



# **FAIRVIEW MINE RIGHT ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION**

## **COMMENTS AND RESPONSES REPORT**

**Submitted in support of a Mining Right and Environmental Authorisation Amendment Application**

**Prepared on Behalf of:  
Barberton Mines (PTY) LTD**

**DMRE REFERENCE NUMBERS:  
Mining Right: MP 30/5/1/2/2/10221 MR (191 MR)  
Environmental Authorisation Ref #: MP 30/5/1/3/2/1/10221 EM (191 EM)**

**10 July 2024**

**FAIRVIEW MINE**  
**ENVIRONMENTAL AUTHORISATION AND MINING RIGHT AMENDMENT APPLICATION**  
**COMMENTS AND RESPONSES REPORT**

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**Contents**

1 INTRODUCTION..... 1

2 LEGAL COMPLIANCE .....2

3 METHODOLOGY .....2

3.1 Identification of Interested and Affected Parties (I&APs).....2

3.2 List of Authorities Identified and Notified.....3

3.3 List of Key Stakeholders Identified and Notified .....3

3.4 List of Surface Rights/Land Owners Identified and Notified .....4

3.5 List of Adjacent Land Owners Identified and Notified .....5

3.6 Notification of I&APs .....8

3.6.1 Initial Notification .....8

3.6.2 Availability of Draft BAR and EMPR Notification .....10

3.6.3 Open Day Notification .....11

3.6.4 Availability of Final BAR and EMPR Notification .....11

4 PUBLIC MEETING/OPEN DAY .....12

4.1 Notes of the Open Days.....13

4.2 Presentation to the Department of Public Works and Infrastructure .....17

5 COMMENTS RAISED.....17

5.1 How Comments Raised Were Addressed .....17

6 REFERENCES.....57

**Tables**

Table 1: List of surface rights/land owners Identified and Notified. .... 4

Table 2: List of adjacent land owners identified and notified. .... 5

Table 3: Opportunities provided for public participation..... 12

Table 4: Details of the Open Days. .... 13

Table 5: Notes of the Open Day. .... 13

Table 6: Comments raised by I&APs.. .... 18

**Appendices**

- Appendix F1: I&AP Database
- Appendix F2: Proof of Initial, Draft BAR and EMPR Availability and Details of the Open Day Notification
- Appendix F3: Proof of Newspaper Advertisement
- Appendix F4: Proof of Site Notice and Poster Placement
- Appendix F5: Proof of the Open Day Minutes and the Attendance Register
- Appendix F6: Open Day Pictures
- Appendix F7: Presentation to the Department of Public Works and Infrastructure
- Appendix F8: Correspondence

## Definitions

<b>Abbreviation</b>	<b>Definition</b>
Applicant	The person or party applying for Environmental Authorisation for a listed activity
BA	Basic Assessment
BAR and EMPR	Basic Assessment Report and Environmental Management Programme
BARTOBIC	Barberton Tourism and Biodiversity Corridor
BID	Background Information Document
CRR	Comments and Responses Report
CSIR	The Council for Scientific and Industrial Research
DARDLEA	Department of Agriculture, Rural Development, Land and Environmental Affairs
DEA	The National Department of Environmental Affairs
DEDET	Department of Economic Development, Environment and Tourism
DMRE	The Department of Mineral Resources and Energy
DWS	The Department of Water and Sanitation
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EIA Regulations	Environmental Impact Assessment Regulations
EIR and EMPR	Environmental Impact Report and Environmental Management Programme Report
Environment	The Environment is defined in terms of the National Environmental Management Act
GN	Government Notice
I&APs	Interested and Affected Parties
IUCMA	Inkomati-Usuthu Catchment Management Agency
KMZ	A ZIP-compressed KML (formerly Keyhole Markup Language) file that stores map locations viewable in various Geographic Information Systems (GIS) applications
MR	Mining Right in terms of the MPRDA
MPDRA	Minerals and Petroleum Development Act, No 28 of 2002.
MTPA	Mpumalanga Tourism and Parks Agency
NEMA	National Environmental Management Act
NGOs	Non-Government Organisations
PPP	Public Participation Process
SAHRA	South African Heritage and Resources Agency
SMS	Short Message/Messaging Service. A technology for sending short text messages between mobile phones.
SANParks	South African National Parks
SANRAL	South African National Roads Agency
SLP	Social and Labour Plan
WESSA	Wildlife and Environment Society of South Africa

# 1 INTRODUCTION

This Comments and Responses Report (CRR) has been compiled as an appendix to the Final Basic Assessment Report and Environmental Management Programme (BAR and EMPR) for the Fairview Mine Mining Right (MR) and Environmental Authorisation (EA) Amendment Project in the Mpumalanga Province of South Africa. This CRR outlines the Public Participation Process (PPP) followed for a MR and EA amendment application. Shango Solutions was appointed by Barberton Mines (Pty) Ltd (Barberton Mines) as an independent Environmental Assessment Practitioner (EAP) to assist in undertaking a PPP, conducting a Basic Assessment (BA), and submitting the BAR and EMPR in support of this project.

South Africa, being one of the countries with the most progressive constitutions, enshrined the public's right to be involved in decisions. Section 57(1) of the new Constitution that provides: "The National Assembly may (b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement". This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act, 1998 (Act 107 of 1998, NEMA – as amended) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

Public participation can be defined as "a process leading to a joint effort by stakeholders, technical specialists, the authorities and the proponent who work together to produce better decisions than if they had acted independently" (Greyling, 1999). From this definition, it can be seen that the input of the public is regarded as very important indeed.

The PPP is designed to provide sufficient and accessible information to Interested and Affected Parties (I&APs) in an objective manner to assist them to:

- Raise issues of concern and suggestions for enhanced benefits.
- Verify that their issues have been recorded.
- Assist in identifying reasonable alternatives.
- Contribute relevant local information and knowledge to the environmental assessment.
- Comment on the findings of the environmental assessments.
- Obtain information on the outcome, i.e. the competent authority's decision, and how and by when the decision can be appealed.

This CRR lists all verbal and written issues raised by I&APs and stakeholders during the public participation period undertaken for the BA process. A breakdown of the PPP is given within the following sections.

## 2 LEGAL COMPLIANCE

The PPP must comply with the two important sets of legislation that require public participation as part of an application for authorisation or approval; namely:

- The Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002 – MPRDA).
- The National Environmental Management Act, 1998 (Act 107 of 1998 - NEMA).

Adherence to the requirements of the above-mentioned Acts will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirement for public participation referenced in the Acts. The details of the Integrated PPP are provided below.

## 3 METHODOLOGY

The PPP follows the requirements of Chapter 6 Regulation 41 of GN 326 of the EIA Regulations, (2014) as amended, promulgated under Section 24 (5) of the National Environmental Management Act (Act 107 of 1998 - NEMA), as amended.

### 3.1 Identification of Interested and Affected Parties (I&APs)

An initial I&AP list was compiled using WinDeed searches to determine the registered landowners of the project affected land portions. The

I&AP database was compiled containing the following categories of stakeholders:

- National, provincial and local government.
- Agricultural sector.
- Organised business.
- Host and adjacent communities.
- Land claimants.
- Other organisations, clubs, communities and unions.
- Various Non-Government Organisations (NGOs).

Affected and landowners have been notified about the project via post, e-mail or SMS and invited to participate in the BA process. Affected and adjacent landowner contact details were obtained via the following process:

- A WinDeed search was conducted to obtain the contact details of the affected and adjacent landowners, where available.
- Where the property was owned by a company, a Google search was carried out to identify the owners and their contact details.
- Where the property was owned by a Trust, efforts were made to solicit contact details from the relevant municipalities.

### **3.2 List of Authorities Identified and Notified**

The following authorities have been identified and notified of the amendment application:

- City of Mbombela Local Municipality.
- Ehlanzeni District Municipality.
- Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs.
- Mpumalanga Tourism and Parks Agency.
- Mpumalanga Department of Economic Development and Tourism.
- Mpumalanga Tourism.
- Mpumalanga Department of Rural Development and Land Reform.
- Mpumalanga Department of Co-operative Governance and Traditional Affairs.
- Mpumalanga Department of Human Settlements.
- Mpumalanga Department of Public Works and Infrastructure.
- Mpumalanga Department of Water and Sanitation.
- Inkomati - Usuthu CMA.
- Mpumalanga Department of Mineral Resources and Energy.
- Mpumalanga Heritage Resources Authority.
- National Department of Forestry, Fisheries and the Environment.
- National Department of Rural Development and Land Reform.
- National Department of Trade and Industry.
- The Council for Scientific and Industrial Research.
- South African Heritage Resources Agency.
- South African National Roads Agency SOC Ltd.
- South African National Parks.
- Transnet SOC Ltd.
- Transnet-Barberton/Nelspruit.
- Eskom.

### **3.3 List of Key Stakeholders Identified and Notified**

The following key stakeholders have been identified and notified of the amendment application:

- Barberton Tourism and Biodiversity Corridor.
- Wildlife and Environment Society of South Africa.
- BirdLife South Africa.
- Endangered Wildlife Trust.
- Agricultural Research Council.
- Agri South Africa.
- SANParks.

### 3.4 List of Surface Rights/Land Owners Identified and Notified

Table 1 details the surface right/ landowners that have been identified and notified of the amendment application.

Table1: List of surface rights/land owners Identified and Notified.

No	Farm Name	Portion	Registered Landowner
1	Portion of the remainder of the farm Bickenhall 346 JU	RE	National Department of Public Works and Infrastructure
	Portion of the farm Bramber East 314-JU (formerly known as Bramber East 314-JU)	0	National Department of Public Works and Infrastructure
	Farm Worrall 352 JU	0	National Department of Public Works and Infrastructure
2	Portion of the farm Hayward 310-JU (formerly known as Lot Hayward 310-JU)	0	National Government of the Republic of South Africa
	Portion of the farm Mimosa 557-JU (formerly known as Lot 126 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 123 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 124 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 119 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 120 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 136 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 137 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 138 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 140 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 141 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 142 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 143 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 144 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion of the farm Hayward 310-JU (formerly known as Lot Hayward 310-JU)	0	National Government of the Republic of South Africa
	Portion of the farm Mimosa 557-JU (formerly known as Lot 126 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 123 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 124 Section A Kaap Block)	0	National Government of the Republic of South Africa
Portion Of the farm Sheba 949-JU (formerly known as Lot 119 Section A Kaap Block)	0	National Government of the Republic of South Africa	



No	Farm Name	Portion	Registered Landowner
	Portion Of the farm Sheba 949-JU (formerly known as Lot 120 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 136 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 137 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 138 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 140 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 141 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 142 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 143 Section A Kaap Block)	0	National Government of the Republic of South Africa
	Portion Of the farm Sheba 949-JU (formerly known as Lot 144 Section A Kaap Block)	0	National Government of the Republic of South Africa

### 3.5 List of Adjacent Land Owners Identified and Notified

Table 2 details adjacent land owners that have been identified and notified of the amendment application.

Table 2: List of adjacent land owners identified and notified.

No	Farm Property	Portion	Adjacent Landowner
1	Portion 0 of farm Bramber 313 JU	0	Transnet Ltd
	Portion 1 of the farm Hayward 310 JU	1	Transnet Ltd
2	Portion 2 of the farm Bramber 313 JU	2	Green Terence Richard Branton Green Fay
3	Portion 0 of the farm Bramber Central 348 JU	0	Pan African Resources / Barberton Mines
	Portion RE of the farm Fairview 708 JU	RE	Pan African Resources / Barberton Mines
4	Portion 1 of the farm Mimosa 557 JU	1	Elizabeth Joubert
5	Portion 1 of the farm Greenstone 917 JU	1	Zethu Ndondo Shabangu
6	Portion 10 of the farm Greenstone 917 JU	10	Zethu Ndondo Shabangu
7	Portion 11 of the farm Greenstone 917 JU	11	Prop Control CC
	Portion 39 of the farm Greenstone 917 JU	39	Prop Control CC
	Portion 64 of the farm Greenstone 917 JU	64	Prop Control CC
8	Portion 12 of the farm Greenstone 917 JU	12	New Line Investments 144 (Pty) Ltd
	Portion 15 of the farm Greenstone 917 JU	15	New Line Investments 144 (Pty) Ltd
	Portion 17 of the farm Greenstone 917 JU	17	New Line Investments 144 (Pty) Ltd
	Portion 34 of the farm Greenstone 917 JU	34	New Line Investments 144 (Pty) Ltd
	Portion 4 of the farm Greenstone 917 JU	4	New Line Investments 144 (Pty) Ltd
	Portion 40 of the farm Greenstone 917 JU	40	New Line Investments 144 (Pty) Ltd
	Portion 44 of the farm Greenstone 917 JU	44	New Line Investments 144 (Pty) Ltd
	Portion 45 of the farm Greenstone 917 JU	45	New Line Investments 144 (Pty) Ltd
	Portion 52 of the farm Greenstone 917 JU	52	New Line Investments 144 (Pty) Ltd
Portion 60 of the farm Greenstone 917 JU	60	New Line Investments 144 (Pty) Ltd	

No	Farm Property	Portion	Adjacent Landowner
	Portion 63 of the farm Greenstone 917 JU	63	New Line Investments 144 (Pty) Ltd
	Portion 66 of the farm Greenstone 917 JU	66	New Line Investments 144 (Pty) Ltd
	Portion 68 of the farm Greenstone 917 JU	68	New Line Investments 144 (Pty) Ltd
	Portion 72 of the farm Greenstone 917 JU	72	New Line Investments 144 (Pty) Ltd
	Portion 73 of the farm Greenstone 917 JU	73	New Line Investments 144 (Pty) Ltd
	Portion 82 of the farm Greenstone 917 JU	82	New Line Investments 144 (Pty) Ltd
9	Portion 12 of the farm Greenstone 917 JU	12	Nkosiyapha Thabo Ndashe
10	Portion 13 of the farm Greenstone 917 JU	13	Joseph Thokozane Thela
			Thela Octavia Khanyisile Zulu
11	Portion 14 of the farm Greenstone 917 JU	14	Ruan van Deventer
12	Portion 16 of the farm Greenstone 917 JU	16	Gerhard Bessenger
			Amanda Lynette Bessenger
13	Portion 18 of the farm Greenstone 917 JU	18	Winefred Odette Diedericks
			Jan Diedericks
14	Portion 19 of the farm Greenstone 917 JU	19	Liphias Zinky Sithole (Trust)
			Alfred Sipho Mnguni (Trustee)
15	Portion 2 of the farm Greenstone 917 JU	2	Jan Paul De Witt
	Portion 65 of the farm Greenstone 917 JU	65	Jan Paul De Witt
	Portion 67 of the farm Greenstone 917 JU	67	Jan Paul De Witt
	Portion 80 of the farm Greenstone 917 JU	80	Jan Paul De Witt
16	Portion 20 of the farm Greenstone 917 JU	20	Liana Strauss
17	Portion 21 of the farm Greenstone 917 JU	21	Catherina Maria Jansen van Vuuren
18	Portion 22 of the farm Greenstone 917 JU	22	Johan Nel
19	Portion 23 of the farm Greenstone 917 JU	23	Sawela Abraham Shabangu
			Tiisetso Gadihele Shabangu
20	Portion 24 of the farm Greenstone 917 JU	24	Andre van Staden
			Barrett Kareen Marie Sheena
21	Portion 25 of the farm Greenstone 917 JU	25	The Yas Family Trust
22	Portion 26 of the farm Greenstone 917 JU	26	Peter Henry Ray
23	Portion 27 of the farm Greenstone 917 JU	27	Napoleon Vuyani Bekwa
			Senty Phindile Bekwa
24	Portion 28 of the farm Greenstone 917 JU	28	Helena Martha Bosua
25	Portion 3 of the farm Greenstone 917 JU	3	Yvonne Dednam
26	Portion 30 of the farm Greenstone 917 JU	30	Eric Ellio Strydom
27	Portion 31 of the farm Greenstone 917 JU	31	Douglas Harold Melville Fuller
28	Portion 32 of the farm Greenstone 917 JU	32	Johan Marthinus Snyman
29	Portion 33 of the farm Greenstone 917 JU	33	Blue Beacon Investments 267 (Pty) Ltd
30	Portion 35 of the farm Greenstone 917 JU	35	Xandel Venter
31	Portion 36 of the farm Greenstone 917 JU	36	Patrick Roy van Hoffen
			Martha Maria van Hoffen
32	Portion 37 of the farm Greenstone 917 JU	37	Winnie Esther Ndlovu
33	Portion 38 of the farm Greenstone 917 JU	38	Jo-Anne Anthea Halse
			Roger Halse
34	Portion 41 of the farm Greenstone 917 JU	41	Quintus Albert Van Rooyen
35	Portion 43 of the farm Greenstone 917 JU	43	Ignatius Phillip Wilhelm Pohl
			Pieter van der Hoven
36	Portion 42 of the farm Greenstone 917 JU	42	Ernest Wevell

No	Farm Property	Portion	Adjacent Landowner
37	Portion 46 of the farm Greenstone 917 JU	46	Christian Dednam
			Saskia van der Hoven
38	Portion 47 of the farm Greenstone 917 JU	47	Andre Johan Koch
			Charlene Koch
39	Portion 48 of the farm Greenstone 917 JU	48	Pieter Wilhelmus Duvenage
			Sonja Duvenage
40	Portion 49 of the farm Greenstone 917 JU	49	Nonhlanhla Getrude Moroasui
41	Portion 5 of the farm Greenstone 917 JU	5	Charl Cilliers de Witt
	Portion 62 of the farm Greenstone 917 JU	62	Charl Cilliers de Witt
	Portion 53 of the farm Greenstone 917 JU	53	Charl Cilliers de Witt
42	Portion 50 of the farm Greenstone 917 JU	50	Richard Michael Mourant
43	Portion 51 of the farm Greenstone 917 JU	51	David Sidney Minney
44	Portion 52 of the farm Greenstone 917 JU	52	Barend Jacobus Venter
			Adelaide Venter
45	Portion 54 of the farm Greenstone 917 JU	54	Wynand Klaver
			Hanelie Klaver
46	Portion 55 of the farm Greenstone 917 JU	55	Petrus Jacobus van Aswegen
			Anette van Aswegen
47	Portion 56 of the farm Greenstone 917 JU	56	Gidzita Robert Vukeya
48	Portion 57 of the farm Greenstone 917 JU	57	Isaiah Mhlosheni Dladla
49	Portion 58 of the farm Greenstone 917 JU	58	Mark Albert Coomer
50	Portion 59 of the farm Greenstone 917 JU	59	Jacques Tinkhof
			Liezel Tinkhof
51	Portion 6 of the farm Greenstone 917 JU	6	Deane Teresa Hoyle
			Christian Michael Hoyle
52	Portion 61 of the farm Greenstone 917 JU	61	Oyebanji Oladoyin Dunmoye
			Abidemi Adebukola Dunmoye
53	Portion 69 of the farm Greenstone 917 JU	69	Marisa Maria Grazia Medici
			Sebastien Noverraz
54	Portion 7 of the farm Greenstone 917 JU	7	Cynthia Van Rooyen
55	Portion 70 of the farm Greenstone 917 JU	70	Anna Elizabeth Mc Kellar
56	Portion 71 of the farm Greenstone 917 JU	71	Maatlape Blantina Mawela
			Nichodemus Phogile Mawela
57	Portion 74 of the farm Greenstone 917 JU	74	Petrus Jacobus Lemmer
58	Portion 75 of the farm Greenstone 917 JU	75	Derrion Alroy Venter
			Venter Deidre Macdelin
59	Portion 76 of the farm Greenstone 917 JU	76	Ell-Louise Trust
60	Portion 77 of the farm Greenstone 917 JU	77	Mary Jane Stewart
61	Portion 78 of the farm Greenstone 917 JU	78	Alvin Gavin Vaughn
			Gavin Lisa Denise
62	Portion 79 of the farm Greenstone 917 JU	79	Carel Sebastian Marx
63	Portion 8 of the farm Greenstone 917 JU	8	Unity Ncobile Mabuza
64	Portion 81 of the farm Greenstone 917 JU	81	Rosa de Witt
65	Portion 83 of the farm Greenstone 917 JU	83	Greenstone Wildlife Estate N P C
	Portion 84 of the farm Greenstone 917 JU	84	Greenstone Wildlife Estate N P C
	Portion 85 of the farm Greenstone 917 JU	85	Greenstone Wildlife Estate N P C
	Portion 86 of the farm Greenstone 917 JU	86	Greenstone Wildlife Estate N P C
66	Portion 9 of the farm Greenstone 917 JU	9	Elizabeth Strydom
67	Portion 89 of the farm Greenstone 917 JU	89	No Landowner Information

No	Farm Property	Portion	Adjacent Landowner
	Portion 90 of the farm Greenstone 917 JU	90	No Landowner Information
	Portion 91 of the farm Greenstone 917 JU	91	No Landowner Information
	Portion 92 of the farm Greenstone 917 JU	92	No Landowner Information

Please refer to Appendix F1 for the I&AP Database which represents the pre-identified I&APs as well as the I&APs that have registered during the course of this Amendment application.

### 3.6 Notification of I&APs

This section provides details on the notification that was distributed as part of the BA process to date.

#### 3.6.1 Initial Notification

The PPP commenced on the 10<sup>th</sup> April 2024 with an initial notification and call to register period ending on the 13<sup>th</sup> May 2024. Initial notification was given in the following manner:

##### 3.6.1.1 Registered Letters, E-mails and Smses

Notification letters, e-mails and Smses were distributed to all pre-identified I&APs including affected and adjacent surface landowners, government organisations, NGOs, relevant municipalities, ward councillors and other organisations that might be affected. The notification letters were prepared in English, Afrikaans and SiSwati and included the following information:

- List of anticipated activities to be authorised.
- Scale and extent of activities to be authorised.
- Sufficient detail of the intended operation (to enable I&APs to assess/surmise what impact the activities will have on them or on the use of their land).
- The purpose of the proposed project.
- Details of the affected properties (including a locality map).
- Details of the MPRDA and NEMA Regulations that must be adhered to.
- Date by which any request to register as an I&AP must be forwarded through to Shango Solutions.
- Contact details of the EAP.

In addition, a questionnaire was prepared in English, Afrikaans and SiSwati and included in the registered letters and e-mails sent which requested the following information from I&APs:

- Information on any potential impacts from the proposed project.
- Suggestions on potential mitigation measures for their anticipated impacts.
- Information on current land uses and their location within the area.
- Information on the location of any environmental features of note within and in the vicinity of the study area.
- Details of the landowner and information (contact details) of lawful property occupiers, if any.
- Details of any other I&APs that should be notified.

- Details on any land developments proposed in the near future.
- Any specific comments or concerns regarding the application.

### **3.6.1.2 Background Information Document (BID)**

A Background Information Document (BID) was prepared in English, Afrikaans and SiSwati, and included the following information:

- Project name.
- Applicant name.
- Project location.
- Map of affected project area.
- Description of the application process.
- Information on document review.
- Relevant Shango Solutions contact person for the project.

Please refer to Appendix F2 for the Proof of Initial I&AP notification.

### **3.6.1.3 Newspaper Advertisement**

Three newspaper advertisements describing the proposed project and BA process will be placed in a local newspaper with adequate circulation in the area. The advertisements will be placed in the Lowvelder (in English, Afrikaans and SiSwati) on the 11<sup>th</sup> April 2024. The newspaper adverts included the following information:

- Project name.
- Applicant name.
- Project location.
- Nature of the activity.
- Relevant Shango Solutions contact person for the project.

Please refer to Appendix F3 for proof of advertisement placement.

### **3.6.1.4 Site Notice Placement**

Twenty (20) A2 correx site notices (in English, Afrikaans and SiSwati) were placed along and within the perimeter of the application area on the 10<sup>th</sup> April 2024. The on-site notices included the following information:

- Project name.
- Applicant name.
- Project location.
- Map of proposed project area.
- Project description.
- Legislative requirements.
- Relevant Shango Solutions contact person for the project.

### 3.6.1.5 Poster Placement

A3 posters (in English, Afrikaans and SiSwati) were placed at 5 local public gathering places (Barberton Golf Club, Barberton Postal Office, Barberton Labour Centre, Pick n Pay Local Barberton, Shoprite Stimela Barberton) within and around the application area. The notices and written notification afforded all pre-identified I&APs the opportunity to register for the project as well as to submit their issues/queries/concerns and indicate the contact details of any other potential I&APs that should be contacted. The contact person at Shango Solutions, contact number, e-mail and fax were clearly stated on the notification. Comments/concerns and queries were encouraged to be submitted in either of the following manners:

- Electronically (Fax, E-mail).
- Telephonically.
- Written letters.

Please refer to Appendix E4 for proof of site notice and poster placement.

### 3.6.2 Availability of Draft BAR and EMPR Notification

The draft BAR and EMPR was made available for public review and comment for a total period of 30 days from the 10<sup>th</sup> April 2024 to the 13<sup>th</sup> May 2024, at the following venues:

- Singqobile Skills Development Centre.
- Barberton Golf Club.

Furthermore, an electronic copy of the report was made available on the Shango Solutions website ([www.shango.co.za/public-documents/](http://www.shango.co.za/public-documents/)) on the 10<sup>th</sup> April 2024.

All registered I&APs were notified of the availability of the draft BAR and EMPR and where to locate it. I&APs were informed to provide comment either in writing or telephonically, to Shango Solutions by no later than the 13<sup>th</sup> May 2024.

Notification (in English, Afrikaans and SiSwati) regarding the availability of the draft BAR and EMPR was distributed to all pre-identified I&APs, affected and adjacent surface landowners, and was given in the following manner:

- Notification letters.
- E-mails.
- SMSes.
- Site notices.
- Adverts.

Comments received from I&APs during the draft BAR and EMPR review period are included in this Comments and Responses Report that is submitted to the DMRE for consideration as part of this final BAR and EMPR. Please refer to Appendix E4 for proof of the draft BAR and EMPR availability notification.

### 3.6.3 Open Day Notification

During the 30 days draft BAR review period, Two Open Days were held on the 25<sup>th</sup> and 26<sup>th</sup> April 2024 to present the findings of the Basic Assessment. Notification regarding the sessions was given in the following manner:

- Notification letters.
- E-mails.
- Smses.
- Site notices.
- Adverts.

Notification was provided in English, Afrikaans and SiSwati, and it included details on the venues, dates as well as the duration of the Open Day. Hard copies of the draft BAR and EMPR were made available at the Open Day venues.

Please refer to Appendix F2 for proof of the Open Day notification.

### 3.6.4 Availability of Final BAR and EMPR Notification

The final BAR and EMPR will be available for public review and comment from the 10<sup>th</sup> July 2024. An electronic copy of the report will be uploaded on the Shango Solutions website ([www.shango.co.za/public-documents/](http://www.shango.co.za/public-documents/)).

All registered I&APs will be notified of the availability of the final BAR and EMPR on the 10<sup>th</sup> July 2024. I&APs will be informed to provide comment either in writing or telephonically, directly to the DMRE and copy Shango Solutions in all correspondence.

Notification regarding the availability of the Final BAR and EMPR will be given in the following manner:

- Notification letters, e-mails and Smses will be distributed to all pre-identified I&APs, I&APs who registered during the project initiation, and draft BAR and EMPR review notification periods, as well as affected and adjacent surface landowners.

Table 3 details the opportunities provided for public participation to date.

Table 3: Opportunities provided for public participation.

Public Participation Phase			
Action	Description	Publication/Place	Date
Initial public notification (announcement of project)	Newspaper advertisement (Appendix F3)	Newspaper	11/04/2024
	Placement of site notices (Appendix F4)	20 A2 site notices within and around the site area (20 locations)	10/04/2024
	Placement of posters (Appendix F4)	A3 posters were placed at key public places within and around the application area	11/04/2024
	Notification of landowners and key I&Aps (Appendix F2)	I&APs were notified via e-mail, and/or post	10/04/2024
Announcement for public review of draft BAR and EMPR	Notification of landowners and key I&Aps (Appendix F2)	I&APs will be notified via e-mail, Sms, and/or post	10/04/2024
Announcement of Public Meeting	Notification of landowners and key I&Aps (Appendix F2)	I&APs will be notified via e-mail, Sms, and/or post	10/04/2024
Announcement of public review of final BAR and EMPR	Notification of landowners and key I&Aps (Appendix F2)	I&APs will be notified via e-mail, Sms, and/or post	10/07/2024

#### 4 PUBLIC MEETING/OPEN DAY

As indicated above, two Open Days were held to present findings of the Basic Assessment process. The schedule for Open Days is presented in Table 4.



Table 4: Details of the Open Days.

Date	Time	Venue	Contact Details
25 April 2024	10:00 - 18:00	Sinqobile Skills Development Centre	079 142 9902
26 April 2024	10:00 - 18:00	Barberton Golf Club	013 712 2923

During the Open Day session, informative A2 posters were displayed on the walls by Shango Solutions (the EAP) prior to the open session. English, Afrikaans and SiSwati A4 versions of the Open Day posters were provided to the attendees. The EAP was available during the public Open Day for one-on-one discussions and questions from the public.

Please refer to Appendix F5 for proof of the Open Day minutes and the attendance register, and Appendix F6 for the Open Day photos.

#### 4.1 Notes of the Open Days

As discussed in Section 4, two Open Days were held on the 25<sup>th</sup> and 26<sup>th</sup> April 2024. I&APs were given the platform to raise their concerns and provide comment on the project. Issues that were raised during at the Open Days are highlighted in Table 5.

Table 5: Notes of the Open Day.

NOTES OF THE OPEN DAYS	
Project	Fairview Mine MR and EA Amendment
Date	25 April 2024 & 26 April 2024
Venue	Sinqobile Skills Development Centre (25 April 2024 ) Barberton Golf Club (26 April 2024)
MEETING ATTENDEES	
Zizo Siwendu (ZS, Shango Solutions)	
Tshililo Malange (TM, Shango Solutions)	
Murendeni Nxumalo (MN, Shango Solutions)	
Phuthanang Faith Mooka (FM, Shango Solutions)	
Katlego Mukwevho (KM, Shango Solutions)	
Stefanie Weise (S, Shango Solutions)	
Ken Lovell (S, Shango Solutions)	
Jochen Schweitzer (JS, No 77 Nyala Road, Wildlife Estate, Greenstone, Barberton)	
Mary Stewart (No 77 Nyala Road, Wildlife Estate, Greenstone, Barberton)	
Vusmuzi Ludick (333 Spearville, Barberton)	
Zanele Nambule (666 Sinqobile, Barberton)	
Nancy Nkosi (404 Sinqobile, Barberton)	
Maryjane Maseko (62, Sinqobile, Barberton)	
Winnie Thabethe (1300, Sinqobile, Barberton)	
Ncobile Maseko (1300, Sinqobile, Barberton)	

Agnes Shangwe (138 Sinqobile, Barberton)	
Thuli Makhanye (491 Sinqobile, Barberton)	
Zakhele Nkambule (143 Sinqobile, Barberton)	
Patrick Thwala (651 Sinqobile, Barberton)	
Phindile Mandlozi (28 Sinqobile, Barberton)	
Anduka Mataphiri (549 Sinqobile, Barberton)	
Johannah Mnisi (811 Sinqobile, Barberton)	
Thoko Nkosi (555 Sinqobile, Barberton)	
Zodvwa Ndlovu (437 Sinqobile, Barberton)	
Promise Manzini (203 Sinqobile, Barberton)	
Zodwa Myeni (548 Sinqobile, Barberton)	
Sonto Nhabothi (449 Sinqobile, Barberton)	
Nqobile Shungube (866 Sinqobile, Barberton)	
Thulisile Phiri (458 Sinqobile, Barberton)	
Luise Silindza (783 Sinqobile, Barberton)	
Nozipho Mhlongo (141 Sinqobile, Barberton)	
Hlengiwe Mamba (267 Sinqobile, Barberton)	
Tryphna Malaza (265 Sinqobile, Barberton)	
Ribhon Shongwe (487 Sinqobile, Barberton)	
Nkambule Rabi (537 Sinqobile, Barberton)	
Olga Cossa (148 Sinqobile, Barberton)	
Winile Sindane (823 Sinqobile, Barberton)	
Julius Singwane (Sinqobile, Barberton)	
Smangele Gamo (86 Sinqobile, Barberton)	
Sophie Masina (Sinqobile, Barberton)	
Mavis Mashinini (66 Sinqobile, Barberton)	
Nelly Shabangu (538 Sinqobile, Barberton)	
COMMENT	RESPONSE
Since this process involves the adjacent and affected farms, what do you want to obtain from doing all this?	This process is to notify the adjacent and affected Landowners that the application area (the farms highlighted in yellow) is being incorporated into the existing Right through this amendment application.
The mine promised the community members that if we volunteer at CWP, when it comes time for the mine to hire, we will be considered first. However that promise was never kept that is the reason we are struggling to find jobs.  Are you going to give us job opportunities	No new job opportunities will be created as a result of this amendment application. The aim for this application is to rectify an administrative error that was made when the application area was omitted in Annexure A of the converted new order mining right.  However, your general comment is noted that you

<p>since we are the community but not employed?</p>	<p>would like the mine to employ you if there are any job opportunities available. Your request for a job opportunity will be communicated to Barberton Mines for their consideration.</p>
<p>If we do not object to this project what will we get in return as the community?</p>	<p>There are no returns for the community that are directly associated with our process.</p>
<p>Why is the farm highlighted in yellow different from others?</p>	<p>The farm highlighted in yellow is being incorporated into the existing Mining Right through this amendment application.</p>
<p>Is the mine going to build the community a clinic and roads since the community is being involved in this process?</p>	<p>The process that is being followed requires involvement from the public, including the affected community. Community projects that are initiated by the mine are detailed in the mine's Social and Labour Plan (SLP).</p>
<p>Why are we as a community involved in this project since we are not benefiting anything?</p>	<p>Participation from the public is an important and integral part of the Basic Assessment process that is being followed for this amendment application, as it provides awareness to the public about the project and a platform for interested and affected parties to raise issues of concern and suggestions regarding a proposed project. Comments raised by the I&amp;APs are considered in the decision-making by the competent authority. In this case, the competent authority for this project is the DMRE.</p>
<p>We as a community we are concerned about the noise and chemicals that are coming from the mine. If we could only be considered regarding major activities like blasting, may we be told before it happens so we are aware?</p>	<p>Your concern is noted, thank you, Mitigation measures relating to blasting have been proposed in the EMPR. These include the mine liaising with local residents on how best to minimise the impact of blasting. Information that should be provided to the potential sensitive receptor(s) includes:</p> <ul style="list-style-type: none"> <li>• Proposed blasting schedules.</li> <li>• How long the activity is anticipated to take place.</li> <li>• What is being done, or why the activity is taking place.</li> </ul> <p>Contact details of a responsible person where any complaints can be lodged should there be an issue of concern.</p>
<p>The mine, in particular Fairview Mine, has</p>	<p>Your concern regarding your family's graves that</p>

<p>been abusive towards us. They have put a fence around the area which included our family's graves without consulting us as a family.</p>	<p>were included in the mining right boundary or were fenced in the mine is duly noted and will be communicated to the mine for consideration</p>
<p>My grandparents and parents were farming but the mine took their land and was not compensated for that. We would appreciate if the mine doesn't take bribe, they should also consider us and hire their employees in a legal way. The mine should also consider us first as the community, instead of hiring people that lives far away from the mine.</p>	<p>Your comments regarding the bio-physical and socio-economic impacts that you believe should be considered during the study are duly noted.</p> <p>Your general comments relating to the following are noted:</p> <ul style="list-style-type: none"> <li>• Mine relocation of families</li> <li>• Bribes regarding job opportunities</li> <li>• Harmful chemicals emanating from the mine operations</li> <li>• Employment of outsiders instead of the local community</li> </ul> <p>Your general comments will be brought to the attention of the mine for consideration.</p>
<p>We would appreciate if the mine considers us, by developing our community. We acknowledge that they have built schools and community center. However, we still struggle with a clinic since it is far. In addition, the neighboring graveyard is being closed and we have to bury our loved ones far away from our home. May the mine consider us when there are big projects that are beneficial?</p>	<p>Your comments and concerns noted, thank you. Your suggestions will be communicated to Barberton Mines for their consideration into the next SLP.</p>
<p>As an adjacent landowner, I would like the mine to consider the illegal occupation of land.</p>	<p>Thank you for your comment. It is understood that the land you refer to is not within the mining right boundary and therefore it is not under the management of the mine. As such, the mine has no authority to take action against illegal occupation. However, we will bring your comment to the attention of Barberton Mines for their consideration.</p>

<p>We as members of the community that are working for CWP, we would appreciate to be given job opportunities should there be any opportunity arise.</p>	<p>Your general comment that you would like the mine to employ you if there are any job opportunities available is noted. Your request for a job opportunity will be communicated to Barberton Mines for their consideration.</p>
<p>The mine should build us a clinic and roads and also give us job opportunities.</p>	<p>Your requests for the establishment of a clinic, construction of roads and creation of job opportunities are duly noted and will be communicated to the mine for consideration.</p>

#### 4.2 Presentation to the Department of Public Works and Infrastructure

On the 21<sup>st</sup> June 2024, a meeting was held with the Department of Public Works and Infrastructure on their request. The meeting was to present the Section 102 application to the department in their capacity as a landowner of the application area. Please refer to Appendix F7 for the presentation to the Department of Public Works and Infrastructure and the attendance register.

## 5 COMMENTS RAISED

Table 6 details comments received and addressed to date.

### 5.1 How Comments Raised Were Addressed

Comments raised were addressed in a transparent manner and included in the compilation of the BAR and EMPR in the following manner:



- Comments raised were used quantitatively to calculate the significance of impacts both real and perceived.
- Comments raised were used to provide further suggestions and recommendations with regard to technical management options for impacts.

Comments received by Shango Solutions to date have been included in this report as part of the report submission to the DMRE (the competent authority). Please refer to Appendix F8 for copies of correspondence.

Table 6: Comments raised by I&APs.

I&AP	Method	Date comments received	Comment received	Response issued
<b>Key Stakeholders</b>				
<b>Landowner/s</b>				
National Department of Public Works and Infrastructure (Mr Gilbert Masuku)	E-mail	21 May 2024	<p>Good day</p> <p>In reference to our telephonic conversation on the 20<sup>th</sup> of May 2024, herewith is the notice of objection for your consideration.</p> <p>Regards</p>	<p>Dear Gilbert,</p> <p>Thank you very much for e-mail.</p> <p>Your objection to the application and the grounds for your objection are duly noted.</p> <p>Beneath kindly receive our responses:</p> <ol style="list-style-type: none"> <li>1. It is noted that the State is the rightful holder of the application area (a portion of the farm Bramber Oos 314 JU)</li> <li>2. Grounds of objection:               <ol style="list-style-type: none"> <li>2.1 Written notification was sent out to Mr. Morake Charles Morolo in his capacity as the Head of Department of Public Works. The notification was sent on the 10<sup>th</sup> April 2024 by e-mail for</li> </ol> </li> </ol>

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
			 <p><b>public works &amp; infrastructure</b>            Department: Public Works and Infrastructure            REPUBLIC OF SOUTH AFRICA            Private Bag X 11280, Nelspruit 1200, 30 Brown Street, Nedbank Centre 10<sup>th</sup> Floor,            Tel (013) 7536371, Fax (013) 7554748, email: <a href="mailto:gilbert.masuku@dpw.gov.za">gilbert.masuku@dpw.gov.za</a>            Enquiries: Gilbert Masuku</p> <hr/> <p>Ms. Zizo Siwendu            Shango Solution</p> <p>Subject: Objections: EIA Application – Fairview DMR: Brammer Oos 314 JU</p> <p>This communiqué refers to the aforementioned subject.</p> <ol style="list-style-type: none"> <li>The State is the rightful holder of the property hereinafter referred to as the Farm Brammer OOS 314 JU near Barberton.</li> <li>The purpose of this communiqué seeks to raise an objection against the amendment of the EIA application on Farm Brammer OOS 314 JU on the following grounds:               <ol style="list-style-type: none"> <li>The State as the rightful holder of the property must be directly consulted and DPWI only became aware of the proposed application when one of the officials was driving along the R38 between Barberton and Kaapruiden on the 16<sup>th</sup> of May 2024. In this regard, no notice was served nor any consultation made with the State on the matter regarding the EIA application. In fact, this Department was never consulted even in the initial EIA application process.</li> <li>The State has got no written consent received regarding the matter.</li> <li>The property in question forms part of the declared protected area in terms NEMA: PAA.</li> </ol> </li> <li>It is against the aforementioned reasons that the Department of Public Works &amp; Infrastructure as the custodian of State properties is registering an objection against the amendment of the EIA application.</li> </ol> <p>Regards              Directorate: Real Estate Management Services            Department of Public Works &amp; Infrastructure            Nelspruit Regional Office            21 May 2024</p>	<p>the following Barberton Mines S102 Amendment projects:</p> <ol style="list-style-type: none"> <li>Fairview Mine MR and EA Amendment Application</li> <li>New Consort Mine MR and EA Amendment Application</li> <li>Sheba Mine MR and EA Amendment Application</li> </ol> <p>The written notification for the three projects considered the following:</p> <ol style="list-style-type: none"> <li>Notification Letter and Call to Register</li> <li>Availability of Draft Basic Assessment Report and Environmental Management Programme Report as well as Details of Open Days</li> </ol>

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
				<p>c) Background Information Document, including the Locality Map (Regulation 2(2) Plan)</p> <p>d) Registration Form</p> <p>Kindly find attached the above notification documents for each of the three projects. The notification documents are also obtainable from our website. Beneath are links to the documents on the Shango website:</p> <p>a) Fairview Mine EA and MR Amendment Application:  <a href="https://www.shango.co.za/fairview-mr-and-ea-amendment/">https://www.shango.co.za/fairview-mr-and-ea-amendment/</a></p> <p>b) New Consort EA and MR Amendment Application:  <a href="https://www.shango.co.za/new-consort-ea-and-mr-amendment/">https://www.shango.co.za/new-consort-ea-and-mr-amendment/</a></p>



Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
				<p>co.za/new-consort-mr-and-ea-amendment/  c) Sheba Mine EA and MR Amendment Application:  <a href="https://www.shango.co.za/sheba-mr-and-ea-amendment/">https://www.shango.co.za/sheba-mr-and-ea-amendment/</a></p> <p>We would like to thank you for reaching out to us and we would like to register you as the representative for the Department of Public Works and infrastructure for all three projects. As a registered I&amp;AP, you will be kept informed of the projects developments.</p> <p>Barberton Mines holds three mining rights comprising Fairview, New Consort and Sheba mines for underground gold mining operations as well as surface reclamation of tailings material. Mining commenced in the 1880's and has been in operation for over 136 years. Each</p>

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
				<p>operation has an approved Environmental Impact Assessment (EIA), Environmental Management Programme Report (EMPR) and Water Use Licence (WUL). It is understood that the relevant legislative procedures and processes were followed when these rights were initially issued to Barberton Mines. In 2020, Barberton Mines timeously submitted applications for the renewal of these mining rights, together with the relevant supporting documents to the DMRE in order to extend the operations' mining rights by a further 30 years. The DMRE granted the mining right renewal applications on 1 June 2021, indicating that the mining rights are valid until 31 May 2051.</p> <p>2.2 It is understood that the amendments to the EIA Regulations do not require the landowner's written consent for "activities directly related to prospecting or</p>

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
				<p>exploration of a mineral and petroleum resource or extraction and primary processing of a mineral or petroleum resource...” (Chapter 6, Section 39(2)(b) of GNR 982 (as amended).</p> <p>2.3 Although the application area forms part of the declared protected area in terms of the NEMA:PAA, mining in the area commenced in the 1880’s prior to the nature reserve being declared a protected area. Through these amendment applications, the mines only seek to rectify an administrative error where a number of properties were excluded in Annexure A to each mining right, but were included in the Regulation 42 Plan of the respective rights. Kindly refer to attached notification for</p>

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
				<p>further detail. No new mining activities were introduced under these amendment applications. No surface infrastructure is planned within the application areas and all mining will occur underground. The proposed additions will not result in a change of scope to the Mining Work Programmes of these three mines. Therefore, the inclusion of these properties into the mining rights will allow for the continuation of current and scheduled mining operations of all three mines.</p> <p>We trust the above is acceptable. Should you have any further questions in this regard, please do not hesitate to contact Shango.</p>
National Department of Public Works and Infrastructure (Sisanda Mcoseli)	E-mail	23 May 2024	Good Morning Sir/Madam  Reference is made to your email below and the attachments thereto.	Dear Sisanda,  We thank you for the feedback and for the clarification.

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
			Kindly take note that the rightful owner of the subject properties is National Government of South Africa and the custodian is National Department of Public Works. Please take further note that the landowner was never notified as Mr Morolo is the Head of Department for Provincial Department of Public Works not our Department.	We would kindly seek your guidance. Kindly provide the name and contact details of the National Department of Public Works representative to whom we should address our notification. Your assistance in this regard is highly appreciated.  Have a wonderful day and we are looking forward to your response.
	E-mail	27 May 2024		Dear Sisanda,  I trust that you had a wonderful weekend.  I would kindly follow up on the beneath e-mail.  Thank you and we are looking forward to the feedback.
Sisanda Mcoseli	Email	3 June 2024		Dear Sisanda,  I trust that you had a wonderful weekend.

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
				I would kindly follow up on the beneath e-mail.  Thank you and we are looking forward to the feedback.
National Government of South Africa			No comment received to date.	
<b>Adjacent Landowners</b>				
Transnet Ltd			No comment received to date.	
Green Terence Richard Branton Green Fay			No comment received to date.	
Mine Office - Barberton			No comment received to date.	
Elizabeth Joubert			No comment received to date.	
Zethu Ndondo Shabangu			No comment received to date.	
Marguerite Janelle De Jager			No comment received to date.	
Erasmus Anton (Director)			No comment received to date.	
Charl Cilliers de Witt (Director) Jan Paul de witt (Director)			No comment received to date.	
Ndashe Nkosiya Thabo			No comment received to date.	
Joseph Thokozane Thela Octavia Khanyisile Zulu Thela			No comment received to date.	
Ruan van de Venter			No comment received to date.	
Gerhard Bessenger Amanda Lynette Bessenger			No comment received to date.	
Odette Winefred Diedericks Jan Diedericks			No comment received to date.	

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
Liphias Zinky Sithole (Trust) Alfred Siphon Mnguni (Trustee)			No comment received to date.	
Jan Paul de Witt			No comment received to date.	
Liana Strauss			No comment received to date.	
Catherina Maria Jansen van Vuuren			No comment received to date.	
Johan Nel			No comment received to date.	
Sawela Abraham Shabangu Tiisetso Gadihele Shabangu			No comment received to date.	
Andre van Staden Barrett Kareen Marie Sheena			No comment received to date.	
Aneesa Khartoon Khan (Trustee)			No comment received to date.	
Peter Henry Ray			No comment received to date.	
Napoleon Vuyani Bekwa Senty Phindile Bekwa			No comment received to date.	
Catharina Maria Brunner te Water (Director) Frans Karel te Water (Director)			No comment received to date.	
Helena Martha Bosua			No comment received to date.	
Yvonne Dednam			No comment received to date.	
Eric Ellio Strydom			No comment received to date.	
Douglas Harold Melville Fuller			No comment received to date.	
Johan Marthinus Snyman			No comment received to date.	
Bierman George Diederik Frederik (Director) Smith Pieter Ernst Viljoen			No comment received to date.	

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
(Director)				
Xandel Venter			No comment received to date.	
Patrick Roy van Hoffen Martha Maria van Hoffen			No comment received to date.	
Winnie Esther Ndlovu			No comment received to date.	
Jo-Anne Anthea Halse Roger Halse			No comment received to date.	
Quintus Albert van Rooyen			No comment received to date.	
Ignatius Phillip Wilhelm Pohl Pieter van der Hoven			No comment received to date.	
Ernest Wevell			No comment received to date.	
Christian Dednam Saskia van der Hoven			No comment received to date.	
Andre Johan Koch Charlene Koch			No comment received to date.	
Pieter Wilhelmus Duvenage Sonja Duvenage			No comment received to date.	
Nonhlanhla Getrude Moroasui			No comment received to date.	
Charl Cilliers de Witt			No comment received to date.	
Richard Michael Mourant			No comment received to date.	
David Sidney Minney			No comment received to date.	
Barend Jacobus Venter Adelaide Venter			No comment received to date.	
Wynand Klaver Hanelie Klaver			No comment received to date.	
Petrus Jacobus van Aswegen Anette van Aswegen			No comment received to date.	



## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
Gidzita Robert Vukeya			No comment received to date.	
Isaiah Mhlosheni Dladla			No comment received to date.	
Mark Albert Coomer			No comment received to date.	
Jacques Tinkhof Liezal Tinkhof			No comment received to date.	
Deane Teresa Hoyle Christian Michael Hoyle			No comment received to date.	
Oyebanji Oladoyin Dunmoye Abidemi Adebukola Dunmoye			No comment received to date.	
Marisa Maria Grazia Medici Sebastien Noverraz			No comment received to date.	
Cynthia van Rooyen			No comment received to date.	
Anna Elizabeth Mc Kellar			No comment received to date.	
Maatlape Blantina Mawela Nichodemus Phogile Mawela			No comment received to date.	
Petrus Jacobus Lemmer			No comment received to date.	
Derrion Alroy Venter Deidre Macdelin Venter			No comment received to date.	
Eil-Louise Trust			No comment received to date.	
Mary Jane Stewart Jochen Schweitzer	Open Day	26 April 2024	I would like the mine to consider the illegal occupation of land.	Thank you for your comment. It is understood that the land you refer to is not within the mining right boundary and therefore it is not under the management of the mine. As such, the mine has no authority to take action against illegal occupation. However, we will bring

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
				your comment to the attention of Barberton Mines for their consideration.
Alvin Vaughn Gavin Lisa Denise Gavin			No comment received to date.	
Carel Sebastian Marx			No comment received to date.	
Unity Ncobile Mabuza			No comment received to date.	
Rosa de Witt			No comment received to date.	
Jannie de Witt Charl de Witt Daylene Nel			No comment received to date.	
Elizabeth Strydom			No comment received to date.	
<b>Pre-identified: Local Municipality / Ward Councillor</b>				
<b>Local Municipality – City of Mbombela Local Municipality</b>				
Sibongile Makushe - Mazibuko			No comment received to date.	
Wiseman Khumalo			No comment received to date.	
Khethiwe Malaza			No comment received to date.	
Ben Steyn			No comment received to date.	
Philip Minnaar			No comment received to date.	
HL Shongwe			No comment received to date.	
Jeff Nkuna			No comment received to date.	
<b>Pre-identified: District Municipality</b>				
<b>Ehlanzeni District Municipality</b>				
NP Mahlalela			No comment received to date.	
Ester Mahlalela			No comment received to date.	
Z Hlaka			No comment received to date.	

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme


I&AP	Method	Date comments received	Comment received	Response issued
Rirhandzu Ntusi			No comment received to date.	
<b>Pre-identified: Provincial Environmental Authority</b>				
<b>Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs</b>				
H Ndlovu			No comment received to date.	
Bhekiwe Shongwe			No comment received to date.	
PN Ntuli			No comment received to date.	
Robyn Luyt			No comment received to date.	
Xolani Nkosi			No comment received to date.	
<b>Pre-identified: Organ of State</b>				
<b>Mpumalanga Department of Public Works and Infrastructure</b>				
MC Morolo			No comment received to date.	
Minolta			No comment received to date.	
<b>Department of Agriculture Forestry and Fisheries</b>				
Paul Mazwi				
Frans Mashabela				
<b>Department of Rural Development and Land Reform</b>				
Gcinani Magagula				
Simanga Nkosi				
Clement Maseko				
<b>Inkomati - Usuthu CMA</b>				
Felicia Nemathaga				
Fairbridge Mnisi				
Golden Mthembu				
Sandile Dlamini				
Thandi Dzhanghi				
Thabo Rasiuba	E-mail	12 April 2024	Good day Katlego	Dear Thabo,





## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
			Please include Inkomati-Usuthu CMA as interested and affected party for this project and we will comment on a complete EIA/ EMPr.	Thank you very much for your response, Inkomati-Usuthu CMA is registered as an I&AP for the project.  As a representative of Inkomati-Usuthu CMA you will be kept informed of the project as it progresses.
<b>Mpumalanga Tourism and Parks Agency</b>				
Mervyn Lotter			No comment received to date.	
Francois du Toit			No comment received to date.	
Bheki Nkosi			No comment received to date.	
Nomcebo Kunene			No comment received to date.	
Frans Krige			No comment received to date.	
Johan Eksteen			No comment received to date.	
Khumbelo Malele			No comment received to date.	
Differ Mogale	E-mail	10 April 2024	Hi Kattleho  Please copy Mr Rio Mabunda – Acting Senior Manager: Barberton Makhonjwa Mountains – World Heritage Site. I have cc-d him on this email.	Dear Mr Rio Mabunda,  As requested by Mr Mogale, you have been registered as an I&AP for the project. As a registered I&AP you will be kept informed about the project as it progresses.  Please receive herewith attached initial project notification.


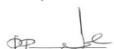


## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
				If you have any questions in this regard, please do not hesitate to contact me.
Rio Mabunda	E-mail	12 April 2024	Katlego  Greetings Katlego, Mr Mogale has indicated to me and you are free to liaise with me. I am curious to know as to who did the translation of this notice into SiSwati, I have read it many times and it is riddled with grammatical errors and to a point it distorts the original English version, next time kindly run it past me for quality assurance as I regard myself an authority in the written and spoken aspect of the language (SiSwati)	Dear Mr Mabunda,  Thank you for your response.  Below please see the link to the company that was appointed for the translation: <a href="http://sors.org.za">Soror Language Services   Leading Translation Company (sors.org.za)</a>  We have forwarded your comment to the company and we requested them to make the relevant amendments to the notification.  Thank you for the offer, we will provide you with the documentation for quality assurance once received.
Celia de Waal	Email	15 May 2024	Dear Ms. Siwendu  Kindly receive the attached comments from the MTPA regarding a Draft BAR and EMPR for the following:	Dear Celia,  Thank you very much for your email.  The correspondence is well

I&AP	Method	Date comments received	Comment received	Response issued
			<ul style="list-style-type: none"> <li>• Mining Right and Environmental Authorisation Amendment application for the Fairview Mine, submitted for Environmental Authorisation on the farm Bramber East 314 JU, Barberton Mines.</li> <li>• Your DMRE reference number: MP 30/5/1/2/2/ 10221 (191) MR, MP30/5/1/3/2/1/ 10221 EM (191) EM</li> <li>• Our EIA registration number for any further enquiries is: LUA 24/3847</li> </ul>	<p>received. Kindly find attached our response.</p> <p>Should you have any questions in this regard, please do not hesitate to contact us.</p> <hr/>  <p>Mr. MH Vilakazi Mpumalanga Tourism and Parks Agency (MTPA) N4 National Road Half's Gelaway Mataffin Mbombela Mpumalanga E-mail: celia.dewaal@mtpa.co.za</p> <p style="text-align: right;">21<sup>st</sup> May 2024</p> <p>Re: MTPA's Comments regarding the draft Basic Assessment Report and Environmental Management Programme for the Mining Right and Environmental Authorisation Amendment Application for the Fairview Mine, submitted for the Environmental Authorisation in terms of the National Environmental Management Act, 1998, and the National Environmental Management Waste Act, 2008 in respect of Listed Activities triggered by the Application in terms of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA), (As amended) on portion of the farm Bramber East 314 JU, Barberton Nature Reserve, situated in the Magisterial District of Barberton, Mpumalanga Province</p> <p>Dear Mr. Vilakazi,</p> <p>Thank you very much for your correspondence dated 14<sup>th</sup> May 2024.</p> <p>Your correspondence is highly appreciated and MTPA's comment that no objection is raised to this application is duly noted.</p> <p>Kindly receive beneath our responses to the concerns raised and recommendations made.</p> <hr/> <p style="text-align: right;"><small>Dunina Trading 188 (Pty) Ltd YA Shango Solutions Registration Number: 2004/0636297 H.A.S. MOUAT, Civil Street, Ave 9, 9th Cross Street, Johannesburg Tel: +27 (0)11 678 6504, Fax: +27 (0)11 678 9731, P O Box 23591, Chiswick, 2118, South Africa</small></p>



I&AP	Method	Date comments received	Comment received	Response issued
			 <p><b>OFFICE OF THE CEO</b></p> <p>Ref: LJA 243847 Unit: LJA/SS Enquiries: K. Malole, F. N. Lekaka Tel/Fax: 013 065 0278 E-mail: <a href="mailto:kumbelomalewa@gmail.com">kumbelomalewa@gmail.com</a> Cc: <a href="mailto:fontpo@gmail.com">fontpo@gmail.com</a></p> <p>Ms. N.Z. Siwendu Shango Solutions H.H.K. House Corner Ethel Ave and Ruth Crescent Northrift JOHANNESBURG 2195</p> <p>Email: <a href="mailto:zico@shango.co.za">zico@shango.co.za</a></p> <p>Dear Ms. Siwendu</p> <p><b>SUBJECT: THE MTPA'S COMMENTS REGARDING THE DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR THE MINING RIGHT AND ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION FOR THE FAIRVIEW MINE, SUBMITTED FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 AND THE NATIONAL ENVIRONMENTAL MANAGEMENT WASTE ACT, 2008 IN RESPECT OF LISTED ACTIVITIES THAT HAVE BEEN TRIGGERED BY APPLICATIONS IN TERMS OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (MPRDA) (AS AMENDED) ON PORTION OF THE FARM BRAMBER EAST 314 JU, BARBERTON NATURE RESERVE, IN THE MAGISTERIAL DISTRICT OF BARBERTON, MPUMALANGA PROVINCE.</b></p> <p>Your correspondence with DMRE reference MP 30/5/1/2/2/10221(191) MR/MP 30/5/1/3/2/1/10221 EM (191) EM, refers.</p> <p><b>BACKGROUND</b> The applicant, Barberton Mines (Pty) Ltd proposes to make changes to its existing mining right by adding a portion of the farm Bramber East 314. This property has historically been part of the authorized old order mining right area and is indicated in Regulation 42 Plan (OT5/3/2/589) of the converted new order mining right. However, this property was omitted in Annexure "A" to the new order mining right, indicating an administrative error. The application area measures 91,3947 ha. The MTPA acknowledges and does not object to the rectification of the administrative error that resulted in this farm (Bramber East 314) not being included in Annexure A in the new order mining right, provided that it does not give rise to new mining activities, for the reasons as stated below.</p>  <p>Private Bag 111338, Mbombela, 1200 Nd National Road, North Corner, North, Mbombela, Mpumalanga +27 (0)13 065 0899/0860   Email: <a href="mailto:info@mpa.co.za">info@mpa.co.za</a> Reservations +27 (0)13 065 0865   <a href="mailto:reservations@mpa.co.za">reservations@mpa.co.za</a></p> <p>Report Fraud, Theft and Corruption and Save the MTPA The Ombudsman: 0800 314 773   0800 204 625</p>  <p><b>MPUMALANGA</b> THE PLACE OF THE RISING SUN</p>	 <p><b>1. Concerns:</b></p> <p><b>1.1 Barberton Nature Reserve Boundary</b></p> <p>Kindly find attached a map in Appendix 1 indicating the boundary of the Barberton Nature Reserve. The map has been generated using the shapefiles provided in the Department of Forestry, Fisheries and the Environment (DEFF) Protected Areas Register, as per request.</p> <p><b>1.2 Old, Current and Continuing Mine Activities</b></p> <p>Fairview Mine has been in operation since the 1880's and has been subjected to a number of legislative processes in order to align the mine's activities with the prevailing legal requirements. The existing EIA and EMPR (of 2010) under which the mine currently operates was compiled to update the EIA and EMPR of 2003. The update was required when Barberton Mines received a directive from the Department of Mineral Resources and Energy (DMRE) to update their existing EIA and EMPR to reflect the requirements under the new legislation (Section 39 of the Minerals and Petroleum Resources Development Act, 2002 (No. 28 of 2002)), in order for the mine to convert its "old order" mining right (ML28/2003), issued under Section 9 of the Minerals Act, 1991 (No. 50 of 1991) to a "new order" mining right (MR 191) following the repeal of the Minerals Act, 1991.</p> <p>No new mining activities were introduced under the EIA and EMPR of 2010. The activities covered in the existing EIA and EMPR of 2010 are a continuation of the activities that were authorised under the EIA and EMPR of 2003.</p> <p>In 2021, Barberton Mines was issued an integrated environmental authorisation for the following activities:</p> <ol style="list-style-type: none"> <li>1. To incorporate the Fairview surface rights, where the existing Tailings Storage Facilities (TSFs) are located and ensure the activities occurring at the Fairview mine are all integrated under one right and managed under one EIA</li> <li>2. To accommodate the construction of the new Fairview TSF, at the site of the reclaimed Bramber TSF</li> <li>3. To accommodate the recovery of material from historic dumps and re-processing of this material at the existing Fairview processing plant</li> </ol> <p>Dunswade Trading 186 (PTY) Ltd/TA Shango Solutions Registration Number: 2016/02360/07 1111 N. Houtak, Cor Ethel Ave and Ruth Crescent, Northrift Tel: +27 (0)11 478 8506, Fax: +27 (0)11 478 8731, P. O. Box 2381, Centurion, 2116, South Africa</p>

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

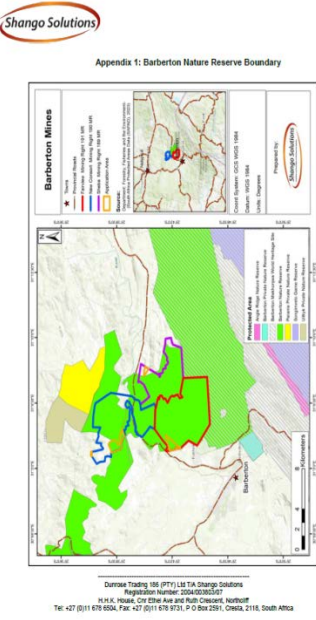
I&AP	Method	Date comments received	Comment received	Response issued						
			 <p>The MTPA accepts in these comments that:</p> <ul style="list-style-type: none"> <li>(a) the amendment process requires the submission of a Basic Assessment Report and Environmental Management Programme (EMP) as well as the undertaking of a Public Participation Process.</li> <li>(b) the area to be included is inside the proclaimed Barberton Nature Reserve.</li> <li>(c) it is anticipated that this application will not result in a change of scope of the mining works programme; and</li> <li>(d) no surface infrastructure is planned, as all mining will be underground.</li> </ul> <p><b>CONCERNS</b></p> <p>We draw your attention to the fact that the topo map used in your Notification letter appears to depict the game fence of Barberton Nature Reserve rather than the actual proclaimed boundary, which is situated on cadastral boundaries, thus creating the wrong impression as to the boundary of Barberton Nature Reserve. We recommend rather using the atspafelles provided in the DFFE Protected Areas Register.</p> <p>In as much as it is a requirement for an EMP to be developed as part of the amendment process, the MTPA is concerned that new activities that may not have been part of the existing EMP (2017) may be included in this EMP for authorization. As this is an inclusion of a new area, the EMP details activities of a continuing mining process and it therefore makes it difficult to ascertain whether indeed all activities are continuing or if there are any new activities included.</p> <p>If there are any new activities associated with the inclusion of these farms, this would be in contravention of the National Environmental Management: Protected Areas Act 57 of 2003 Section 48 which states <i>Prospecting and mining activities in protected area are restricted.</i></p> <p>48. (1) <i>Despite other legislation, no person may conduct commercial prospecting or mining activities (a) in a special nature reserve or nature reserve.</i></p> <p>Therefore new surface impacting mining activities are prohibited from occurring on a portion of the farm Bramber East 314 JU due to NEMPAA Section 48, as it prohibits commercial mining activities from occurring in Nature Reserves.</p> <p><b>RECOMMENDATIONS</b></p> <p>In order to address the above-mentioned concern, the MTPA requests for a tabulated comparison of the old EMP (2017) and the new EMP (2024) clearly showing the old activities, current and continuing activities and any new activities that may arise as a result of the inclusion of a portion of the farm Bramber East 314 JU. We request that such tabulated comparison be accompanied by a map or maps showing the old activities, current and continuing activities and any new activities.</p> <p>Please do not hesitate to contact this office if there are any enquiries.</p> <p>Regards,</p>  <p>MR. AMY VILAKAZI CHIEF EXECUTIVE OFFICER DATE: 17 / 05 / 2024</p> <p style="text-align: right;">2   Page</p> 	 <p><b>2. Recommendations</b></p> <p>Table 1 compares the mining activities under the existing EIA and EMPR with the mining activities covered in the new BAR and EMPR, as well as current and continuing activities and any new activities that may arise as a result of this amendment application.</p> <p>Table 1: Comparison of the old EIA and EMPR and the new BAR and EMPR, as well as current and continuing activities and any new activities that may arise as a result of this amendment application.</p> <table border="1" data-bbox="1657 566 2038 925"> <thead> <tr> <th>Old activities</th> <th>New activities</th> <th>Current and continuing activities and any new activities that may arise as a result of the inclusion</th> </tr> </thead> <tbody> <tr> <td>Underground mining and related activities as well as surface reclamation of tailings material with associated infrastructure. These include: 1. Metallurgical plant 2. Access adits 3. Bramber Tailings Reworking Plant (BTRP) 4. Bramber TSF (operating, reprocessed or historic) 5. Hostels and villages 6. Mine offices 7. Access roads and railway 8. Sewage pipelines 9. Water purification plant 10. Return Water Dam (RWD) 11. Power lines and a</td> <td>No new mining activities are planned under this amendment application. The amendment application only relates to the addition a property (portion of the farm Bramber East 314 JU) into the existing mining right in order to rectify an administrative error when the mining right was converted from an "old order" to a "new order" mining right. This farm portion was omitted in Annexure A of the new order mining right, but is depicted on the Regulation 42 Plan</td> <td>The current and continuing activities consider underground mining and related activities as well as surface reclamation of tailings material.  No new mining activities are planned under this amendment application.  The proposed change will not have any direct impact on surface, as only underground mining activities are considered.  Therefore, the inclusion of this property into the mining right will allow for</td> </tr> </tbody> </table> <p style="text-align: right; font-size: small;">Dunoon Trading 186 (PTY) LTD Shango Solutions Registration Number: 2020/0305107 P.O. Box 10004, Off ERM Ave and Palm Crescent, Hartbeesfontein Tel: +27 (0)11 610 9004, Fax: +27 (0)11 610 9171, # 01 New Street, Grahamstown, 6160, South Africa</p>	Old activities	New activities	Current and continuing activities and any new activities that may arise as a result of the inclusion	Underground mining and related activities as well as surface reclamation of tailings material with associated infrastructure. These include: 1. Metallurgical plant 2. Access adits 3. Bramber Tailings Reworking Plant (BTRP) 4. Bramber TSF (operating, reprocessed or historic) 5. Hostels and villages 6. Mine offices 7. Access roads and railway 8. Sewage pipelines 9. Water purification plant 10. Return Water Dam (RWD) 11. Power lines and a	No new mining activities are planned under this amendment application. The amendment application only relates to the addition a property (portion of the farm Bramber East 314 JU) into the existing mining right in order to rectify an administrative error when the mining right was converted from an "old order" to a "new order" mining right. This farm portion was omitted in Annexure A of the new order mining right, but is depicted on the Regulation 42 Plan	The current and continuing activities consider underground mining and related activities as well as surface reclamation of tailings material.  No new mining activities are planned under this amendment application.  The proposed change will not have any direct impact on surface, as only underground mining activities are considered.  Therefore, the inclusion of this property into the mining right will allow for
Old activities	New activities	Current and continuing activities and any new activities that may arise as a result of the inclusion								
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Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued						
				 <table border="1" data-bbox="1675 411 2011 512"> <tr> <td data-bbox="1675 411 1787 432">substation</td> <td data-bbox="1787 411 1899 432">(015/02/889)</td> <td data-bbox="1899 411 2011 432">the continuation of current and scheduled mining operations.</td> </tr> <tr> <td colspan="3" data-bbox="1675 432 2011 512">The proposed change will not have any direct impact on surface, as only underground mining activities are considered.</td> </tr> </table> <p data-bbox="1675 523 2011 560">Appendix 2 provides a map showing the old, current and continuing mine activities.</p> <p data-bbox="1675 568 2011 588">No new mining activities are planned under this amendment application.</p> <p data-bbox="1675 596 2011 617">We trust the above is acceptable.</p> <p data-bbox="1675 625 2011 662">Should you have any further questions in this regard, please do not hesitate to contact me.</p> <p data-bbox="1675 667 2011 687">         Nangamsi Zico Siwendu     </p> <p data-bbox="1715 938 1962 975"> <small>         Dorena Trading 186 (Pty) Ltd (Shango Solutions)          Registration Number: 2004/0236107          141-1, 102nd Ave and 10th Crescent, Hartbeesfontein          Tel: +27 (0)11 478 8888, Fax: +27 (0)11 478 8810, 1710 Ross Street, Grahamstown, 6164, South Africa       </small> </p>	substation	(015/02/889)	the continuation of current and scheduled mining operations.	The proposed change will not have any direct impact on surface, as only underground mining activities are considered.		
substation	(015/02/889)	the continuation of current and scheduled mining operations.								
The proposed change will not have any direct impact on surface, as only underground mining activities are considered.										

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
				 <p>Appendix 1: Barberton Nature Reserve Boundary</p> <p>Barberton Mines</p> <p>Legend:</p> <ul style="list-style-type: none"> <li>Barberton Mines</li> <li>Barberton Nature Reserve Boundary</li> <li>Barberton Nature Reserve</li> <li>Barberton Nature Reserve Buffer Zone</li> <li>Barberton Nature Reserve Core Zone</li> <li>Barberton Nature Reserve Buffer Zone</li> <li>Barberton Nature Reserve Core Zone</li> </ul> <p>Scale: 1:50,000</p> <p>Shango Solutions</p> <p>Durokwe Trading 186 (PTY) Ltd. TA Shango Solutions Registration Number: 2004/0290157 H/A, House, Off Ethel Ave and Ruth Crescent, Northville Tel: +27 (0)11 678 6004, Fax: +27 (0)11 678 8731, P.O. Box 2951, Chella, 2116, South Africa</p>

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme



I&AP	Method	Date comments received	Comment received	Response issued
<b>Mpumalanga Department of Economic Development and Tourism</b>				
CM Chunda			No comment received to date.	
JD Mdluli			No comment received to date.	
A Delange			No comment received to date.	
P Maseko			No comment received to date.	
Lucas Mufumadi			No comment received to date.	

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
Sam Nkosi			No comment received to date.	
<b>Mpumalanga Department of Mineral Resources and Energy</b>				
Mashudu Muduka			No comment received to date.	
<b>Mpumalanga Department of Co-operative Governance and Traditional Affairs</b>				
D. Mahlangu			No comment received to date.	
Sam Ngubane	E-mail	02 June 2024	Good day,  Attached kindly receive.	Dear Nqobile,  I trust that you are well.  Thank you very much for your e-mail and for the comments contained in the attached letter from the Department of Co-operative Governance and Traditional Affairs.  The department's support for the application as well as the conditions under which the support is subject to, are duly noted.  Your comments have been included in the Comments and Responses Report accompanying this application, and it be considered in the decision-making process by the competent authority (DMRE).



Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
			<p>PROPOSED AMENDMENT OF A MINING RIGHT – ON PROPOSED VARIOUS PORTIONS AND FARMS: CITY OF MBOMBELA MUNICIPALITY, EHLANZENI</p> <p>property or any portion of the development is not satisfactorily maintained, such maintenance will be at the cost of the registered owner.</p> <p>2.8 Engineering services must be provided to the satisfaction of the local municipality.</p> <p>2.9 Eskom's rights and services must be acknowledged and respected at all times.</p> <p>2.10 The stipulations of the National Water Act, 1998 (Act 36 of 1998) must be complied with, where applicable.</p> <p>2.11 Negative impact of the anthracite mine and operation of the mine on existing high potential agricultural soils must be mitigated.</p> <p>2.12 The stipulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) must be complied with, where applicable.</p> <p>2.13 Mitigation measures must be taken to limit noise and dust as to neighbours.</p> <p>2.14 The stipulations of the Mine Health and Safety Act, 1996 (Act 29 of 1996) must be complied with.</p> <p>2.15 People living on the mentioned farm, under Extension of Security of Tenure Act, 1997 (Act 02 of 1997) must be accommodated in terms of the regulations and procedures of the said Act.</p> <p>Kind regards,</p>  <p>MR S. INCUBANE HEAD: CO-OPERATIVE GOVERNANCE &amp; TRADITIONAL AFFAIRS DATE 21/06/2024</p> 	
Marlene van der Merwe			No comment received to date.	
<b>Mpumalanga Department of Human Settlements</b>				
Hazel Zitha			No comment received to date.	
<b>Mpumalanga Department of Water and Sanitation</b>				
Duduzile Sifunda			No comment received to date	

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
<b>National Department of Forestry, Fisheries and the Environment</b>				
Brendon Mashabane			No comment received to date	
Thizwikoni Ramavhona			No comment received to date	
Thivhulawi Nethononda			No comment received to date	
Amanda Dana-Mfikili			No comment received to date	
Sibongile Mampe			No comment received to date	
<b>National Department of Rural Development and Land Reform</b>				
Vela Mngwengwe			No comment received to date	
<b>National Department of Trade and Industry</b>				
Gerhard Calitz			No comment received to date	
<b>SANRAL/ NRA</b>				
B Mlambo			No comment received to date	
Mpathi Makoa			No comment received to date	
<b>Eskom</b>				
John Geeringh (Senior Consultant Environmental Management)	E-mail	10 April 2024	Please send me a KMZ file of the affected property.	Dear John,  Attached kindly receive the Fairview KMZ file as requested.  Thank you.
Lungile Motsisi			No comment received to date	
<b>Transnet</b>				
Eddie Seaton			No comment received to date	

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued
Christelle van der Merwe			No comment received to date	
<b>Mpumalanga Provincial Heritage Resource Authority (MPHRA)</b>				
Benjamin Moduka			No comment received to date	
<b>Pre-identified</b>				
<b>Barberton Tourism and Biodiversity Corridor</b>				
Danita Stott			No comment received to date	
Nico Oostuizen	E-mail	23 April 2024	<p>Sirs</p> <p>Thank you for sending the above three notices. I am a I&amp;AP in the above matter by virtue of being in the Barberton Nature Reserve within which these applications lie.</p> <p>If this is necessitated by an administrative error as indicated in your notice then I see no objection. However, it appears that all three these now involve compilation of new EA and EMPR's. The EMPR'S were updated not that long ago and remain valid. So my question is why do these EA's and EMPR'S now need to be amended and why are the old EMPR's not simply acknowledged formally to include the error areas. In looking at the current EMPRs I see that the error areas were included in them, meaning they could still stand as is.</p>	<p>Dear Mr. Oosthuizen,</p> <p>Thank you very much for your correspondence.</p> <p>Your correspondence is highly appreciated and BATOBIC's comment that no objection is raised to this application is duly noted.</p> <p>Kindly receive beneath our responses in blue font colour.</p> <p>If this is necessitated by an administrative error as indicated in your notice then I see no objection. However, it appears that all three these now involve compilation of new EA and EMPR's. The EMPR'S</p>



## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

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			<p>If new EA's and EMPRS are now being draw up then we would need to have sight of those and would have to compare them, and specifically the surface activities inside the NR, with the previous ones. In this regard if you are now drawing up new EA's and EMPR'S then we would request you to provide them and all relevant documentation to us together with a tabled comparison of all surface activities old vs new and perhaps including a map/s to indicate those.</p> <p>Also keep in mind that the Management Plan of the BNR was only recently completed in collaboration with Bar Mines and by specifically taking into account the existing EMPR'S and the surface impacting activities vis a vis the NR activities. If the EMPR's are now being updated or changed in any way and specifically if there are new surface impacting activities, that would necessitate much more work to evaluate the existing EMPR's against the new ones and against the Man Plan of BNR. For this reason we would appreciate you comprehensive reply to the above please as to the need/motivation</p>	<p>were updated not that long ago and remain valid. So my question is why do these EA's and EMPR'S now need to be amended and why are the old EMPR's not simply acknowledged formally to include the error areas. In looking at the current EMPRs I see that the error areas were included in them, meaning they could still stand as is.</p> <p><a href="#">It is a legislative requirement for a new EMPR to be developed as part of an amendment process.</a></p> <p>If new EA's and EMPRS are now being draw up then we would need to have sight of those and would have to compare them, and specifically the surface activities inside the NR, with the previous ones. In this regard if you are now drawing up new EA's and EMPR'S then we would request you to provide them and all relevant documentation to us together with a tabled comparison of all surface</p>

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

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			<p>for new EMPR's and any clear indication of new surface impacting activities.</p>	<p>activities old vs new and perhaps including a map/s to indicate those.</p> <p>Kindly receive the link to the BAR and EMPR, which includes all relevant documentation:</p> <p>Link:  <a href="https://www.shango.co.za/fairview-mr-and-ea-amendment/">https://www.shango.co.za/fairview-mr-and-ea-amendment/</a></p> <p>Fairview Mine has been in operation since the 1880's and has been subjected to a number of legislative processes in order to align the mine's activities with the prevailing legal requirements. The existing EIA and EMPR (of 2010) under which the mine currently operates was compiled to update the EIA and EMPR of 2003. The update was required when Barberton Mines received a directive from the Department of Mineral Resources and Energy (DMRE) to update their existing EIA and EMPR to reflect the requirements under the new</p>

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

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				<p>legislation (Section 39 of the Minerals and Petroleum Resources Development Act, 2002 (No. 28 of 2002)), in order for the mine to convert its “old order” mining right (ML28/2003), issued under Section 9 of the Minerals Act, 1991 (No. 50 of 1991) to a ‘new order” mining right (MR 191) following the repeal of the Minerals Act, 1991.</p> <p>No new mining activities were introduced under the EIA and EMPR of 2010. The activities covered in the existing EIA and EMPR of 2010 are a continuation of the activities that were authorised under the EIA and EMPR of 2003.</p> <p>In 2021, Barberton Mines was issued an integrated environmental authorisation for the following activities:</p> <ol style="list-style-type: none"> <li>1. To incorporate the Fairview surface rights, where the existing Tailings Storage Facilities (TSFs) are located</li> </ol>

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

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				<p>and ensure the activities occurring at the Fairview mine are all integrated under one right and managed under one EIA</p> <ol style="list-style-type: none"> <li>2. To accommodate the construction of the new Fairview TSF, at the site of the reclaimed Bramber TSF</li> <li>3. To accommodate the recovery of material from historic dumps and re-processing of this material at the existing Fairview processing plant</li> </ol> <p>The beneath table compares the mining activities under the existing EIA and EMPR with the mining activities covered in the new BAR and EMPR, as well as current and continuing activities and any new activities that may arise as a result of this amendment application.</p>

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

I&AP	Method	Date comments received	Comment received	Response issued						
				<table border="1"> <thead> <tr> <th data-bbox="1621 335 1796 424">Old activities</th> <th data-bbox="1796 335 1935 424">New activities</th> <th data-bbox="1935 335 2058 424">Current and continuing activities and any new activities that may arise as a result of the inclusion</th> </tr> </thead> <tbody> <tr> <td data-bbox="1621 424 1796 951">           Underground mining and related activities as well as surface reclamation of tailings material with associated infrastructure. These include:           <ol style="list-style-type: none"> <li>1. Metallurgical plant</li> <li>2. Access adits</li> <li>3. Bramber Tailings Reworking Plant (BTWP)</li> <li>4. Bramber TSF (operating, reprocessed or historic)</li> <li>5. Hostels and villages</li> <li>6. Mine offices</li> <li>7. Access roads and railway</li> <li>8. Sewage pipelines</li> <li>9. Water purification plant</li> <li>10. Return Water Dam (RWD)</li> <li>11. Power lines and a substation</li> </ol> </td> <td data-bbox="1796 424 1935 951">           No new mining activities are planned under this amendment application.             The amendment application only relates to the addition a property (portion of the farm Bramber East 314 JU) into the existing mining right in order to rectify an administrative error when the mining right was converted from an "old order" to a "new order" mining right. This farm portion was omitted in Annexure A of the new order mining right, but is depicted on the Regulation 42 Plan (O15/3/2/589).             The proposed change will not have any direct impact on surface, as only underground mining activities are considered.         </td> <td data-bbox="1935 424 2058 951">           The current and continuing activities consider underground mining and related activities as well as surface reclamation of tailings material.             No new mining activities are planned under this amendment application.             The proposed change will not have any direct impact on surface, as only underground mining activities are considered.             Therefore, the inclusion of this property into the mining right will allow for the continuation of current and scheduled mining operations.         </td> </tr> </tbody> </table> <p>Also keep in mind that the Management Plan of the BNR was only recently completed in collaboration with Bar Mines and by specifically taking into account the existing EMPR'S and the surface impacting activities vis a vis the NR activities. If the EMPR's are now being updated or changed in any</p>	Old activities	New activities	Current and continuing activities and any new activities that may arise as a result of the inclusion	Underground mining and related activities as well as surface reclamation of tailings material with associated infrastructure. These include: <ol style="list-style-type: none"> <li>1. Metallurgical plant</li> <li>2. Access adits</li> <li>3. Bramber Tailings Reworking Plant (BTWP)</li> <li>4. Bramber TSF (operating, reprocessed or historic)</li> <li>5. Hostels and villages</li> <li>6. Mine offices</li> <li>7. Access roads and railway</li> <li>8. Sewage pipelines</li> <li>9. Water purification plant</li> <li>10. Return Water Dam (RWD)</li> <li>11. Power lines and a substation</li> </ol>	No new mining activities are planned under this amendment application.  The amendment application only relates to the addition a property (portion of the farm Bramber East 314 JU) into the existing mining right in order to rectify an administrative error when the mining right was converted from an "old order" to a "new order" mining right. This farm portion was omitted in Annexure A of the new order mining right, but is depicted on the Regulation 42 Plan (O15/3/2/589).  The proposed change will not have any direct impact on surface, as only underground mining activities are considered.	The current and continuing activities consider underground mining and related activities as well as surface reclamation of tailings material.  No new mining activities are planned under this amendment application.  The proposed change will not have any direct impact on surface, as only underground mining activities are considered.  Therefore, the inclusion of this property into the mining right will allow for the continuation of current and scheduled mining operations.
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				<p>way and specifically if there are new surface impacting activities, that would necessitate much more work to evaluate the existing EMPR's against the new ones and against the Man Plan of BNR. For this reason we would appreciate you comprehensive reply to the above please as to the need/motivation for new EMPR's and any clear indication of new surface impacting activities.</p> <p>No new mining activities are planned under this amendment application.</p> <p>We trust the above is acceptable. Should you have any further questions in this regard, please do not hesitate to contact Shango.</p>
Mark Ngwenyama			No comment received to date	
<b>The Council for Scientific and Industrial Research</b>				
Harrison Pienaar			No comment received to date.	
<b>Endangered Wildlife Trust</b>				
Bradley Gibbons			No comment received to date.	

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

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<b>Birdlife SA</b>				
Hanneline Smit-Robinson			No comment received to date.	
Kirsten Day			No comment received to date.	
<b>Agri SA</b>				
Johann Kotze			No comment received to date.	
<b>Agricultural Research Council</b>				
Litha Magingxa			No comment received to date.	
<b>SANParks</b>				
Nkabeng Mzileni			No comment received to date.	
<b>Wildlife and Environment Society of South Africa</b>				
Seipati Mphasane			No comment received to date.	
<b>Registered I&amp;APs</b>				
Community member	Open Day	25 April 2024	Since this process involves the adjacent and affected farms, what do you want to obtain from doing all this?	This process is to notify the adjacent and affected Landowners that the application area (the farms highlighted in yellow) is being incorporated into the existing Right through this amendment application.
Community member	Open Day	25 April 2024	Are you going to give us job opportunities since we are the community but not employed?	No new job opportunities will be created as a result of this amendment application. The aim for this application is to rectify an administrative error that was made

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

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				when the application area was omitted in Annexure A of the converted new order mining right.
Community member	Open Day	25 April 2024	If we do not object to this project what will we get in return as the community?	There are no returns for the community that are directly associated with our process.
Community member	Open Day	25 April 2024	Is the mine going to build the community a clinic since the community is being involved in this process?	The process that is being followed requires involvement from the public, including the affected community. Community projects that are initiated by the mine are detailed in the mine's Social and Labour Plan (SLP).
Community member	Open Day	25 April 2024	Why are we as a community involved in this project since we are not benefiting anything?	Participation from the public is an important and integral part of the Basic Assessment process that is being followed for this amendment application, as it provides awareness to the public about the project and a platform for interested and affected parties to raise issues of concern and suggestions regarding a proposed project. Comments raised by the I&APs are considered in the decision-making by the competent authority. In this case, the competent authority for this project is the



## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

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Community member	Open Day	25 April 2024	We as a community we are concerned about the noise that is coming from the mine. If we could only be considered regarding major activities like blasting, may we maybe be told before it happens so we are aware?	DMRE. Your concern is noted, thank you, Mitigation measures relating to blasting have been proposed in the EMPR. These include the mine liaising with local residents on how best to minimise the impact of blasting. Information that should be provided to the potential sensitive receptor(s) includes: <ol style="list-style-type: none"> <li>1. Proposed blasting schedules.</li> <li>2. How long the activity is anticipated to take place.</li> <li>3. What is being done, or why the activity is taking place.</li> </ol> Contact details of a responsible person where any complaints can be lodged should there be an issue of concern.
Community member	Open Day	25 April 2024	We would appreciate if the mine considers us, by developing our community. We acknowledge that they have built schools and community center. However, we still struggle with a clinic since it is far. In addition, the neighboring graveyard is being closed and	Your comments and concerns noted, thank you. Your suggestions will be communicated to Barberton Mines for their consideration into the next SLP.

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

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			we have to bury our loved ones far away from our home. May the mine consider us when there are big projects that are beneficial?	
Community member	Open Day	25 April 2024	The mine should build us a clinic and roads and also give us job opportunities.	Your requests for the establishment of a clinic, construction of roads and creation of job opportunities are duly noted and will be communicated to the mine for consideration
Community member	Open Day	25 April 2024	My grandparents and parents were farming but the mine took their land and was not compensated for that. We would appreciate if the mine doesn't take bribe, they should also consider us and hire their employees in a legal way. The mine should also consider us first as the community, instead of hiring people that lives far away from the mine.	<p>Your comments regarding the bio-physical and socio-economic impacts that you believe should be considered during the study are duly noted.</p> <p>Your general comments relating to the following are noted:</p> <ul style="list-style-type: none"> <li>• Mine relocation of families</li> <li>• Bribes regarding job opportunities</li> <li>• Harmful chemicals emanating from the mine operations</li> <li>• Employment of outsiders instead of the local community</li> </ul>

## Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

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				Your general comments will be brought to the attention of the mine for consideration
Community member	Open Day	25 April 2024	The mine, in particular Fairview Mine, has been abusive towards us. They have put a fence around the area which included our family's graves without consulting us as a family.	Your concern regarding your family's graves that were included in the mining right boundary or were fenced in the mine is duly noted and will be communicated to the mine for consideration.
Community member	Open Day	25 April 2024	<p>The mine promised the community members that if we volunteer at CWP, when it comes time for the mine to hire, we will be considered first. However that promise was never kept that is the reason we are struggling to find jobs.</p> <p>Are you going to give us job opportunities since we are the community but not employed?</p>	<p>No new job opportunities will be created as a result of this amendment application. The aim for this application is to rectify an administrative error that was made when the application area was omitted in Annexure A of the converted new order mining right.</p> <p>However, your general comment is noted that you would like the mine to employ you if there are any job opportunities available. Your request for a job opportunity will be communicated to Barberton Mines for their consideration.</p>
Community member	Open Day	25 April 2024	We as members of the community that are working for CWP, we would appreciate to be	Your general comment that you would like the mine to employ you if

Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

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			given job opportunities should there be any opportunity arise.	there are any job opportunities available is noted. Your request for a job opportunity will be communicated to Barberton Mines for their consideration.
Community member	Open Day	26 April 2024	As an adjacent landowner, I would like the mine to consider the illegal occupation of land	Your comment is noted, thank you and it will be communicated to Barberton Mines for their consideration.
Community member	Open Day	26 April 2024	Why is the farm highlighted in yellow different from others?	The farm highlighted in yellow is being incorporated into the existing Mining Right through this amendment application.

## 6 REFERENCES

- Constitution of the Republic of South Africa .1996. Republic of South Africa, 216pp.
- Department of Mineral Resources. 2002. Minerals and Petroleum Resources Development Act (Act 28 of 2002). Cape Town, 62pp.
- Department of Environmental Affairs. 1998. National Environmental Assessment Management Act (Act 107 of 1998). Cape Town, 96pp.
- Department of Environmental Affairs. 2017. National Environmental Management Act, 1998 (Act 107 of 1998) - Amendments to the Environmental Impact Assessment Regulations, 2014. South Africa, 66pp.
- Greyling, T. 1999. Towards Managing Environmental Disputes: Appropriate Public Participation. Prepared for Conference on Environmental Dispute Resolution 10-11 June 1998, Fourways, Gauteng, Manyaka Greyling Meiring (Pty) Ltd, South Africa, 21pp.