertson.

All conditions of approval in the letter dated 20 December 2018, excluding condition 2.5, remain applicable.

Reasons for Recommendation / Decision:

1. There are no changed circumstances which warrant a decision not to extend the validity of the existing approval.
2. The applicant is compliant with the conditions of the land use approval dated 20 December 2018.
3. The sand mining activities have not had any demonstrated negative impact on the sustainability of the natural environment or agricultural activities.

4. No adverse impacts on traffic or pedestrians in terms of safety and dust have been reported and the Department of Transport has no objection to the application to extend the validity of the approval.
5. The sand mine is monitored by the Department of Mineral Resources and an appointed Environmental Control Officer; and environmental audits have shown compliance with conditions of approval in terms of the Environmental Authorisation and mining permit.

PART K: ANNEXURES

Annexure A	Letter of Approval dated 20 December 2018
Annexure B	Application for Extension of Validity
Annexure C	Objection: R Burger
Annexure D	Response to Objection by Applicant
Annexure E	Departmental comments: Dept of Transport, BGCMA

PART L: SIGNATURES FOR DECISIONS BY TRIBUNAL

Author name: Tracy Brunings, Assistant Town and Regional Planner

Date: 23 April 2021

Registered planner name : Tracy Brunings

SACPLAN registration number: Pr. Pln A/951/1997

Date: 23 April 2021

APPROVED

APPROVED CONDITIONALLY

APPROVED IN PART

REFUSED

LANGEBERG MUNICIPAL PLANNING TRIBUNAL

Date:

PART M: SIGNATURES FOR AUTHORISATION

Authorised for submission to Tribunal

.....
JV BRAND
BESTUURDER : STADSBEPLANNING

.....
DATUM

.....
M JOHNSON
DIRECTOR: ENGINEERING SERVICES
DIREKTEUR: INGENIEURS DIENSTE

.....
DATUM

Ms D Satchel
P O Box 484
ROBERTSON
6705

20 December 2018

Per email: DebbyBlake@Satchel.co.za and tanja@rhattorneys.co.za

Dear Madam

APPEAL DECISION: REM OF PORTION 1 OF THE FARM CLARENCEWOLD NO. 95, ROBERTSON: APPLICATION FOR TEMPORARY DEPARTURE FOR MINING

1. I refer to your appeal against the Langeberg Municipal Planning Tribunal's decision on the above application.
2. The Appeal Authority on 14 December 2018 decided as follows: In terms of Sections 81(7) and 81(9) of the Langeberg Land Use Planning Bylaw, 2015, the Langeberg Appeal Authority sets aside the decision of the Tribunal of 18 May 2018, and approves a temporary departure to mine a 5ha. portion of Rem of Portion 1 of the Farm ClarenceWold Annex No 95, Robertson, as shown on Plan CLARENCEWOLD ANNEX 95/1/R-ROB-LBM-TP(b) (attached), subject to the conditions of approval, in terms of Section 66 of the aforementioned Bylaw, as set out below:
 - 2.1. All legislation and lawful conditions imposed by any competent authority regarding the mining on the property must be complied with.
 - 2.2. All mitigation measures mentioned in the Basic Assessment Report (BAR), the stipulations for sand mine activities management in the Environmental Management Programme and conditions/recommendations and requirements of the Environmental Authorisation must be complied with.
 - 2.3. A Site Development Plan must be submitted to the Manager: Town Planning, showing the proposed first phase of mining, the access and exit points to the mine site and the parking and loading area.
 - 2.4. The area which may be mined, and the access road which may be used, must only be as shown on Plan CLARENCEWOLD ANNEX 95/1/R-ROB-LBM-TP(b).
 - 2.5. The approval applies for a maximum period of 2 years from the date of this approval. Application may be made to extend this approval prior to the expiration date, up to a maximum of 5 years in total.

2.6. The following conditions apply to the transport of sand:

- 2.6.1. Transport of sand may only commence after the bridge as contemplated on page 29 of the BAR (attached), has been built;
- 2.6.2. The road surface of the right-of-way must be kept moist / alternatively treated (e.g. gravel surface);
- 2.6.3. The maximum weight per axle of trucks used is 8 ton;
- 2.6.4. The applicant must maintain the servitude road;
- 2.6.5. Sand may only be transported from the site during the hours of 8:00 to 17:30 from Mondays to Fridays, and 8:00 to 14:00 on Saturdays. (The starting hour of 8:00 is to ensure safety of pedestrians);

2.7. No name board or advertising sign may be erected on public land without written approval of the relevant authority;

2.8. The Applicant must indemnify the Municipality against any claims which may be instituted regarding the exercise of the approved temporary departure;

2.9. The owner must sign the attached indemnity and agreement (Annexure A) with respect to the implementation of all conditions of approval. ✓

3. Please note that in order to act on the abovementioned decision, you are required to comply with all conditions of approval. In particular, your attention is drawn to Conditions 2.3, 2.6.1 and 2.9 regarding conditions which must be met prior to the commencement of mining. Non-compliance with a condition of approval constitutes an offence in terms of Section 86(1)(a) of the Langeberg Land Use Planning Bylaw PN 264/2015. The compliance notice dated 11 December 2018 (attached), requiring you to cease all mining activities, remains applicable until such time as the relevant conditions have been complied with.

Yours faithfully

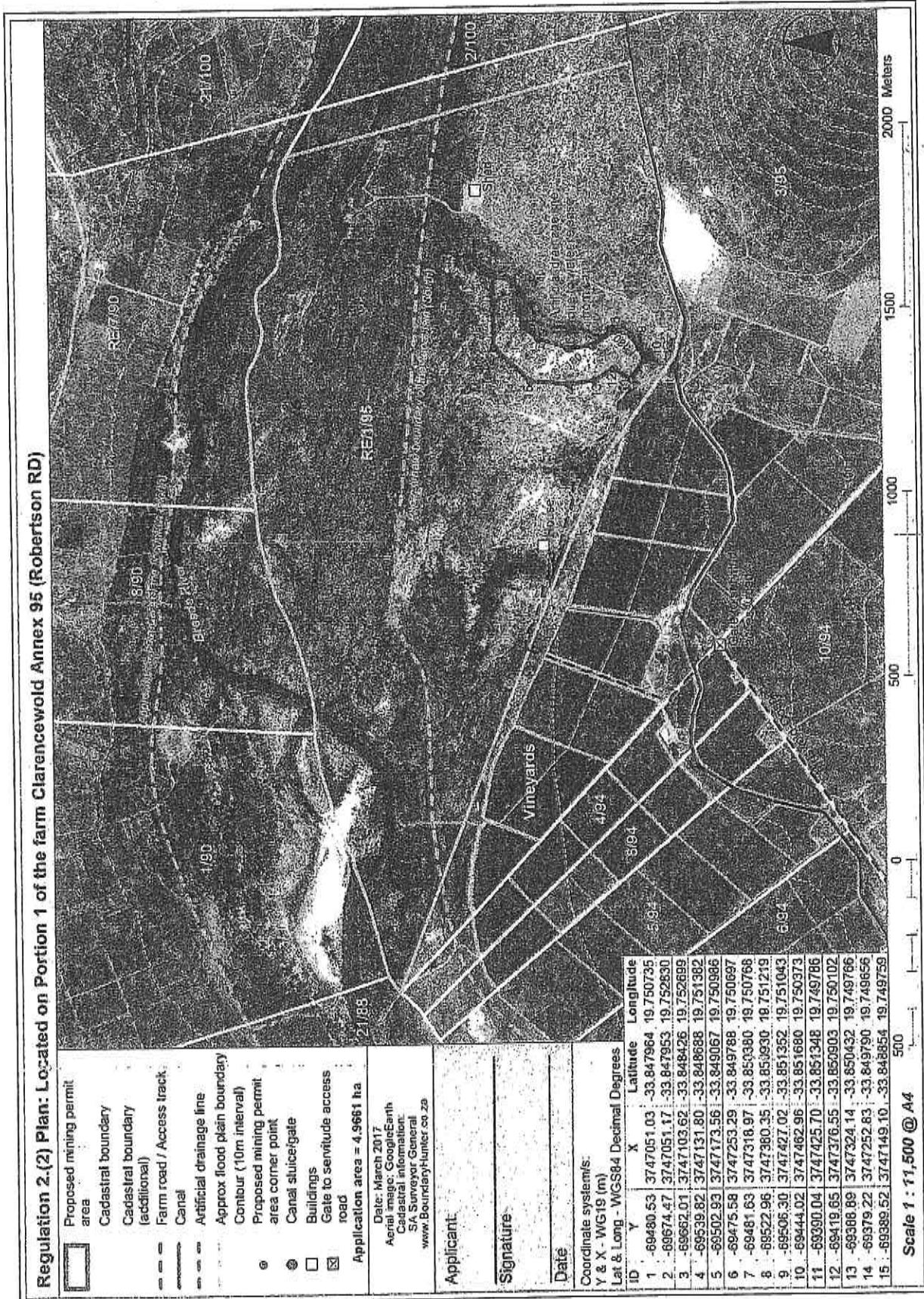


SA MOKWENT
MUNICIPAL MANAGER

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 Cape Nature: A. Duffell-Canham aduffell-canham@capenature.co.za
 Dept of Agriculture: R Roscher RudolphR@elsenburg.com
 MM MM@langeberg.gov.za

SITE PLAN

10.



CLARENCEWOLD ANNEX 95/1/R - ROB - LBM-TP(b)

Figure 2: Land use plan

-F-

DJ SACHEL

LAND USE PLANNING APPLICATION

Submitted in terms of Section 15 of the Langeberg Municipality: Land Use Planning By-Law published in PN264/2015 on 30 July 2015.

Section 2(i) Application: - "an extension of the validity period of an approval;"

MOTIVATION REPORT:

APPLICATION FOR AN EXTENSION OF THE VALIDITY PERIOD OF THE
TEMPORARY DEPARTURE FOR MINING ON THE REMAINDER OF
PORTION 1 OF THE FARM CLARENCEWOLD ANNEX 95, ROBERTSON
REGISTRATION DIVISION

FOR SUBMISSION TO THE LANGEBERG MUNICIPALITY

Date: 12 November 2020

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- Annexure 2:** Title Deed
- Annexure 3:** Landowner's consent
- Annexure 4:** SG Diagram
- Annexure 5:** DMR letter to the Langeberg Municipality dated 23 October 2019
- Annexure 6:** DWS Water Use Registration dated 7 May 2018
- Annexure 7:** Approval from the Langeberg Municipality dated 20 December 2018

1. INTRODUCTION

Ms Debby Janice Satchel (DJ Satchel) is the holder of a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) over a 5 hectare area on Portion 1 of the farm Clarencewold Annex 95, Robertson Registration Division.

The Environmental Authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) ("NEMA") was granted on 22 November 2017. An appeal against the Environmental Authorisation was withdrawn on 5 March 2018.

The mining permit was granted by the Department of Mineral Resources on 7 March 2018.

The purpose of this application is to apply for a three year extension of the validity period of the temporary departure for mining granted by the Langeberg Municipality on 20 December 2018.

The approved temporary departure is to mine a 5 hectare portion of the Remainder of Portion 1 of the farm Clarencewold Annex No. 95, Robertson, as shown on Plan CLARENCEWOLD ANNEX 95/1/R-ROB-LBM_TP(b) (attached to the approval).

DJ Satchel has complied with all legislation and lawful conditions imposed by all competent authorities regarding the mining on the property.

Due to the depressed economic conditions and the state of disaster arising from Covid-19 the planned production from this small-scale sand mine has been much less than originally anticipated. There are still sufficient sand resources remaining in the approved mining permit area to justify extending the temporary departure for another three years.

2. COMPLIANCE WITH THE CURRENT LETTER OF APPROVAL

DJ Satchel is fully compliant with the Langeberg Municipality's letter of approval dated 20 December 2018. This is summarised in the following table:

No.	Condition	Response
2.1	All legislation and lawful conditions imposed by any competent authority regarding the mining on the property must be complied with.	All legislation and lawful conditions imposed have been complied with.
2.2	All mitigation measures in the Basic Assessment Report (BAR), the stipulations for sand mining activities in the Environmental Management Programme and conditions / recommendations and requirements of the Environmental Authorisation must be complied with.	The site is inspected regularly by the officials from the Competent Authority (i.e. the Department of Mineral Resources). In a letter dated 23 October 2019 from the DMR to the Langeberg Municipality it was confirmed that the mining activities were compliant.
2.3	A Site Development Plan must be submitted to the Manager: Town Planning, showing the proposed first phase of mining, the access and exit points to the mine site and the parking and loading area.	The Site Development Plan as submitted to the Manager: Town Planning with the original land use planning application was and is still valid. The mining activities are still only within the first phase of mining (see updated site plan in Figure 1).
2.4	The area which may be mined, and the access road which may be used must only be as shown on Plan CLARENCEWOLD ANNEX 95/1/R-ROB-LBM-TP9(b).	The area mined, and the access road which may be used is only as shown on Plan CLARENCEWOLD ANNEX 95/1/R-ROB-LBM-TP9(b).
2.5	The approval applies for a maximum period of 2 years from the date of this approval. Application may be made to extend this approval prior to the expiration date, up to a maximum of 5 years in total.	This application is to extend the temporary departure for mining for another 3 years.
2.6	The following conditions apply to the transport of sand:	
2.6.1	Transport of sand may only commence after the bridge as contemplated on page 29 of the BAR has been built	The bridge was built and the plans were provided to Mr L. Bruwer of the Central Breede River Water Users Association.
2.6.2	The road surface of the right-of-way must be kept moist / alternatively treated (e.g. gravel surface)	The servitude access road was upgraded and covered with gravel (see Figure 3).
2.6.3	The maximum weight per axle of trucks used is 8 ton	The trucks used do not have a maximum weight per axle that exceeds 8 tonnes.
2.6.4	The applicant must maintain the servitude road	The servitude road is maintained regularly.
2.6.5	Sand may only be transported from the site during the hours of 8:00 to 17:30 from Mondays to Fridays, and 8:00 to 14:00 on Saturdays (The	Sand is not transported outside of these specified hours.

Motivation Report: Portion 1 of Clarencewold Annex 95, Robertson

No.	Condition	Response
	starting hour of 8:00 is to ensure safety of pedestrians)	
2.7	No name board or advertising sign may be erected on public land without written approval of the relevant authority	No name board or advertising sign has been erected on public land.
2.8	The Applicant must indemnify the Municipality against any claims which may be instituted regarding the exercise of the approved temporary departure	This has been done.
2.9	The owner must sign the attached indemnity and agreement (Annexure A) with respect to the implementation of all conditions of approval	The signed indemnity and agreement was submitted to the Langeberg Municipality.

3. CORRESPONDENCE FROM RELEVANT DEPARTMENTS

3.1 Department of Mineral Resources

In a letter dated 23 October 2019 (see Annexure 5), the Department of Mineral Resources followed up on a complaint.

An inspection was conducted by officials from the Department on 3 October 2019 and it was concluded that with all the non-compliances listed on the complaint that none of them were observed during the inspection.

3.2 Department of Water Resources

The Breede Gouritz Catchment Management Agency (BGCMA) required the applicant to apply for Section 21 (c) and 21 (i) water uses in terms of the National Water Act, 1998 (Act 36 of 1998).

Section 21 (c) and (i) water uses are not actual uses of water but are required when an activity may pose a possible threat to water resources. They are defined as follows:

Section 21(c): ~ impeding or diverting the flow of water in a watercourse.

Section 21(i): ~ altering the bed, banks, course or characteristics of a watercourse.

The water use applications were submitted on 5 June 2017.

The water uses were finally registered on 7 May 2018 under a General Authorisation from the Department of Water & Sanitation (see Annexure 6).

4. SITE PLAN / AERIAL PHOTOGRAPHS

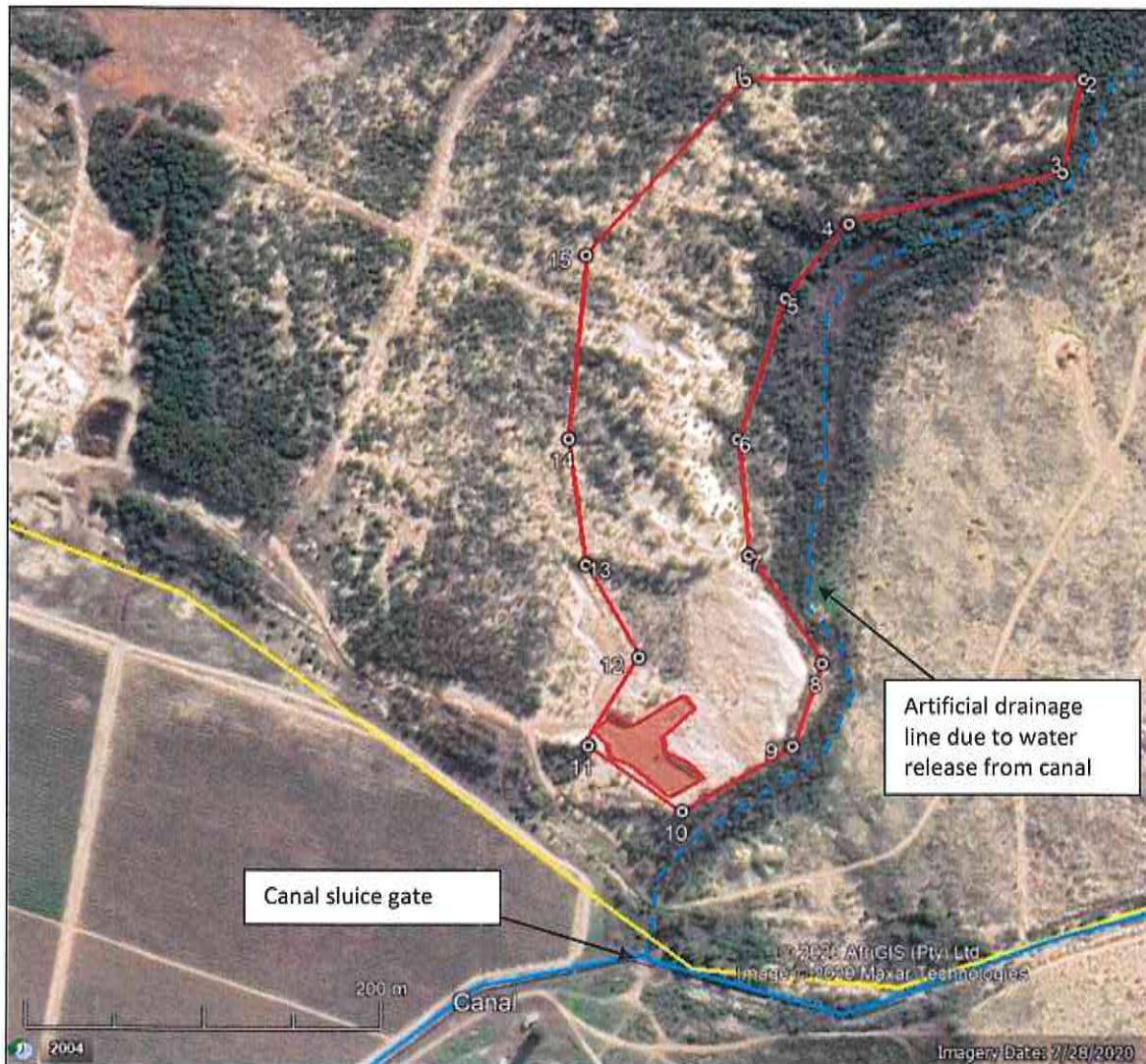


Figure 1: Updated site plan showing the mining permit area

The approved mining permit area is outlined in red and the area mined to date is shaded in red (only 0.16 hectares).

The plan also shows the canal owned by the Central Breede Water Users Association and the artificial drainage line to the east of the mining permit area.

Date of image: 28 July 2020

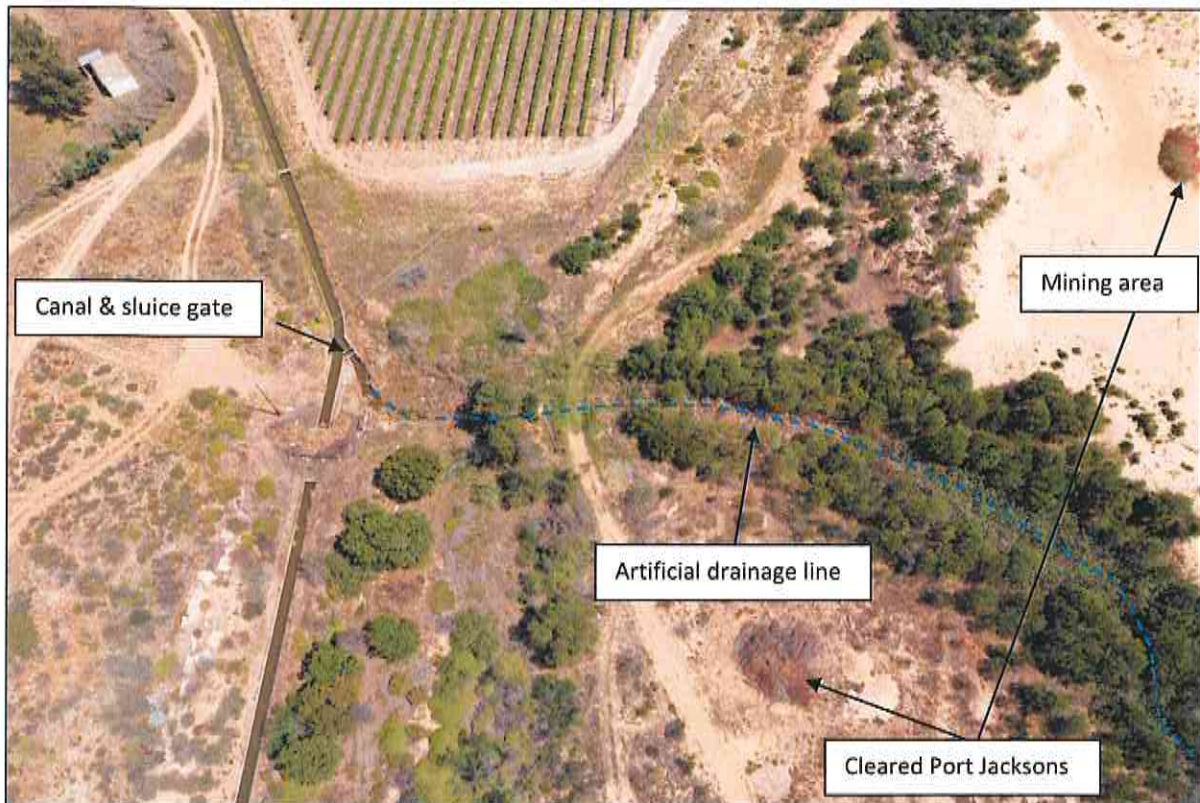


Figure 2: View of the canal, sluice gate, artificial drainage line and the mining area



Figure 3: Overview of the servitude access road

A detailed report on the status quo relating to each of the mitigating measures listed in Section 17.16 of the approved EMPr dated 29 May 2017

1. Introduction

On Wednesday 2 December 2020, the Town Planning Department of the Langeberg Municipality requested "A detailed report on the status quo relating to each of the mitigating measures listed in Section 17.16 of the approved EMPr dated 29 May 2017 (copy attached for ease of reference)".

2. Status quo report : Section 17.16 (Road Safety)

	Criteria	Response	Comply?
17.16	Road Safety		
	A speed limit of 30 km per hour is to be placed on the servitude access road and will also apply to the trucks on the 4km of gravel public roads.	A speed limit of 30 km per hour is in place and the transport contractor is fully aware of this requirement.	Yes
	Appropriate traffic signs shall be placed along the servitude access road.	The traffic signs indicate a speed limit of 20 km per hour which is even less than the required limit.	Yes
	All trucks to have a flashing light and a satellite tracker fitted to ensure that speed limits are not transgressed.	All trucks have a flashing light and a satellite tracker.	Yes
	All trucks are to be fully insured.	All trucks are fully insured and a copy of the insurance policy can be provided to the Langeberg Municipality.	Yes
	There should be an automated access for the truck driver to open and close the gate to the servitude road.	There is an electric gate at the entrance to the farm. There is also an electric gate at the entrance to the servitude road.	Yes
	There should be a video system at the gate to monitor, the time and date of all arrivals and departures.	There is a camera at the entrance gate to the farm that monitors the time and date of all arrivals and departures.	Yes
	The sand at the back of all loaded trucks must be covered with a tarpaulin in order to prevent spillage and to minimise dust.	All sand at the back of loaded trucks is covered with a tarpaulin.	Yes
	No customers will be allowed to collect sand in the mining area.	No customers collect sand in the mining area.	Yes

	Criteria	Response	Comply?
	A single contractor is to be used to transport the sand to Robertson and so there should only be one or two regular truck drivers on this route. All truck drivers are to receive induction training so they understand these requirements.	All sand is only transported by the transport contractor (Delgado Transport). The truck drivers have received the necessary training.	Yes
	Maintain on-going communication with Clariswold Boerdery (Mr J. Erasmus, the neighbour) and resolve any issues immediately.	On-going communication has been maintained with Mr Erasmus and there are currently no issues that we are aware of.	Yes