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Department:  
Economic Development, Environment,  
Conservation and Tourism  
North West Provincial Government  
REPUBLIC OF SOUTH AFRICA



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**APPLICATION TO RECTIFY THE UNLAWFUL COMMENCEMENT OR CONTINUATION OF LISTED ACTIVITIES IN TERMS OF SECTION 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NO 107 OF 1998)**

(For official use only)

File Reference Number:

Date Received:


**PROJECT TITLE**

**SECTION 24G APPLICATION FOR ILLEGAL CLEARANCE OF INDIGENOUS VEGETATION TO ESTABLISH A CHROME WASH PLANT ON PORTION 69 & 71 OF THE FARM BUFFELSPOORT 343 JQ IN RUSTENBURG LOCAL MUNICIPALITY IN THE NORTH WEST PROVINCE.**

Kindly note the following:

1. This application form is current as of 3 July 2006 / 2 August 2010/ December 2014 and July 2017. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
2. Incomplete applications will be returned to the applicant for revision and re-submission.
3. The use of "not applicable" in the form must be done with circumspection as if it is used in respect of material information that is required by the competent authority for assessing the application.
4. Lodging an application for rectification does not necessarily imply that the activity will be authorized. No faxed or emailed applications will be accepted.
5. Unless protected by law, all information filled in on this application will become public information on receipt by the competent authority. Any interested and affected party should be provided with the information contained in this application on request, during any stage of the process.
6. A locality plan must be attached to this application.
7. Applicants and environmental consultants are responsible for the accuracy of the information supplied and are therefore required to complete the checklist fully and honestly.
8. This application form must be completed by an Independent Environmental Assessment Practitioner.
9. Certified copies of the following documents must accompany your application:
  - (a) Identification page from ID document of the applicant in cases where an individual is the applicant or of the contact person where a company / close corporation apply.
  - (b) Registration certificate of the Company / Close Corporation.
  - (c) Proof of ownership of the land or alternatively, proof of owner's consent to undertake activity on the relevant land.
10. Annexure A"" must be completed and attached to this application form.
11. Prior to this application being submitted to this authorisations authority, public participation must have been conducted.



**Let's Grow North West Together**



**SECTION A: BACKGROUND INFORMATION AND CONTACT DETAILS**

<b>Applicant:</b>	Mr Dumezweni Tshabalala	
<b>Company/ Closed Corporation / Firm Registered Name (if applicable)</b>	Mshengu Business Consultants (Pty) Ltd	
<b>Company / Closed Corporation Registration / Firm Number (if applicable)</b>	2009/009470/07	
<b>Contact person:</b>	Mr Dumezweni Tshabalala	
<b>Contact person's position in company:</b>	Director	
<b>ID Number of Applicant:</b>	7505256455081	
<b>Postal Address:</b>	Shop 03, NPB Building, Fourways Junction, Lonehill	
<b>Physical Address:</b>		<b>Code:</b> 2191
	Same as above	
		<b>Code:</b>
<b>Telephone No:</b>	011-883 3737	<b>Cell:</b> 078 833 7731
<b>E-mail address:</b>	Dumie22@gmail.com	<b>Fax:</b>

<b>Registered Land Owner:</b>	Mshengu Business Consultants (Pty) Ltd	
<b>Contact Person:</b>	Mr Dumezweni Tshabalala	
<b>Postal Address:</b>	Shop 03, NPB Building, Fourways Junction, Lonehill	
<b>Physical Address of Land Owner:</b>		<b>Code:</b> 2191
	Same as above	
		<b>Code:</b>
<b>Telephone No:</b>	011-883 3737	<b>Cell:</b> 078 833 7731
<b>E-mail address:</b>	Dumie22@gmail.com	<b>Fax:</b>



Where there is more than one landowner, a list of landowners with their contact details must be attached to this application form.

Tick box if list is attached

In instances where the landowner is not the applicant, attach landowner consent form

Tick box if consent is attached

**Project Environmental Assessment Practitioner:**

**Company/ Closed Corporation Registered Name (if applicable)**

**Company / Closed Corporation Registration Number (if applicable)**

**Contact Person:**

**Position in Company:**

**ID Number of Contact Person**

**Postal Address:**

**Physical Address:**

**Telephone No:**

**E-mail address:**

Siphosenkosi Zulu		
Senkosi Environmental CC		
2007/095888/23		
Siphosenkosi Zulu		
Managing Member		
7111225511086		
House 65, Cullinan Golf Estate, Cullinan		
	<b>Code:</b>	1000
House 65, Cullinan Golf Estate, Cullinan		
	<b>Code:</b>	1000
	<b>Cell:</b>	072 145 2514
<u>sipho@senkosi.com/</u> <u>mhluzist@gmail.com</u>	<b>Fax:</b>	



The Environmental Practitioner's Curriculum Vitae (CV) must be attached.

Tick box if CV is attached

## SECTION B: DETAILS OF UNLAWFUL ACTIVITY

Indicate hereunder the activity for which you are applying for rectification. The relevant number should be reflected as it appears in the government notice.

1. Activities listed in GNR. 386 of 2006 / 544 of 2010 / 327 of 2014:Details of activity(ies) requiring Basic Assessment (Please indicate the relevant government notice)

Government Notice	Activity Number and Description	Project Description
e.g GN R. 386		

2. Activities listed in GNR. 387 of 2006 / 545 of 2010/ 325 of 2014: Details of activity(ies) requiring a Scoping Report and EIA (Please indicate the relevant government notice)

3. Activities listed in GNR. 546 of 2010 / 324 of 2014: Details of activity(ies) requiring Basic Assessment (Please indicate the relevant government notice)

Government Notice	Activity Number and Description	Project Description
e.g GN R. 546		
<b>GN R 324</b>	<p><b>Listing Notice 3</b></p> <p><b>Activity No. 12 –</b></p> <p><i>“The clearance of an area of 300 square metres or more of indigenous vegetation”</i></p> <p><i>(h) North West;</i></p> <p><i>(iv) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority</i></p>	<p><i>This project is situated within a Critical Biodiversity Area (CBA) as defined under Listing Notice 3, Activity No. 12. Specifically, this activity entails the clearance of 300 square metres or more of indigenous vegetation in areas categorized as CBAs, as per systematic biodiversity plans adopted by the competent authority. In the North-West Province, this is further</i></p>



		<p><i>outlined under sub-section (h)(iv) of the notice.</i></p> <p><b>Additional information</b></p> <p><i>The facility will receive Tailing, Sweepings and ROM from outside the portion of the farm. This will be stockpiled on an allocated area for storage. It must be noted that only less than 1 (One) ha is being utilised. Chromium (III) Oxide (Cr<sub>2</sub>O<sub>3</sub>) will be beneficiation by various gravity separation techniques. The concentrate will be partially dewatered via cyclones and deposited on a concentrate slab, where once it has dried it will be loaded on site tipper truck and removed from site. The tailing of the proposed plant will be returned to the stockpile area for either further processing or for other uses such as possibly the brick making.</i></p>
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**Details of property on which unlawful activity is taking place:**

**SITE IDENTIFICATION AND LINKAGE**

Please indicate all the Surveyor-general 21-digit site (erf/farm/portion) reference numbers for all sites (including portions of sites) that are part of the application.

T	0	J	Q	0	0	0	0	0	0	0	0	0	3	4	3	0	0	0	6	9

<b>Farm Portion:</b>	Portions 69 and 71
<b>Farm name:</b>	Buffelspoort Farm
<b>Erf number:</b>	343 JQ
<b>Municipal area:</b>	Rustenburg Local Municipality



Latitude (S):

Longitude (E):

**Site Co-ordinates**

The co-ordinates should be in degrees, minutes and seconds using the Hartebeeshoek94 WGS84 co-ordinate system.

25°	46'	02.1"	27°	30'	31.1"
-----	-----	-------	-----	-----	-------

Where a large number of properties are involved, please attach a full list to this application.

**A LOCALITY MAP MUST BE ATTACHED**



**Description of project:**

Please provide a brief description of the ***nature*** and ***extent*** of the activity. ***Extent*** to include but not be limited to:

- Area covered by the activity;
- Capacity of the facility (if applicable);
- Throughput of the facility (if applicable)

**Area covered by the activity**

The proposed activity has taken place within a 3,66-hectare designated area. A key environmental consideration is that the site is located within a Critical Biodiversity Area (CBA), triggering Listing Notice 3, Activity No. 12, due to the clearance of 300m<sup>2</sup> or more of indigenous vegetation. This means that any land clearing must be carefully managed to minimize biodiversity impacts and ensure compliance with environmental regulations.

**Capacity of the facility**

The capacity of the facility would depend on the design specifications of the beneficiation process, storage areas, and processing equipment from the client. Given that the facility will handle Run-of-Mine (ROM), tailings, and sweepings, the capacity will primarily be defined by:

- Stockpile Storage Capacity: The allocated stockpile area should be able to accommodate the incoming ROM and tailings before and after processing.
- Processing Capacity: This will be determined by the throughput of the beneficiation plant and how efficiently the gravity separation techniques can process the material.

A more precise capacity estimate details on:

- The tonnage of incoming material per day/month.
- The drying time on the concentrate slab.
- The rate at which processed concentrate can be transported offsite.

**Throughput of the facility**

The throughput refers to the amount of material processed within a given period

- Beneficiation Efficiency: The effectiveness of the gravity separation techniques in extracting Chromium (III) Oxide (Cr<sub>2</sub>O<sub>3</sub>).
- Dewatering Rate: The cyclone system's capacity to dewater concentrate before drying.
- Transport Logistics: The frequency and capacity of tipper trucks removing the concentrate from the site.



**Environmental and regulatory considerations**

- The project must adhere to Listing Notice 3, Activity No. 12, due to its location within a CBA, meaning environmental approvals and mitigation measures are necessary.
- Land clearing should be minimized, and rehabilitation plans should be considered for long-term sustainability.
- Tailings management should ensure no contamination of surrounding soil and water resources.

Date when activity was commenced with for the first time:

20 November 2023

Tick box if activity is continuing:

<input type="checkbox"/>
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Please indicate the current status by ticking the appropriate boxes:

Construction completed	<input type="checkbox"/>	Activity operational	<input checked="" type="checkbox"/>
Property/ies transferred to new owners	<input type="checkbox"/>	Construction ceased prior to finalization	<input type="checkbox"/>
Operation / activity ceased pending outcome of application	<input type="checkbox"/>	Activity has been decommissioned and property rehabilitated to original state	<input type="checkbox"/>
Other (explain)	<input type="checkbox"/>		<input type="checkbox"/>

**SECTION C: AUTHORISATIONS / PERMITS OBTAINED FROM OTHER ORGANS OF STATE**

- Please complete the table below with regard to authorizations / permits obtained from other organs of state (if applicable). Certified copies of permits / authorizations / certificates must be attached

Name of Authority:	Legislation / Regulations / By-law in terms of which authorization was obtained	Date of authorization / permit / certification	Applicable authorization / permit / certificate number
N/A	N/A	N/A	N/A

**SECTION D: MOTIVATION FOR SECTION 24G APPLICATION**

- Please explain why this activity commenced in contravention with the National Environmental Management Act, Act 107 of 1998 (as amended).

Chrome washing involves the processing of raw chromite ore to separate valuable chrome from other materials through washing, screening, and gravity separation techniques. The final product, chrome concentrate, is highly sought after in various industries. It is primarily used in the production of stainless steel, alloys, and specialty products, contributing significantly to the global metallurgical sector. This project is strategically located within a recognized chrome washing hub, where numerous mining operations engage in similar activities. The area's concentration of chrome washing plants has positioned it as a key contributor to the beneficiation and value addition of chrome resources in the region.

This activity commenced without prior environmental authorization, in contravention of the National Environmental Management Act (NEMA), Act 107 of 1998. NEMA mandates that activities with potential environmental impacts, such as land clearance exceeding prescribed thresholds or operations in Critical Biodiversity Areas (CBAs), must undergo a robust environmental assessment process. This includes obtaining approval from the competent authority before proceeding. In this case, the chrome washing activity began without adherence to these legal requirements. The absence of proper authorization has resulted in a failure to consider potential environmental risks, ensure sustainable resource use, and mitigate impacts on the surrounding biodiversity. Addressing this non-compliance is crucial to align the project with legal and environmental standards.



2. Please motivate why your application in terms of Section 24G of the National Environmental Management Act should be considered favourably:

**TO BE INSERTED**

The application in terms of Section 24G of the National Environmental Management Act (NEMA) is submitted with the intent to regularize the project and ensure full compliance with environmental legislation. The applicant acknowledges the non-compliance and is committed to rectifying past oversights by adhering to the necessary legal and environmental standards. The authorization sought will enable the project to proceed responsibly, with due consideration of its environmental footprint and alignment with sustainable development principles.

This project is situated in a recognized chrome washing hub, where similar operations are conducted, and plays a pivotal role in the beneficiation of chrome ore, contributing to the local economy and employment. Through regularization, the project can continue to operate within a legal framework, while implementing effective mitigation measures to minimize environmental impacts. This will ensure that the project contributes positively to regional economic growth without compromising critical biodiversity resources.

Furthermore, the applicant has proactively taken steps to address the impacts associated with the project's commencement, including the commissioning of an environmental assessment to identify and mitigate potential risks. The application reflects the applicant's commitment to aligning with NEMA's principles of accountability and sustainability. Approval of this application will ensure the project is managed responsibly, while promoting compliance with legal requirements and supporting socio-economic development.

3. Give details of any administrative enforcement notices issued in terms of the NEMA to the applicant (i.e. pre-compliance notices, compliance notices, pre-directives, directives) in respect of a contravention of section 24F(1) of the NEMA (if any)

**NOTE: list all previous notices issued to the applicant, not just notices applicable to this application**

**Type of notice:** Notice to comply and the rectification of an unlawful commencement of an activity in terms of S24 G of NEMA.

**Date of notice:** 17 February 2025 (Hard copy on 20 February 2025)

**Details of non-compliance:** The chrome washing activity commenced without obtaining the required environmental authorization, in contravention of Section 24 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended). Specifically, the following areas of non-compliance have been identified:

**Clearance of indigenous vegetation**

The project involved the clearance of more than 300 square meters of indigenous vegetation within a Critical Biodiversity Area (CBA). This activity is listed under Listing Notice 3, Activity 12, which requires prior environmental authorization to assess and mitigate potential impacts on sensitive ecosystems.



**Commencement without environmental authorization**

The project began operations without obtaining approval from the competent authority. This bypassed the legal requirement for an Environmental Impact Assessment (EIA) and public participation process, as stipulated under NEMA. The failure to conduct these processes prevented the identification and mitigation of potential environmental and socio-economic impacts prior to the project's commencement.

The applicant acknowledges these lapses and is now actively seeking to rectify the situation through the Section 24G application process, demonstrating a commitment to compliance and sustainable resource management.

Type of notice:
Date of notice:
Details of non-compliance:
Type of notice: NOT APPLICABLE
Date of notice:
Details of non-compliance:

4. Give details of any previous convictions in respect of a contravention in terms of section 24F(1) of the NEMA and/or section 20(b) of the National Environmental Management Waste Act (if any).  
NOTE: list all previous convictions, not just convictions applicable to this application

CAS number and area of court:
Date of conviction:
Punishment / penalty:
CAS number and area of court:
Date of conviction:
Punishment / penalty:



5. Give details of any existing/present investigations against the applicant for a contravention in terms of section 24F(1) of the NEMA and/or section 20(b) of the National Environmental Management Waste Act (if any) that is not subject to this application.

NOTE: list all current investigations in any province within the Republic.

Details of the investigation: NOT APPLICABLE

6. Give details of any existing/present investigations against the applicant for a contravention in terms of section 24F(1) of the NEMA and/or section 20(b) of the National Environmental Management Waste Act (if any) that is subject to this application.

Details of the investigation:

7. Give details of any previous applications in terms of section 24G of the NEMA which was submitted to this authorisations authority and/or any other authorisations authority (if any).

NOTE: list all previous section 24G applications submitted, not just applications submitted to this authorisation authority

a)

Previous section 24G application ref no: NOT APPLICABLE

Authorisations authority:

Date of section 24G application:

Was a section 24G environmental authorisation issued?

Date when section 24G environmental authorisation was issued:

Amount of administrative fine paid:



b)

<b>Previous section 24G application ref no:</b>
<b>Authorisations authority:</b>
<b>Date of section 24G application:</b>
<b>Was a section 24G environmental authorisation issued?</b>
<b>Date when section 24G environmental authorisation was issued:</b>
<b>Amount of administrative fine paid:</b>

**SECTION E:**

**DECLARATION BY THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER**

I, Sipho Thomas Zulu declare under oath that I –

- a. act as the independent environmental practitioner in this application ;
- b. do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the Section 24G of the National Environmental Management Act, read together with the Environmental Impact Assessment Regulations, 2006 or 2010 or 2014
- c. do not have and will not have a vested interest in the proposed activity proceeding;
- d. have no, and will not engage in, conflicting interests in the undertaking of the activity;
- e. undertake to disclose, to the competent authority, any material information that has or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the Section 24G of the National Environmental Management Act, read together with the Environmental Impact Assessment Regulations, 2006 or 2010 or 2014;
- f. will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
  - g. will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
  - h. will keep a register of all interested and affected parties that participated in a public participation process; and
  - i. will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.



Signature of the Environmental Assessment Practitioner:

Senkosi Environmental

Name of company:

24-03-2025

Date:

Signature of the Commissioner of Oaths:

2025-03-24

Date

POLICE OFFICIAL

Designation

Official stamp:\



SECTION F:

DECLARATION BY APPLICANT

- I, **Dumezweni Tshabalala** declare under oath that I -
- a. am, or represent, the applicant in this application;
    - o appointed the environmental assessment practitioner as indicated under point F(1) above to act as the independent environmental assessment practitioner for this application;
    - o will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
  - b. will be responsible for the costs incurred in complying with Section 24G of the National Environmental Management Act ("the Act"), read together with the Environmental Impact Assessment Regulations, 2006, including but not limited to -
    - o costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
    - o costs incurred in respect of the undertaking of any process required in terms of the Act;
    - o costs in respect of any fee prescribed by the MEC in respect of the Act;
    - o costs in respect of specialist reviews, if the competent authority decides to recover costs; and
    - o the provision of security to ensure compliance with conditions attached to an environmental authorisation, should it be required by the competent authority;
  - c. will ensure that the environmental assessment practitioner is competent to comply with the requirements of the Act;
  - d. am responsible for complying with the conditions of any environmental authorisation issued by the competent authority;
  - e. understand that I will be required to pay an administration fine in terms of section 24G(2) of the Act and that my application will only be considered after payment of such a fine;
  - f. hereby indemnify, the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible in terms of the Act; and
  - g. will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to an appeal being decided in terms of the Act.

Signature of the applicant

S24G Application form

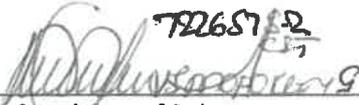


MSHENGI BUSINESS CONSULTANTS (Pty) LTD

Name of company

24/03/2025

Date

 72657-2

Signature of the Commissioner of Oaths

2025-03-24

Date

POLICE OFFICIAL

Designation

Official stamp:



**ANNEXURE A**

**QUANTUM OF THE SECTION 24G FINE**

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resources or MEC may take a decision on whether or not to grant an ex post facto environmental authorization or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded with an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies, copies of which must be submitted with this completed application form.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefore.

**PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES**

Index Socio Economic Impact	Place an "x" in the appropriate box
Description of variable	
The activity is not giving, has not given and will not give rise to any negative socio-economic impacts.	
The activity is giving, has given or could give rise, or could give rise to negative socio-economic impacts, but highly localised.	
The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts.	X
The activity is resulting, has resulted or could result in wide -scale negative socio-economic impacts.	

S24G Application form

**Motivation:**

The chrome washing plant serves as a crucial driver of economic growth, particularly in supporting the local economy through job creation, skills development, and industrial stimulation. By employing both skilled and unskilled workers from the surrounding communities the project provides stable income opportunities, directly contributing to the reduction of unemployment in the region. This employment extends beyond direct operations, fostering a network of indirect job opportunities in supporting industries such as logistics, transportation, equipment maintenance, security, and other ancillary services. This interconnected economic activity creates a multiplier effect, further stimulating local businesses and enhancing overall economic resilience.

Beyond employment, the project serves as a significant revenue generator for both local and provincial governments. Taxes, levies, and economic contributions from the plant provide a sustainable source of funding that can be reinvested into critical community development initiatives. These funds support education, healthcare, and infrastructure improvements, thereby enhancing the region's socio-economic landscape and improving the overall quality of life for residents. Additionally, the project's strategic location within a designated chrome washing hub strengthens the regional mining value chain, positioning the area as a key player in the beneficiation of chrome. This contributes to the national economy by promoting value addition, increasing export potential, and reducing dependency on raw mineral exports.

Moreover, the plant fosters socio-economic upliftment by prioritizing training and capacity-building programs for employees and local contractors. These initiatives facilitate skills transfer, empowering workers with industry-relevant expertise and enhancing their long-term employability. Such programs contribute to workforce development in the broader mining sector, creating a pipeline of skilled professionals who can support future projects and innovations in mineral beneficiation.

Crucially, the plant operates within a legal and environmentally responsible framework, ensuring that economic benefits are realized sustainably. By adhering to regulatory requirements and implementing best practices in environmental management, the project balances industrial growth with ecological preservation. This commitment to sustainability not only safeguards natural resources but also fosters positive community relations, ensuring that the long-term benefits of the project extend beyond economic gains to include environmental stewardship and enhanced community well-being.

The economy of North West is driven by mining, which generates more than 50% of the province's gross domestic product and provides employment for a quarter of its workforce. North West mining ventures make up 20% of South Africa's mining industry, while more than 90% of the country's platinum comes from the province's mines.

Index Biodiversity Impact	Place an "x" in the appropriate box
<b>Description of variable</b>	
The activity is not giving, has not given and will not give rise to any impacts on biodiversity.	
The activity is giving, has given or could give rise, or could give rise to localised biodiversity impacts.	
The activity is giving, has given, or could give rise to significant biodiversity impacts.	X
The activity is , has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot-	

S24G Application form



Motivation:

According to the Ecologist, a field survey was conducted within the project site to assess the presence of any significant flora species. The survey found that no threatened plant species were observed within the project site. However, several plant species listed as "Protected Plants" under the Transvaal Nature Conservation Ordinance No. 12 of 1983 and Schedule 7 of the Bophuthatswana Nature Conservation Act (3/1973) were identified. These include:

- **Aloes (*Aloe greatheadii* var. *davyana*)**
- **Poison Bulb (*Boophone disticha*)**
- **All species of Cabbage Trees (*Cussonia transvaalensis*)**

Given the presence of these species, it is possible that they existed on-site before the illegal clearance of vegetation. As per information obtained from the relevant authorities, all provincially protected plant species found within the project site should be preserved and incorporated into the landscaping plan of the development. Where preservation is not feasible, a permit will be required from the Northwest Department of Economic Development, Environment, Conservation, and Tourism to transplant these species outside of the development footprint.

Furthermore, three protected tree species were recorded within the project site:

- **Marula (*Sclerocarya birrea*)**
- **Pink Ivory (*Berchemia zeyheri*)**
- **Shepherd's Tree (*Boscia albitrunca*)**

If these trees cannot be preserved within the development area, a permit will be required from the provincial Department of Forestry, Fisheries, and the Environment (DFFE) before any damage or removal takes place.

An ongoing monitoring program should be implemented to control and eradicate any newly emerging alien invasive plant species. Rehabilitation of disturbed areas should be prioritized, with the use of plant species that are site-specific and align with the surrounding vegetation composition. Additionally, all development footprint areas should remain as small as possible to prevent unnecessary encroachment into surrounding natural areas.

In conclusion, the chrome operation is expected to have a significant impact on biodiversity conservation within the region. However, the ecologist is of the opinion that the project can be considered favourably, provided that all mitigation measures are implemented and adhered to. The methodologies employed in the field survey, along with the results obtained, provide confidence that the project can proceed with minimal ecological disruption. The project site is currently highly disturbed and fragmented, possessing little to no ecological significance.

It is therefore recommended that the project be approved, subject to the strict implementation of the outlined environmental management and mitigation measures.

Index Sense of Place Impact and/ or Heritage Impact	Place an "x" in the appropriate box
Description of variable	



The activity is in keeping with the surrounding environment and/ or does not negatively impact on the affected area's sense of place and/or heritage.	<b>X</b>
The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage.	
The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/or heritage.	
The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/or heritage.	

**Motivation:**

From the investigations and observations made during the site visit, no fossils were found in the soil. While there is an extremely low probability of fossils being present in the shales, sandstones, and mudstones associated with coal seams, it is possible that fossils could be located much deeper, potentially 4m or more below the surface level. Based on the results of the site visit, there is no evidence that any offence has been committed in terms of Section 51(b) of the *National Heritage Resources Act, No. 25 of 1999*, and the provisions for a compulsory repair order in terms of Section 45 of the Act do not apply to the activities.

It is recommended that full Palaeontological Impact Assessments (PIA) be conducted for any future developments on the property that trigger Section 38 of the *National Heritage Resources Act, No. 25 of 1999*. Should any palaeontological sites or remains be exposed in areas where a PIA is not required, work must cease immediately, and the discovery must be reported to a palaeontologist at a reputable institution such as Northwest University or the South African Heritage Resources Agency (SAHRA).

**Protocol for fossil discoveries during construction**

If construction activities reveal new palaeontological material, the following protocol must be followed:

- The responsible officer (e.g., the ECO or Contractor Manager) must inform a palaeontologist of any major or unusual discoveries found by contractor staff.
- If a significant in situ occurrence is exposed, excavation must immediately cease in the affected area to prevent disturbance until a specialist has assessed the findings.
- If the palaeontologist determines that the find is significant, an inspection must be scheduled as soon as possible to minimize project delays.

Based on the site inspection, the palaeontologist provides the following recommendations:

- The material is of no scientific value, and development can proceed.
- Fossil material has some interest, and a representative sample should be collected and preserved in a recognized fossil repository after obtaining a SAHRA permit, after which development may proceed.
- The fossils are scientifically important, requiring excavation under a SAHRA permit before development can continue.

If fossils are found, a monitoring schedule must be established between the developer and the palaeontologist to address any further discoveries. The palaeontologist confirms that no significant fossils have been identified, and no legal infractions under the National Heritage Resources Act have occurred.



The methodologies employed in the field surveys, along with the findings, provide confidence that the project can proceed with minimal ecological and palaeontological disruption. The project site is currently highly disturbed and fragmented, possessing little to no ecological or palaeontological significance.

It is therefore recommended that the project be approved, subject to the strict implementation of the outlined environmental and heritage management measures.

Index Pollution Impact	Place an "x" in the appropriate box
Description of variable	
The activity is not giving, has not given and will not give rise to any pollution.	
The activity is giving, has given or could give rise to pollution with low impacts.	
The activity is giving, has given, or could give rise to pollution with moderate impacts.	<b>X</b>
The activity is giving, has given or could give rise to pollution with high impacts.	
The activity is giving, has given or could give rise to pollution with major impacts.	
<p>Motivation:</p> <p>The chrome washing plant inevitably generates pollution as a by-product of its operations. Excess material from the washing process has been stored on-site, leading to the accumulation of sludge within the site camp. This buildup not only compromises the operational efficiency and aesthetics of the site but also poses significant environmental risks. The sludge could potentially leach contaminants into the surrounding soil and groundwater, further exacerbating environmental degradation. It is therefore critical for the applicant to immediately remove the excess material temporarily stored on-site to prevent further accumulation and mitigate the risk of groundwater contamination.</p> <p>To address the management of excess material sustainably, the applicant should explore avenues for its reuse and recycling. For instance, the material could be repurposed in construction applications, such as road base layers or backfilling in nearby projects, provided it meets safety and environmental standards. Additionally, the establishment of a long-term waste management plan, including proper containment, treatment, or off-site disposal in licensed facilities, is essential. These measures will ensure the operation minimizes its environmental footprint while adhering to legal and sustainability requirements, ultimately enhancing the plant's contribution to the local economy and its alignment with responsible environmental practices.</p>	

**PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT**

Index Previous administrative action (i.e. administrative enforcement notices) issued to applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "x" in the appropriate box
Description of variable	
Administrative action was previously taken against the applicant in respect of the above mentioned provisions.	



No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	
Administrative action was <b>not</b> previously taken against the applicant in respect of the above mentioned provisions.	
Explanation of all previous administrative action taken in respect of the above: <b>Not Applicable</b>	

<b>Index Previous convictions in terms of section 24F(1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act</b>	Place an "x" in the appropriate box
<b>Description of variable</b>	
The applicant was previously convicted in terms of either or both the above-mentioned provisions.	
No previous convictions have been secured against the applicant, but a conviction has been secured against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time; or a conviction was secured against a director of the applicant in his or her personal capacity.	
The applicant has not previously been convicted in terms of either or both of the above-mentioned provisions.	
Explanation of all previous convictions in respect of the above: <b>Not applicable</b>	

<b>Index Number of section 24G applications previously submitted by the applicant.</b>	Place an "x" in the appropriate box
<b>Description of variable</b>	
Previous applications in terms of section 24G of NEMA were submitted by the applicant.	
No previous applications have been submitted by the applicant but a previous application (s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	
No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	
Explanation in respect of all previous applications submitted in terms of section 24G: <b>Not Applicable</b>	

