



# **NEW CONSORT MINING RIGHT AND 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 Ref #: MP 30/5/1/2/2/10220 MR (190 MR)  
Environmental Authorisation Ref #: MP 30/5/1/3/2/1/10220 EM (190 EM)**

**10 JULY 2024**

## NEW CONSORT MINE

### ENVIRONMENTAL AUTHORISATION AND MINING RIGHT AMENDMENT APPLICATION

#### COMMENTS AND RESPONSES REPORT

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**Definitions**

**Abbreviation**

**Definition**

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 New Consort 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 an (MR) and (EA). 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 and 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 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, Roads and Transport.
- Mpumalanga Department of Water and Sanitation.
- Inkomati - Usuthu CMA.
- Mpumalanga Department of Mineral Resources and Energy.
- Mpumalanga Heritage Resources Authority.
- National Department of Public Works and Infrastructure.
- 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 rights/landowners that have been identified notified of the amendment application.

Table 1: List of surface rights/landowners identified and notified of the amendment application.

No	Farm Name	Portion	Registered Landowner
1	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 191 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
2	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 192 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
3	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 193 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
4	Portion of the farm farm 652- JU (formerly known as Lot 193 Section D Kaap Block)	0	No results were found on WinDeed
5	Portion of the farm farm 934- JU (formerly known as Lot 193 Section D Kaap Block)		National Department of Public Works and Infrastructure
6	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 194 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
7	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 196 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
8	Portion of the farm farm 652- JU (formerly known as Lot 196 Section D Kaap Block)	0	No results were found on WinDeed
9	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 265 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
10	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 269 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
11	Portion of the farm farm 934- JU (formerly known as Lot 269 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
12	Portion of the farm farm 652- JU (formerly known as Lot 269 Section D Kaap Block)	0	No results were found on WinDeed
13	Portion of the farm Moepel 559-JU (formerly known as Lot 130 Section A Kaap Block)	0	National Department of Public Works and Infrastructure
14	Portion of the farm Flamboyant 560-JU (formerly known as Lot 131 Section A Kaap Block)	0	National Department of Public Works and Infrastructure
15	Portion of the farm Barberton Nature	0	National Department of Public Works



No	Farm Name	Portion	Registered Landowner
	Reserve 954-JU (formerly known as Lot 134 Section A Kaap Block)		and Infrastructure
16	Portion of the farm Saffraan 562- JU (formerly known as Lot 135 Section A Kaap Block)	0	No results were found on WinDeed
17	Portion of the farm Sheba 949- JU (formerly known as Lot 136 Section A Kaap Block)	0	State Land (As per S.G. diagram)
18	Portion of the farm Sheba 949- JU (formerly known as Lot 137 Section A Kaap Block)	0	State Land (As per S.G. diagram)
19	Portion of the farm Sheba 949- JU (formerly known as Lot 159 Section A Kaap Block)	0	State Land (As per S.G. diagram)
20	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 195 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
21	Portion of the farm farm 652- JU (formerly known as Lot 195 Section D Kaap Block)	0	No results were found on WinDeed
22	Portion of the farm farm 934- JU (formerly known as Lot 195 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
23	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 199 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
24	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 200 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
25	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 259 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
26	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 262 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
27	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Lot 281 Section D Kaap Block)	0	National Department of Public Works and Infrastructure
28	Portion of the farm Tinto 300-JU (formerly known as Tinto 300-JU)	0	Kwamahlala Entsabeni Community Trust
29	Portion of the farm Whitwick 301-JU (formerly known as Whitwick 301-JU)	0	Sintha Inv Pty Ltd
30	Portion of the Remainder of Potion 1 of the farm Dublin 302-JU (formerly known as Dublin 302-JU)	1	Kubheka Nompumelelo Jeaneth & Kubheka Tebogo Phillip
31	Portion of the Remainder of Potion 1 of the farm Segalla 306-JU (formerly known as Segalla 306-JU)	1	National Department of Public Works and Infrastructure
32	Portion of the Remainder of Potion 8 of the farm Riverside 245-JU (formerly	8	T S M Plant Hire Pty Ltd

No	Farm Name	Portion	Registered Landowner
	known as Riverside 245-JU)		
33	Portion of the farm Barberton Nature Reserve 954-JU (formerly known as Mundts Concession Section C Kaap Block)	0	National Department of Public Works and Infrastructure
34	Portion of the farm farm 652 -JU (formerly known as Mundts Concession Section C Kaap Block)	0	No results were found on WinDeed
35	Portion of the farm farm 934 -JU (formerly known as Mundts Concession Section C 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 that have been identified and notified of the amendment application.

No	Farm Property	Portion	Adjacent Landowner
1	Barberton Nature Reserve 954 JU	0	Mpumalanga Department of Public Works and Infrastructure
2	The Farm Dublin 302 JU	0	National Government of The Republic of South Africa
3	The Farm Dublin 302 JU	4	Eskom Holdings Ltd
4	The Farm Dublin 302 JU	1	Nompumelelo Jeaneth Kubheka and Kubheka Tebogo Phillip
5	Moepel 559 JU	0	Mpumalanga Department of Public Works and Infrastructure
6	Raasblaar 561 JU	0	National Government of The Republic of South Africa
7	Handsup 305 JU	1	Department of Rural Dev and Land Reform
8	Handsup 305 JU	RE	Department of Rural Dev and Land Reform
9	Riverside 245 JU	7	Phil & Henry Plaas CC
10	Riverside 245 JU	3	Bergland Wonings Aandeleblok (Pty) Ltd
11	Riverside 245 JU	REM	Flash Dance (Inv) Pty Ltd
12	Riverside 245 JU	RE/8	T S M Plant Hire (Pty) Ltd
13	Riverside 245 JU	10	Johannes Hendrik Nel
14	Riverside 245 JU	18	David Christian Ackermann and Ackermann Liza
15	Riverside 245 JU	19	RMS Investment Trust
16	Riverside 245 JU	20	Ronnie Frederick Van Staden
17	Riverside 245 JU	11	Jaques Malan and Malan Chantal Susanna
18	Riverside 245 JU	21	Maryke Melanie Koekemoer and Koekemoer Floris Andries Johannes

No	Farm Property	Portion	Adjacent Landowner
19	Riverside 245 JU	25	Lunderstedt Smit Management Trust
20	Riverside 245 JU	30	Johannes Jurie Kasselmann
21	Riverside 245 JU	22	Lars Erik Moe
22	Riverside 245 JU	24	Ban Bella 1000 CC
23	Riverside 245 JU	25	Lunderstedt Smit Management Trust
24	Riverside 245 JU	26	Macpherson Duane Christie Cluny
25	Riverside 245 JU	27	Martin Buchler
26	Riverside 245 JU	28	Karen Ludick and Ludick Frederick
27	Riverside 245 JU	23	Leonie Meyer
28	Riverside 245 JU	16	Warrior Trust
29	Riverside 245 JU	15	Marius Oberholzer and Oberholzer Renee
30	Riverside 245 JU	13	David Arnold Wepener and Wepener Yolande
31	Riverside 245 JU	14	Pierre Pienaar and Pienaar Brenda
32	Riverside 245 JU	RE/12	Branden Austen
33	The Farm Segalla 306 JU	0	Barberton Mines (Pty) Ltd
34	The Farm Segalla 306 JU	1	Barberton Mines (Pty) Ltd
35	Portion of the farm Sheba 949 JU	0	No results found
36	The Farm Tinto 300 JU	0	Kwamahlala Entsabeni Community Trust
37	The Farm Whitwick 301 JU	0	No results found
38	Portion of the farm Saffraan 562 JU	1	No results found
39	Hilgard Muller 304 JU	0	Farm Lizhar (Pty) Ltd

### 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 and E-mails

Notification letters and e-mails and 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. The English version was included in the registered letters and e-mails sent and 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.

The Afrikaans and siSwati versions of the questionnaire were obtainable on the EAP website.

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

A Background Information Document (BID) was prepared in English, Afrikaans and siSwati. The English version was included in the registered letters and e-mails, and it 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.

The Afrikaans and siSwati versions of the BID were obtainable on the EAP website.

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 were placed in a local newspaper with adequate circulation in the area. The advertisements were placed in the

Lowvelder (in English, Afrikaans and siSwati) newspaper on the 11<sup>th</sup> April 2024. The newspaper adverts included the following information:

- Project name.
- Applicant name.
- Project location.
- Map of application area.
- Description of the application process.
- Information on document review.
- 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) correx board 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 the application 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 local public gathering places within and around the application area (Barberton Supermarket, New Consort Supermarket and Barberton Golf Club). The notices and written notification afforded 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 F4 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 at least 30 days from the 10<sup>th</sup> April 2024 to the 13<sup>th</sup> May 2024 at the following public venues:

- Mlambongwane Community Meeting Place
- 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 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 F4 for proof of the draft BAR and EMPR availability notification.

### 3.6.3 Open Day Notification

During the 30 day draft BAR and EMPR review period, Two Open Days were held on the 24<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 Days. Hardcopies of the draft BAR and EMPR was made available at the Open Day venues.

Please refer to Appendix F2 for proof of the draft BAR and EMPR availability and 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 of the timeframes for comments to be submitted to Shango Solutions. 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.

<b>Public Participation Phase</b>			
<b>Action</b>	<b>Description</b>	<b>Publication/Place</b>	<b>Date</b>
Initial public notification (announcement of project)	Newspaper advertisement (Appendix F3)	Newspaper	11/04/2024
	Placement of site notices (Appendix F4)	20 correx board 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	I&APs were notified via e-mail, and/or post	10/04/2024

<b>Public Participation Phase</b>			
	(Appendix F4)		
Announcement for public review of draft BAR and EMPR	Notification of landowners and key I&APs (Appendix F2)	I&APs were notified via e-mail, post and sms	10/04/2024
Announcement of Public Meeting	Notification of landowners and key I&APs (Appendix F2)	I&APs were notified via e-mail, post and sms	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, post and sms	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.

<b>Date</b>	<b>Time</b>	<b>Venue</b>	<b>Contact Details</b>
24 April 2024	10:00 - 18:00	Mlambongwane Community Meeting Place	072 615 0798
26 April 2024	10:00 - 18:00	Barberton Golf Club	013 712 2923

During the Open Day sessions, informative A2 posters were displayed on the walls by Shango Solutions (the EAP) prior to the open sessions. English, Afrikaans and siSwati A4 versions of the Open Day posters were provided to the attendees. The EAP was available during the public Open Days 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 24<sup>th</sup> and 26<sup>th</sup> April 2024 and I&APs were given the platform to raise their concerns and provide comment on the project. Issues that were raised during at the Open Day are highlighted in Table 5.



Table 5: Minutes of the Open Days.

MINUTES OF THE NEW CONSORT OPEN DAY	
Project	New Consort Mine MR and EA Amendment
Dates	24 April 2024 and 26 April 2024
Venue	Mlambongwane Community Meeting Place (24 April 2024) Barberton Golf Club (26 April 2024)
MEETING ATTENDEES	
Stefanie Weise (SW, Shango Solutions)	
Zizo Siwendu (ZS, Shango Solutions)	
Tshililo Malange ( TM, Shango Solutions)	
Ken Lovell (KL, Shango Solutions)	
Katlego Mukwevho (KM, Shango Solutions)	
Faith Mooka (FM, Shango Solutions)	
Murendeni Nxumalo (MN, Shango Solutions)	
Jochen Schweitzer (JS, No 77 Nyala Road, Wildlife Estate, Greenstone, Barberton)	
Mary Stewart (JS, No 77 Nyala Road, Wildlife Estate, Greenstone, Barberton)	
Bhekimuzi Mathebula (Mandela Village, Barberton)	
Siyabonga Mamba (Mlambongwane, Barberton)	
Johanna Sifunda (0152 Mlambongwane Barberton)	
Natresa Nkosi (138 Mlambongwane Barberton)	
Thembelihle Thabethe (72 Mlambongwane Barberton)	
Zandile Nxumalo (051 Mlambongwane Barberton)	
Ncamisile Nxumalo (71 Mlambongwane Barberton)	
Happy Zunguza (054 Mlambongwane Barberton)	
Cleve Crossling (Chariessa conservancy Barberton)	
COMMENT	RESPONSE
Is the community going to be affected in any way?	The community will not be affected because this is an amendment application to address an administrative error that was made when the application area was omitted in Annexure A of the converted new order mining right. No development will take place on surface.
Are you from Barberton Mine?	Barberton Mines appointed Shango Solutions as an independent Environmental Practitioner who is neither for Barberton Mines nor for the public to carry out this process. This is in line with the requirements of the NEMA EIA Regulations (2014, as amended).
How sure is Barberton Mines that the community	Mining activities at New Consort consider underground gold mining operations as well as surface reclamation of tailings material. The

will not be affected? May the community have a written document ensuring them that we will not be displaced from our homes?	boundary of the mine is detailed in the mine's Regulation 42 Plan. This means the mine is not legally permitted to go beyond its mine boundaries. Furthermore, your concern is noted and it will be communicated to Barberton Mines regarding a written document that ensures the community that they will not be displaced from their homes.
May we have something done about squatters that have invaded Charriessa Conservancy?	Your comment is noted, thank you. It is understood that the Charriessa Conservancy is not within the mining right boundary and the Conservancy is not under the management of the mine. As such, The mine has no authority to take action against the invasion of the Charriessa Conservancy by squatters.
Please consider Barberton Nature Reserve and underground water reserves when carrying out any mining operations.	Your comment is noted, thank you. Both the Barberton Nature Reserve and underground water reserves are considered in the BAR and EMPR.
How will future encroachment into adjoining properties be averted?	The boundary of the mine is detailed in the mine's Regulation 42 Plan. This means the mine is not legally permitted to go beyond its mine boundaries.
The mine has very less interest in employing people from surrounding communities. Young people are unemployed.	Your concern is noted and it will be communicated to Barberton Mines.
Dust emission from the mining operation is affecting the health of community members.	Your concern is noted thank you. Mitigation measures relating to noise pollution have been proposed in the EMPR. The mine undertakes dust monitoring to estimate the impact of fugitive emissions. It is noted that the mine has on occasion exceeded the daily limits, but the annual average is generally below this threshold.

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

On the 21st 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

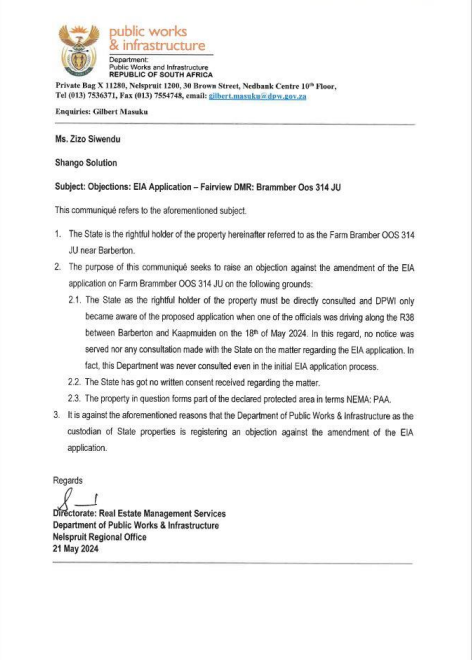
Comments raised were addressed in a transparent manner and included in the compilation of the BAR and EMPR in the following manner:

- 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
Key Stakeholders				
<b>Landowner/s</b>				
<b>National Department of Public Works and Infrastructure</b>				
Solly Ncoane			No comment received to date	
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>Dear Gilbert,</p> <p>Thank you very much for your e-mail.</p> <p>Your objection to the application and the grounds thereof 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</li> </ol> </li> </ol>

I&AP	Method	Date comments received	Comment received	Response issued
				<p>of Public Works. The notification was sent on the 10 th April 2024 by e-mail for the following Barberton Mines S102 Amendment projects:</p> <ol style="list-style-type: none"> <li>1. Fairview Mine MR and EA Amendment Application</li> <li>2. New Consort Mine MR and EA Amendment Application</li> <li>3. 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>1. Notification Letter and Call to Register</li> <li>2. Availability of Draft Basic Assessment Report and Environmental Management Programme Report as well as Details of Open Days</li> <li>3. Background Information Document, including the Locality Map (Regulation 2(2) Plan)</li> </ol>



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I&AP	Method	Date comments received	Comment received	Response issued
				<p>4. 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> <ol style="list-style-type: none"><li>1. Fairview Mine EA and MR Amendment Application: <a href="http://www.shango.co.za/fairview-mr-and-ea-amendment">www.shango.co.za/fairview-mr-and-ea-amendment</a></li><li>2. New Consort EA and MR Amendment Application: <a href="http://www.shango.co.za/new-consort-mr-and-ea-amendment">www.shango.co.za/new-consort-mr-and-ea-amendment</a></li><li>3. Sheba Mine EA and MR Amendment Application: <a href="http://www.shango.co.za/sheba-mr-and-ea-amendment">www.shango.co.za/sheba-mr-and-ea-amendment</a></li></ol> <p>We would like to thank you for reaching out</p>



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I&AP	Method	Date comments received	Comment received	Response issued
				<p>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 these mines have been in operation for over 136 years. Each 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</p>

I&AP	Method	Date comments received	Comment received	Response issued
				<p>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 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>





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I&AP	Method	Date comments received	Comment received	Response issued
				<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 the attached notifications for further detail. No new mining activities are introduced under these amendment applications. No surface infrastructure is planned within the application areas and all mining will</p>



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I&AP	Method	Date comments received	Comment received	Response issued
				<p>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>
Sisanda Mcoseli	E-mail	23 May 2024	<p>Good Morning Sir/Madam</p> <p>Reference is made to your email below and the attachments thereto. Kindly take note that the rightful owner of the subject properties is National Government of The Republic of South</p>	<p>Dear Sisanda,</p> <p>We thank you for the feedback and for the clarification.</p> <p>We would kindly seek your guidance. Kindly provide the name and contact details of the</p>

I&AP	Method	Date comments received	Comment received	Response issued
			<p>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.</p>	<p>National Department of Public Works representative to whom we should address our notification.</p> <p>Your assistance in this regard is highly appreciated.</p> <p>Have a wonderful day and we are looking forward to your response.</p>
	Email	27 May 2024		<p>Dear Sisanda,</p> <p>I trust that you had a wonderful weekend.</p> <p>I would kindly follow up on the beneath e-mail.</p> <p>Thank you and we are looking forward to the feedback.</p>
	E-mail	03 June 2024		<p>Dear Sisanda,</p> <p>I trust that you had a wonderful weekend.</p> <p>I would kindly follow up on the beneath e-mail.</p> <p>Thank you and we are looking forward to the feedback.</p>



Barberton Mines (Pty)Ltd			No comment received to date	
T S M Plant Hire (Pty) Ltd	Open Day	26 April 2024	<ol style="list-style-type: none"> <li>1. Please consider Barberton Nature Reserve and underground water reserves when carrying out any mining operations.</li> <li>2. How will future encroachment into adjoining properties be averted?</li> <li>3. May we have something done about squatters that have invaded Charriessa</li> </ol>	<ol style="list-style-type: none"> <li>1. Your comment is noted, thank you. Both the Barberton Nature Reserve and underground water reserves are considered in the BAR and EMPR.</li> <li>2. The boundary of the mine is detailed in the mine's Regulation 42 Plan. This means the mine is not legally permitted to go beyond its mine boundaries.</li> <li>3. Your comment is noted, thank you. It is understood that the Charriessa Conservancy is not within the mining right boundary and the Conservancy is not under the management of the mine. As such, the mine has no authority to take action against the invasion of the Charriessa Conservancy by squatters.</li> </ol>

Kwamahlala Entsabeni Community Trust			No comment received to date	
<b>Adjacent Landowners</b>				
Mpumalanga Department of Public Works and Infrastructure			No comment received to date	
National Government of The Republic of South Africa			No comment received to date	
Barberton Mines (Pty)Ltd			No comment received to date	
Eskom Holdings Ltd			No comment received to date	
Farm Lizhar Pty Ltd			No comment received to date	
Jaques Malan and Chantal Susanna Malan			No comment received to date	
Nompumelelo Jeaneth Kubheka and Tebogo Phillip Kubheka			No comment received to date	
David Arnold Wepener and Yolande Wepener			No comment received to date	
Pierre Pienaar and Brenda Pienaar			No comment received to date	
Marius Oberholzer and Renee Oberholzer			No comment received to date	

Johannes Hendrik Nel			No comment received to date	
Warrior Trust			No comment received to date	
David Christian Ackermann and Liza Ackermann			No comment received to date	
RMS Investment Trust			No comment received to date	
Ronnie Frederick Van Staden			No comment received to date	
Maryke Melanie Koekemoer and Floris Andries Johannes Koekemoer			No comment received to date	
Lars Erik Moe			No comment received to date	
Leonie Meyer			No comment received to date	
Ban Bella 1000 CC			No comment received to date	
Flash Dance Investments Pty Ltd			No comment received to date	
Lunderstedt Smit Management Trust			No comment received to date	
Macpherson Duane Christie Cluny			No comment received to date	
Martin Buchler			No comment received to date	

Karen Ludick and Ludick Frederick			No comment received to date	
Bergland Wonings Aandeleblok (Pty) Ltd			No comment received to date	
Johannes Jurie Kasselmann			No comment received to date	
Phil & Henry Plaas CC			No comment received to date	
Branden Austen			No comment received to date	
Flash Dance (Inv) Pty Ltd			No comment received to date	
<b>Pre-identified: Local Municipality</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	
Jeff Nkuna			No comment received to date	
Ben Steyn			No comment received to date	

Philip Minnaar			No comment received to date	
Ward 43			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	
MHS (Rirhandzu Ntusi)			No comment received to date	
<b>Pre-identified: Organs of State</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>Mpumalanga Tourism and Parks Agency (MTPA)</b>				
Mervyn Lotter			No comment received to date	
Bheki Nkosi			No comment received to date	
Nomcebo Kunene			No comment received to date	





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Khumbelo Malele	E-mail	17 April 2024	<p>Good day, Kindly send us, the MTPA a hard copy of the application for our Scientists to comment on, to the following physical address in Lydenburg:</p> <p>To: Celia de Waal (EIA Data Capturer) MTPA Main Office Building (Lydenburg) (Old Lydenburg Fisheries) End of Morgan Street Lydenburg 1120</p> <p>My contact numbers are: 013 065 0062 or 082 841 7163</p>	<p>Good day Khumbelo</p> <p>The hardcopies will be couriered to MTPA by end of business today.</p>
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<p>Cecilia de Waal</p>	<p>E-mail</p>	<p>14 May 2024</p>	<p>Dear Ms. Siwedu</p> <p>Kindly receive the attached comments from the MTPA regarding your BAR and EMPR for the proposed mining right and EA application for the new Consort Mine for Gold.</p> <p>Your DMRE reference numbers: MP 30/5/1/2/2/10220 MR (190MR and MP 30/5/1/3/2/1/10220 (190EM)</p> <p>Our EIA registration number to be used in any further enquiries is LUA 24/3505(3)</p>	 <p>Mr. MH Vilakazi        Mpumalanga Tourism and Parks Agency (MTPA)        N4 National Road        Hall's Getaway        Mataffin        Mbombela        Mpumalanga        E-mail: oelia.dewaal@mtpa.co.za</p> <p align="right">21<sup>st</sup> May 2024</p> <p><b>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 New Consort Mine for Gold on a portion of the farm 652 JU, a portion of the farm 934 JU, a portion of the farm Barberton Nature Reserve 954 JU and a portion of the remainder of portion 8 of the farm Riverside 245 JU, situated in the Mbombela Local Municipality, Mpumalanga Province</b></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> <p align="right">   <small>Dunrose Trading 186 (PTY) Ltd T/A Shango Solutions        Registration Number: 3004/003823/07        H.H.K. House, Off Ethel Ave and Ruth Crescent, Northcote        Tel: +27 (0)11 676 8504, Fax: +27 (0)11 676 9731, P O Box 2891, Cresta, 2116, South Africa</small> </p>
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			<div style="text-align: right;"> </div> <p><b>OFFICE OF THE CEO</b></p> <p>Ref: LUA 24/3505(3)    Unit: LU/S/CS    Enquiries: K. Mabele, M. Hatheways    E-mail: <a href="mailto:shango@mpumalanga.gov.za">shango@mpumalanga.gov.za</a>    Tel/Fax: 013-0550878</p> <p>Zico Silewda    Shango Solutions    H.H.K. House    Corner Ethel Ave and Ruth Crescent    Northcliff    Gauteng    2195</p> <p align="right">E-mail: <a href="mailto:zico@shango.co.za">zico@shango.co.za</a></p> <p>Dear Ms Silewda:</p> <p><b>SUBJECT: THE MTPA'S COMMENTS REGARDING THE BASIC ASSESSMENT REPORT AND ENVIRONMENTAL AUTHORIZATION AMENDMENT APPLICATION FOR THE PROPOSED MINING RIGHT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR THE PROPOSED MINING RIGHT AND ENVIRONMENTAL AUTHORIZATION AMENDMENT APPLICATION FOR THE NEW CONSORT MINE FOR GOLD ON A PORTION OF THE FARM 652 JU, A PORTION OF THE FARM 934 JU, A PORTION OF THE FARM BARBERTON NATURE RESERVE 954 JU AND A PORTION OF THE REMAINDER OF PORTION 8 OF THE FARM RIVERSIDE 245 JU, SITUATED IN MBOMBELA LOCAL MUNICIPALITY, MPUMALANGA PROVINCE.</b></p> <p>Your correspondence, with DMR reference MP 30/5/1/2/2/10220 MR (190 MR), and reference 30/5/1/2/2/1/10220 (190 EM) of date 18/04/2024 refers.</p> <p><b>Background</b>    Barberton Mines (Pty) Ltd which forms part of Pan African Resource (PLC) holds the mining rights to New Consort mine and they have an approved Environmental Impact Assessment (EIA), Environmental Management Programme (EMPR) and a Water Use License. Due to an administrative error some properties (a portion of the Farm 652 JU, a portion of the Farm 934 JU, a portion of the Farm Barberton Nature Reserve 954 JU and a portion of the remainder of portion 8 of the farm Riverside 245 JU) were omitted in Annexure A to the new order mining right, therefore the applicant needs a section 102 application to amend the error in order for Regulation 42 Plan (O15/3/2/5/91), the mining right and Annexure A to the new order mining right to align.</p> <div style="text-align: right;"> </div> <p align="center"> <small>       Private Bag 11 1338, Mbombela, 1300        16 National Road, North City, Mbombela, Mpumalanga        +27 (0)13 345 0835/0860   Email: <a href="mailto:info@mpumalanga.gov.za">info@mpumalanga.gov.za</a>        Reservations: +27 (0)13 345 0863   <a href="http://www.mpumalanga.gov.za">www.mpumalanga.gov.za</a>        Report Fraud, Theft and Corruption and Save the MPA        Tip-Off Anonymous 0800 214 775   0800 204 625     </small> </p>	<div style="text-align: right;"> </div> <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>New Consort 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 (ML30/2003), issued under Section 9 of the Minerals Act, 1991 (No. 50 of 1991) to a "new order" mining right (MR 190) 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><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> <div style="text-align: right;"> </div> <p align="center"> <small>       Durban Trading 186 (PTY) LTD Shango Solutions        Registration Number 2004/03/06307        H.H.K. House, Off Ethel Ave and Ruth Crescent, Northcliff        Tel: +27 (0)11 678 6624, Fax: +27 (0)11 678 9731, P.O. Box 2091, Cresta, 2116, South Africa     </small> </p>
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## New Consort Mine MR and EA Amendment Application: MP 30/5/1/2/2/10220(190) MR

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			<p><b>Comments</b></p> <p>The MTPA has no objection to this application. The MTPA further acknowledges that:</p> <ul style="list-style-type: none"> <li>The amendment process requires the submission of a Basic Assessment Report and Environmental Management Programme (EMPR) as well as the undertaking of a Public Participation Process.</li> <li>The majority of the area to be included is within Barberton Nature Reserve and a small part of the area is outside of but immediately adjoining the Barberton Nature Reserve which is protected area. As such it falls in the buffer area of Sites for provincial Nature Reserves and it forms part of the National Protected Area Expansion Strategy Priority focus area.</li> <li>It is anticipated that this application will not result in a change of scope of the mining works programme.</li> <li>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 shapefiles 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>  <i>48. (1) 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 mining activities are prohibited from occurring on a portion of the farm 652 JU and on a portion of the farm Barberton Nature Reserve 954 JU due to the Protected Areas Act (NEM:PA) Section 48, as it prohibits commercial mining activities from occurring in Nature reserves</p> <p style="text-align: right;">2   Page</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" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #f2f2f2;">Old activities</th> <th style="background-color: #f2f2f2;">New activities</th> <th style="background-color: #f2f2f2;">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. These include: 1. Metallurgical plant 2. Access adits 3. Hostels and villages 4. Mine offices 5. Workshops 6. Access roads 7. Sewage pipelines 8. Water purification plant</td> <td>No new mining activities are planned under this amendment application.  The amendment application only relates to the addition the following properties 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: 1. A portion of the Farm 652 JU 2. A portion of the Farm 634 JU 3. A portion of the Farm Barberton Nature Reserve 954 JU 4. A portion of the Remainder of Portion B of the Farm Riverside 245 JU  These farm portions were omitted in Annexure A of the new order mining right, but are depicted on the</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 changes will not have any direct impact on surface, as only underground mining activities are considered.  Therefore, the inclusion of these properties into the mining right will allow for the continuation of current and scheduled mining operations.</td> </tr> </tbody> </table> <p style="font-size: small; text-align: center;">Dunrose Trading 186 (Pty) Ltd T/A Shango Solutions  Registration Number: 2004/0380247  144-K, House, Off Ethekwini Ave and Ruth Crescent, Northcote  Tel: +27 (0)11 678 6924, Fax: +27 (0)11 678 6731, P.O. Box 2391, Cresta, 2118, 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. These include: 1. Metallurgical plant 2. Access adits 3. Hostels and villages 4. Mine offices 5. Workshops 6. 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**New Consort Mine MR and EA Amendment Application: MP 30/5/1/2/2/10220(190) MR**  
 Comments and Responses Report for the Final Basic Assessment Report and Environmental Management Programme

			<p align="right">   <small>Mpumalanga SOUTH AFRICAN REPUBLIC</small> </p> <p> <b>Recommendations</b>        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 652 J.U, a portion of the Farm 934 J.U, a portion of the Farm Barberton Nature Reserve 954 J.U and a portion of the remainder of portion 8 of the farm Riverside 245 J.U.     </p> <p>Please do not hesitate to contact this office if there are any enquiries.</p> <p>Regards,</p> <p>   <b>MR N.H. VILAKAZI</b>        CHIEF EXECUTIVE OFFICER        DATE: 30 / 05 / 2024     </p> <p align="right">       3   Page    <small>Mpumalanga SOUTH AFRICAN REPUBLIC</small> </p>	<p align="right">  </p> <table border="1" data-bbox="1720 359 2123 470"> <tr> <td data-bbox="1720 359 1848 470"></td> <td data-bbox="1848 359 1989 470">         Regulation 42 Plan (OT/5/3/2/501).       </td> <td data-bbox="1989 359 2123 470"></td> </tr> <tr> <td colspan="3" data-bbox="1720 470 2123 518">         The proposed changes will not have any direct impact on surface, as only underground mining activities are considered.       </td> </tr> </table> <p>       Appendix 2 provides a map showing the old, current and continuing mine activities.     </p> <p>No new mining activities are planned under this amendment application.</p> <p>We trust the above is acceptable.</p> <p>Should you have any further questions in this regard, please do not hesitate to contact me.</p> <p>         Nangamsi Zizo Siwendu     </p> <p align="right"> <small>         Durrose Trading 186 (PTY) Ltd T/A Shango Solutions          Registration Number: 2024/0383473          114 K, House, Off Ethekwini Ave and Ruth Crescent, Northcote          Tel: +27 (0)11 678 5504, Fax: +27 (0)11 678 5733, P.O. Box 2391, Orestad, 2016, South Africa       </small> </p>		Regulation 42 Plan (OT/5/3/2/501).		The proposed changes will not have any direct impact on surface, as only underground mining activities are considered.		
	Regulation 42 Plan (OT/5/3/2/501).									
The proposed changes will not have any direct impact on surface, as only underground mining activities are considered.										

				<p align="center"><b>Appendix 1: Barberton Nature Reserve Boundary</b></p> <p><b>Barberton Mines</b></p> <ul style="list-style-type: none"> <li>Barberton Mine</li> <li>Barberton East Mine</li> <li>Barberton West Mine</li> <li>Barberton North Mine</li> <li>Barberton South Mine</li> <li>Barberton East Extension</li> <li>Barberton West Extension</li> <li>Barberton North Extension</li> <li>Barberton South Extension</li> </ul> <p><b>Barberton Nature Reserve</b></p> <ul style="list-style-type: none"> <li>Barberton Nature Reserve</li> <li>Barberton Nature Reserve Extension</li> <li>Barberton Nature Reserve Buffer Zone</li> <li>Barberton Nature Reserve Core Zone</li> <li>Barberton Nature Reserve Buffer Zone Extension</li> <li>Barberton Nature Reserve Core Zone Extension</li> </ul> <p><b>Legend</b></p> <ul style="list-style-type: none"> <li>Barberton Mine</li> <li>Barberton East Mine</li> <li>Barberton West Mine</li> <li>Barberton North Mine</li> <li>Barberton South Mine</li> <li>Barberton East Extension</li> <li>Barberton West Extension</li> <li>Barberton North Extension</li> <li>Barberton South Extension</li> <li>Barberton Nature Reserve</li> <li>Barberton Nature Reserve Extension</li> <li>Barberton Nature Reserve Buffer Zone</li> <li>Barberton Nature Reserve Core Zone</li> <li>Barberton Nature Reserve Buffer Zone Extension</li> <li>Barberton Nature Reserve Core Zone Extension</li> </ul> <p><b>Scale</b></p> <p><b>Contact Information</b></p> <p>Durrose Trading 186 (PTY) Ltd T/A Shango Solutions    Registration Number: 2024/0303187    114 K. House, Off Ethel Ave and Ruth Crescent, Northcliff    Tel: +27 (0)11 678 5504, Fax: +27 (0)11 678 5733, P.O. Box 2391, Cresta, 2116, South Africa</p>
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Francois Du Toit			No comment received to date	
Frans Krige			No comment received to date	
Johan Eksteen			No comment received to date	
Differ Mogale			No comment received to date	
<b>Mpumalanga Department of Economic Development and Tourism</b>				





CM Chunda			No comment received to date	
P Maseko			No comment received to date	
JD Mdluli			No comment received to date	
A Delange			No comment received to date	
<b>Mpumalanga Department of Rural Development and Land Reform</b>				
Lucas Mufumadi			No comment received to date	
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>				
Sam Ngubane			No comment received to date	
Nqobile Mkhonza	E-mail	02 July 2024	Good day,  Attached kindly receive.	Dear Nqobile,  I trust that you are well.

			<p><b>PROPOSED AMENDMENT OF A MINING RIGHT – ON PROPOSED VARIOUS PORTIONS AND FARMS: CITY OF MBOMBELA MUNICIPALITY, EHLANZENI</b></p> <ol style="list-style-type: none"> <li>The above-mentioned application has reference.</li> <li>Please note that the Head: Co-operative Governance and Traditional Affairs has supported the application in terms of an amendment of a mining right by adding various portions of farms for mining right purposes, subject to.</li> <li>Consent from the Municipality in terms of Spuma By-law and LUS be obtained.</li> <li>The applicant must comply with the stipulations of the National Environmental Management Act, 1998 (Act No. 107 of 1998).</li> <li>All conditions imposed by the local municipality and other Government Departments must be adhered to.</li> <li>Access to all proposed portions of land must be to the satisfaction of the local municipality or relevant road authority.</li> <li>No buildings or structures and no facilities which form part of the development (excluding access facilities, parking, lawns and gardens), shall be erected within the limits of any building line which may be applicable.</li> <li>A site development plan must be submitted to the local municipality for approval before approval of building plans in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977).</li> <li>The registered owner shall be responsible for the maintenance of the whole development on the property, if the local municipality is of the opinion that the</li> </ol>	<p>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.</p> <p>The department's support for the application as well as the conditions under which the support is subject to, are duly noted.</p> <p>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).</p> <p>Keep well and have a wonderful day.</p>
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			<p><b>PROPOSED AMENDMENT OF A MINING RIGHT – ON PROPOSED VARIOUS PORTIONS AND FARMS: CITY OF MBOMBELA MUNICIPALITY, EHLANZENI</b></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 62 of 1997) must be accommodated in terms of the regulations and procedures of the said Act.</p> <p>Kind regards,</p>  <p><b>MR S. NGUBANE</b>    HEAD: CO-OPERATIVE GOVERNANCE &amp; TRADITIONAL AFFAIRS    DATE: 23/10/2024</p> 	
D Mahlangu			No comment received to date	
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 Public Works &amp; Infrastructure</b>				
MC Moloro			No comment received to date	
<b>Mpumalanga Department of Water and Sanitation</b>				
Dudzile Sifunda			No comment received to date	
<b>Inkomati - Usuthu CMA</b>				
Fairbridge Mnisi			No comment received to date	
Thandi Dzhang			No comment received to date	
Golden Mthembi			No comment received to date	
Felicia Nemathaga			No comment received to date	
Sandile Dlamini			No comment received to date	
Thabo Rasiuba			No comment received to date	
<b>Mpumalanga Department of Agriculture Forestry and Fisheries</b>				
Paul Mazwi			No comment received to date	



Frans Mashabela			No comment received to date	
<b>Mpumalanga Department of Rural Development and Land Reform</b>				
Gcinani Magagula			No comment received to date	
Simanga Nkosi			No comment received to date	
Clement Maseko			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>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>South African National Roads Agency (SANRAL)</b>				
B Mlambo			No comment received to date	
Mpathi Makoa			No comment received to date	
Ntsebo Mkhize	E-mail	16 April 2024	Good day Murendeni  Please forward your email to botav@nra.co.za from the SANRAL Northern Region who may have comments on the application.	e-mail was forwarded accordingly
<b>Eskom</b>				
John Geeringh	E-mail	10 April 2024	Please send me a KMZ file of the affected properties. Please find attached Eskom requirements for work at or near Eskom infrastructure if any exist on the development footprint.	Good day John  Kindly receive the attached KMZ file of the affected properties as requested.  Thank you.
Lungile Motsisi			No comment received to date	
<b>Transnet-Barberton/Nelspruit</b>				

Christelle van der Merwe			No comment received to date	
Eddie Seaton			No comment received to date	
<b>Barberton Tourism and Biodiversity Corridor (BARTOBIC)</b>				
Danita Stott			No comment received to date	
Nico Oostuizen	E-mail	23 May 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</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 were updated not that long ago and remain valid. So my question is why do these EA's and</p>

			<p>EMPRs I see that the error areas were included in them, meaning they could still stand as is.</p> <p>If new EA's and EMPR's 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</p>	<p>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 activities old vs new and perhaps including a map/s to indicate those.</p>
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			<p>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>Kindly receive the link to the BAR and EMPR, which includes all relevant documentation:</p> <p>Link: <a href="https://www.shango.co.za/new-consort-mr-and-ea-amendment/">https://www.shango.co.za/new-consort-mr-and-ea-amendment/</a></p> <p>New Consort 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</p>
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				<p>to convert its “old order” mining right (ML30/2003), issued under Section 9 of the Minerals Act, 1991 (No. 50 of 1991) to a ‘new order” mining right (MR 190) 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>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>
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				Old activities	New activities	Current and continuing activities and any new activities that may arise as a result of the inclusion
				<p>Underground mining and related activities as well as surface reclamation of tailings material. These include:</p> <ol style="list-style-type: none"> <li>1. Metallurgical plant</li> <li>2. Access adits</li> <li>3. Hostels and villages</li> <li>4. Mine offices</li> <li>5. Workshops</li> <li>6. Access roads</li> <li>7. Sewage pipelines</li> <li>8. Water purification plant</li> </ol>	<p>No new mining activities are planned under this amendment application.</p> <p>The amendment application only relates to the addition of the following properties 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:</p> <ol style="list-style-type: none"> <li>1. A portion of the Farm 852 JU</li> <li>2. A portion of the Farm 934 JU</li> <li>3. A portion of the Farm Barberton Nature Reserve 954 JU</li> <li>4. A portion of the Remainder of Portion 8 of the Farm Riverside 245 JU</li> </ol> <p>These farm portions were omitted in Annexure A of the new order mining right, but are depicted on the</p>	<p>The current and continuing activities consider underground mining and related activities as well as surface reclamation of tailings material.</p> <p>No new mining activities are planned under this amendment application.</p> <p>The proposed changes will not have any direct impact on surface, as only underground mining activities are considered.</p> <p>Therefore, the inclusion of these properties into the mining right will allow for the continuation of current and scheduled mining operations.</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</p>						



**New Consort Mine MR and EA Amendment Application: MP 30/5/1/2/2/10220(190) MR**

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

				<p>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 (CSIR)</b>				
Harrison Pienaar			No comment received to date	

<b>South African Heritage Resources Agency (SAHRA)</b>				
Benjamin Moduka			No comment received to date	
<b>Other Affected Parties</b>				
<b>Endangered Wildlife Trust</b>				
Bradley Gibbons			No comment received to date	
<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>South African National Parks (SANParks)</b>				
Nkabeng Mzileni			No comment received to date	
<b>Wildlife and Environment Society of South Africa (WESSA)</b>				
Seipati Mphasane			No comment received to date	

Registered I&APs				
Community member	Open Day	24 April 2024	Is the community going to be affected in any way?	The community will not be affected because this is an amendment application to address an administrative error that was made when the application area was omitted in Annexure A of the converted new order mining right. No development will take place on surface.
Community member	Open Day	24 April 2024	Are you from Barberton Mines?	Barberton Mines appointed Shango Solutions as an independent Environmental Practitioner who is neither for Barberton Mines nor for the public to carry out this process. This is in line with the requirements of the NEMA EIA Regulations (2014, as amended).
Community member	Open Day	24 April 2024	How sure is Barberton Mines that the community will not be affected? May the community have a written document ensuring them that we will not be displaced from our homes?	Mining activities at New Consort consider underground gold mining operations as well as surface reclamation of tailings material. The boundary of the mine is detailed in the mine's Regulation 42 Plan. This means the mine is not legally permitted to go beyond its mine boundaries. Furthermore, your concern is noted and it will be



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				communicated to Barberton Mines regarding a written document that ensures the community that they will not be displaced from their homes.
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## 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.