

Module 3.6 QUARRIES		STATEMENT OF INTENT Management of quarries to prevent environmental impacts
Measures		Notes
Legal Requirement	<p>Farmers must comply with the requirements of the Department of Mineral Resources and any environmental authorisation under the NEMBA EIA Regulations and Listing Notices.</p> <ul style="list-style-type: none"> • Mining permits required for existing and new quarries and borrow-pits if the material is to be sold • Quarries should be marked on a Land Use Plan 	<p>Legal Requirements for Quarries</p> <p>Existing quarries and borrow pits on private property owned or used by farmers from which material (including soil, gravel or sand) is, or will be, extracted for use on another location on the property is defined as a mineral under the Mineral and Petroleum Resources Development Act (MPRDA). A borrow pit or quarry is a mine at which mining takes place under the MPRDA because it is “any excavation in the earth.....whether being worked or not, made for the purpose of searching for or winning a mineral”.</p> <p>Accordingly, a mining permit or an exemption under the MPRDA is required for the mining which takes place at a quarry or a borrow pit.</p> <p>But an exemption from the requirement to obtain a mining permit is applicable where “any landowner or lawful occupier of land...lawfully takes sand, stone, rock, gravel or clay for farming or for effecting improvements in connection with the land or community development purposes” and is not “sold or disposed of”. Farmers are therefore exempted from the requirements to obtain a mining permit and all the requirements relating to such permits if they do not sell the material.</p> <p>As far as an environmental authorisation is concerned, the current EIA Regulations require an EIA for activities which require a mining permit. Where no mining permit is required (for example where there is an exemption as described above), no EIA is required</p> <p>In brief, if a landowner takes sand, stone, rock, gravel or clay for farming or for making improvements in connection with land or community development purposes and it is not sold, then no mining permit or environmental authorisation is required.</p> <ul style="list-style-type: none"> • Landowners and lawful occupiers of land are exempted from the requirements of a mining permit if material from quarries and borrow pits is used for on-farm improvements or community developments purposes and is not sold • Material removed from existing quarries or borrow pits where the material is sold require a mining permit from the Department of Mineral Resources

Legal Requirement		<ul style="list-style-type: none"> Establishment of new quarries or borrow-pits that are exempt from the requirements of a mining permit are exempt from the requirements for an environmental authorisation. Establishment of new quarries or borrow-pits that require a mining permit (the material is to be sold) will require an environmental authorisation Landowners need to investigate their rights in the case of expropriation for quarries where the material is required by a third party <p>Farmers are to note that in terms of the Mineral and Petroleum Resources Development Act, 28 of 2002, Mines and Works Regulations, GNR.527 of 23 April 2004, at any quarry, all debris and other loose material and stones on the surface must be cleared to a distance of at least three metres from the edge of the quarry.</p>
Better Management Practice	<ul style="list-style-type: none"> Quarries should have minimum visual impact and should not be sited on public or recreation routes Topsoil from new quarries and borrow-pits should be set aside for eventual closure Disused quarries should be rehabilitated or converted to water bodies (dams). 	<p>Better Management Practices for Quarries</p> <p>Wherever possible construction of quarries on farm land should be avoided. If this is not possible then:</p> <ul style="list-style-type: none"> New quarries and borrow-pits should not be sited on public or recreation routes and should have the least visual impact. Topsoil should be stored to facilitate eventual rehabilitation when closed. Quarries should be drained when no longer in use, rehabilitated or turned into permanent water storage bodies, e.g. a dam. In this case, the quarry will need to be registered with the DWS and may require a water use licence