



Barberton Mines: Section 102 Applications

Prepared for the Department of Public Works and Infrastructure

21st June 2024

Agenda

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3. Shango's Response to the Objection Letter
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Objection Letter



public works
& infrastructure

Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA

Private Bag X 11280, Nelspruit 1200, 30 Brown Street, Nedbank Centre 10th Floor,
Tel (013) 7536371, Fax (013) 7554748, email: gilbert.masuku@dpw.gov.za

Enquiries: Gilbert Masuku

Ms. Zizo Siwendu

Shango Solution

Subject: Objections: EIA Application – Fairview DMR: Brammber Oos 314 JU

This communiqué refers to the aforementioned subject.

1. The State is the rightful holder of the property hereinafter referred to as the Farm Bramber OOS 314 JU near Barberton.
2. The purpose of this communiqué seeks to raise an objection against the amendment of the EIA application on Farm Brammber OOS 314 JU on the following grounds:
 - 2.1. 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 Kaapmuiden on the 18th 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.
 - 2.2. The State has got no written consent received regarding the matter.
 - 2.3. The property in question forms part of the declared protected area in terms NEMA: PAA.
3. It is against the aforementioned reasons that the Department of Public Works & Infrastructure as the custodian of State properties is registering an objection against the amendment of the EIA application.

Regards

Directorate: Real Estate Management Services
Department of Public Works & Infrastructure
Nelspruit Regional Office
21 May 2024

Shango's Response to the Objection Letter

From: Zizo Siwendu
To: "Gilbert Masuku"; "mshudu.meduku@dmre.gov.za"; "Sisanda Mosele"; stefanie@shango.co.za; jochen@shango.co.za; Tshillo Malange (tshillo@shango.co.za); Alexandra (Alexandra@shango.co.za); Manie Swart (manie@shango.co.za); Leonie Williamson (leonie@shango.co.za)
Cc: Faith@shango.co.za; kstlego@shango.co.za; murendeni@shango.co.za
Subject: RE: Objection EIA Application: Fairview Mine
Date: Wednesday, May 22, 2024 11:21:00 AM
Attachments: Fairview S102 Initial Notification Letter.pdf
New Consort S102 Initial Notification Letter.pdf
Sheba S102 Initial Notification Letter.pdf
image003.png
image002.png

Dear Gilbert,

Thank you very much for your e-mail.

Your objection to the application and the grounds thereof are duly noted.

Beneath kindly receive our responses:

1. It is noted that the State is the rightful holder of the application area (a portion of the farm Bramber Oos 314 JU)
2. Grounds of objection:
 - 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 10th April 2024 by e-mail for the following Barberton Mines S102 Amendment projects:
 - a) Fairview Mine MR and EA Amendment Application
 - b) New Consort Mine MR and EA Amendment Application
 - c) Sheba Mine MR and EA Amendment Application

The written notification for the three projects considered the following:

- a) Notification Letter and Call to Register
- b) Availability of Draft Basic Assessment Report and Environmental Management Programme Report as well as Details of Open Days
- c) Background Information Document, including the Locality Map (Regulation 2(2) Plan)
- d) Registration Form

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:

- a) Fairview Mine EA and MR Amendment Application: <https://www.shango.co.za/fairview-mr-and-ea-amendment/>
- b) New Consort EA and MR Amendment Application: <https://www.shango.co.za/new-consort-mr-and-ea-amendment/>
- c) Sheba Mine EA and MR Amendment Application: <https://www.shango.co.za/sheba-mr-and-ea-amendment/>

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&AP, you will be kept informed of the projects developments.

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 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.

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).

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 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.

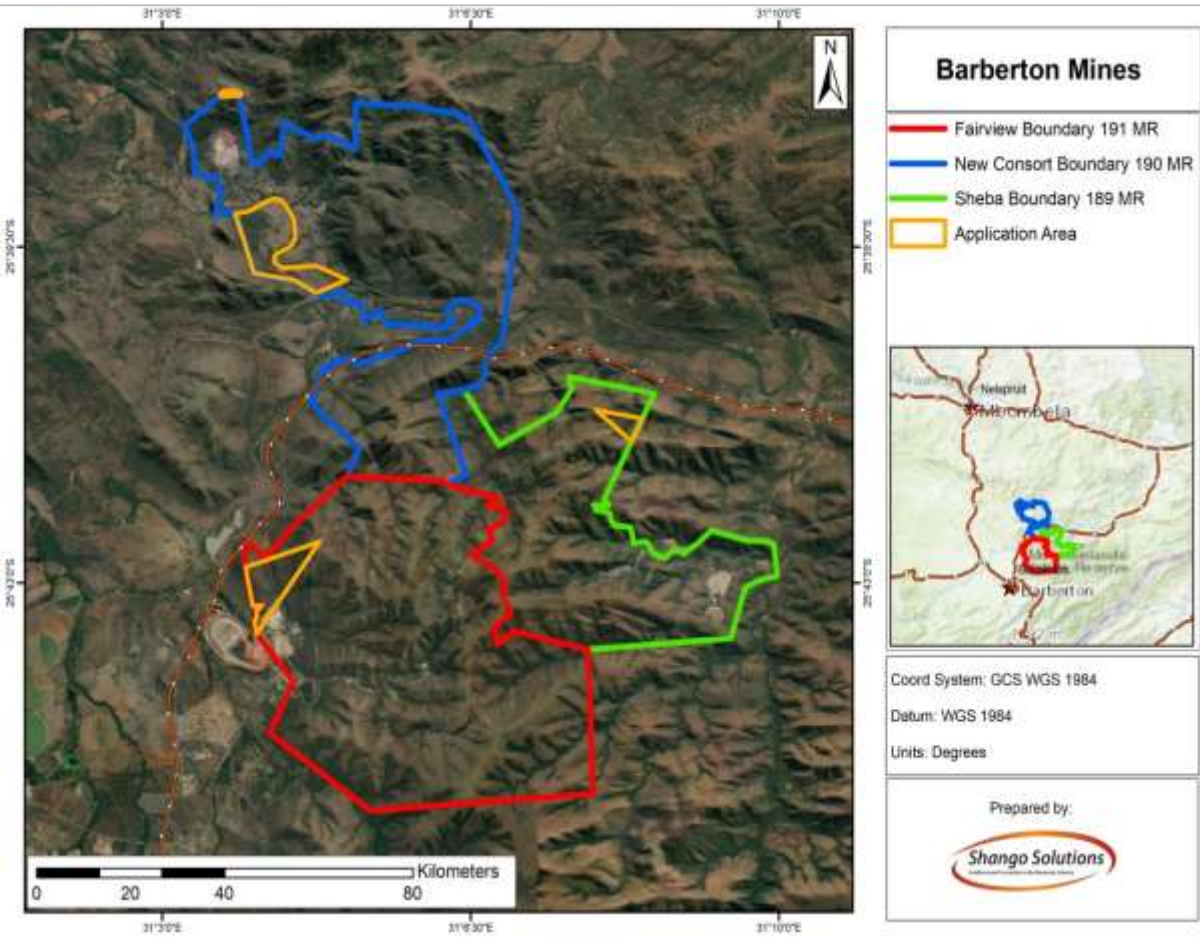
We trust the above is acceptable. Should you have any further questions in this regard, please do not hesitate to contact Shango.

**Best Regards,
Zizo Siwendu**



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GPS Co-ordinates: -26.151388 27.962913

Background Overview



1. Barberton Mines owns and operates the following underground gold mines:
 - i. Fairview (191 MR)
 - ii. New Consort (190 MR)
 - iii. Sheba (189 MR)
2. Mining commenced in the 1880's and the mines have been in operation for over 136 years
3. Each mine is operated under its own MR, EIAR+EMPR and WUL
4. The MRs are valid until May 2051

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.

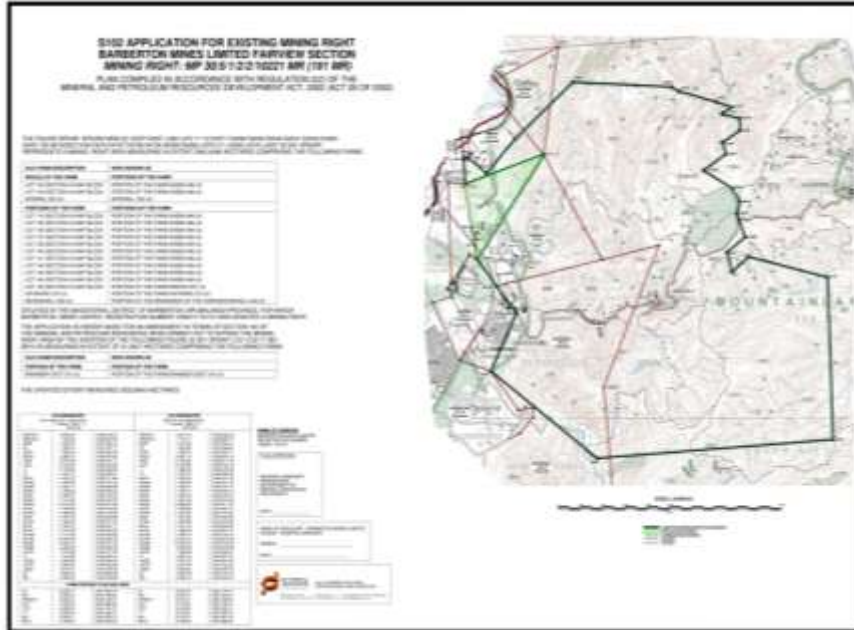
Fairview Mine

DMRE REFERENCE NUMBERS:

Mining Right Ref #: MP 30/5/1/2/2/10221(191) MR

Environmental Authorisation Ref #: MP 30/5/1/3/2/1/10221(191) EM

Results of the Basic Assessment Process



| | |
|---|---|
| Property to be added | A portion of the Farm Bramber East 314 JU |
| Application area | 91.3947 (ha) |
| Landowner | Provincial Government of Mpumalanga |
| Existing infrastructure/ activities in the application area | Bramber TSP Known historical workings Underground development |
| Impact assessment | The application area overlaps with a protected area |
| | No heritage observations were recorded The palaeontological sensitivity is low |
| | The agricultural sensitivity for the application area is Low |
| | The application area supports several indigenous fauna and flora species, including species of conservation concern (SCC) |

Based on the ecological sensitivities within the application area, no surface disturbance is permitted in the application area

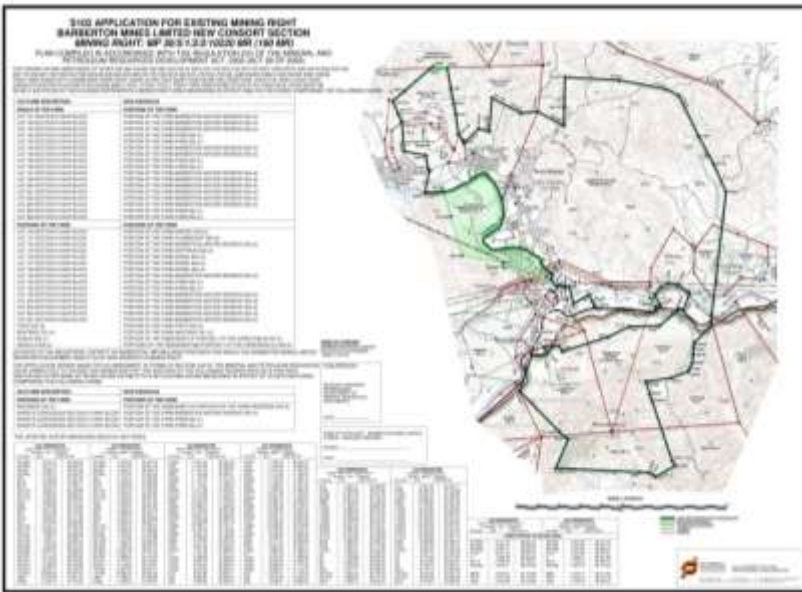
New Consort Mine

DMRE REFERENCE NUMBERS:

Mining Right Ref #: MP 30/5/1/2/2/10220(190) MR

Environmental Authorisation Ref #: MP 30/5/1/3/2/1/10220(190) EM

Results of the Basic Assessment Process



| | |
|---|--|
| Properties to be added | <p>A portion of the Farm Barberton Nature Reserve 954 JU</p> <p>A portion of the Farm 652 JU</p> <p>A portion of the Farm 934 JU</p> <p>A portion of the Remainder of portion 8 of the Farm Riverside 245 JU</p> |
| Application area | 154.1674 (ha) |
| Landowners | Provincial Government of Mpumalanga T S M Plant Hire (Pty) Ltd |
| Existing infrastructure/ activities in the application area | <p>3 #Shaft</p> <p>12 areas (blocks) yet to be mined</p> <p>Footprints of previously retreated tailing dumps</p> |
| Impact assessment | The application area partially overlaps with a protected area |
| | No heritage observations were recorded The palaeontological sensitivity is low |
| | The agricultural sensitivity for the application area is Low |
| | The application area supports several indigenous fauna and flora species, including SCC |

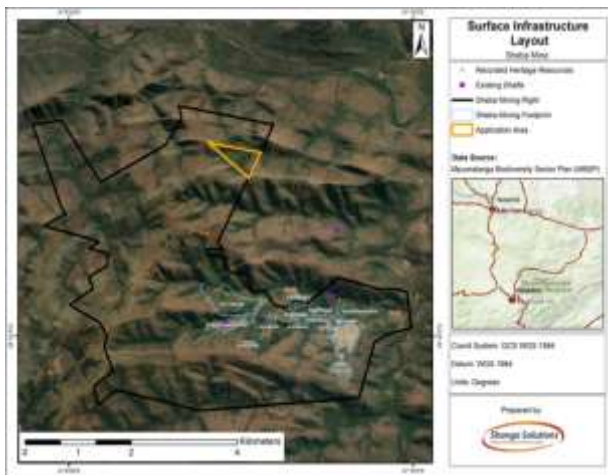
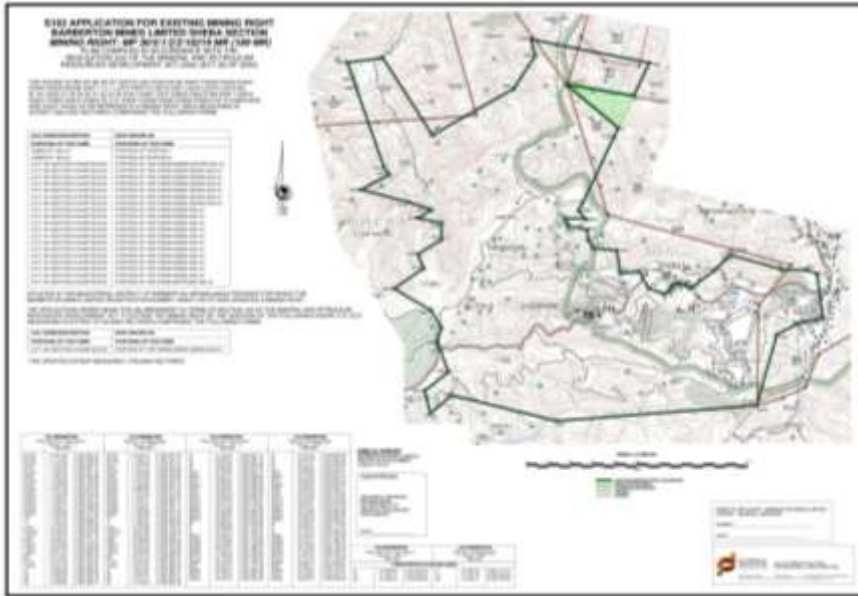
Sheba Mine

DMRE REFERENCE NUMBERS:

Mining Right Ref #: MP 30/5/1/2/2/10219(189) MR

Environmental Authorisation Ref #: MP 30/5/1/3/2/1/10219(189) EM

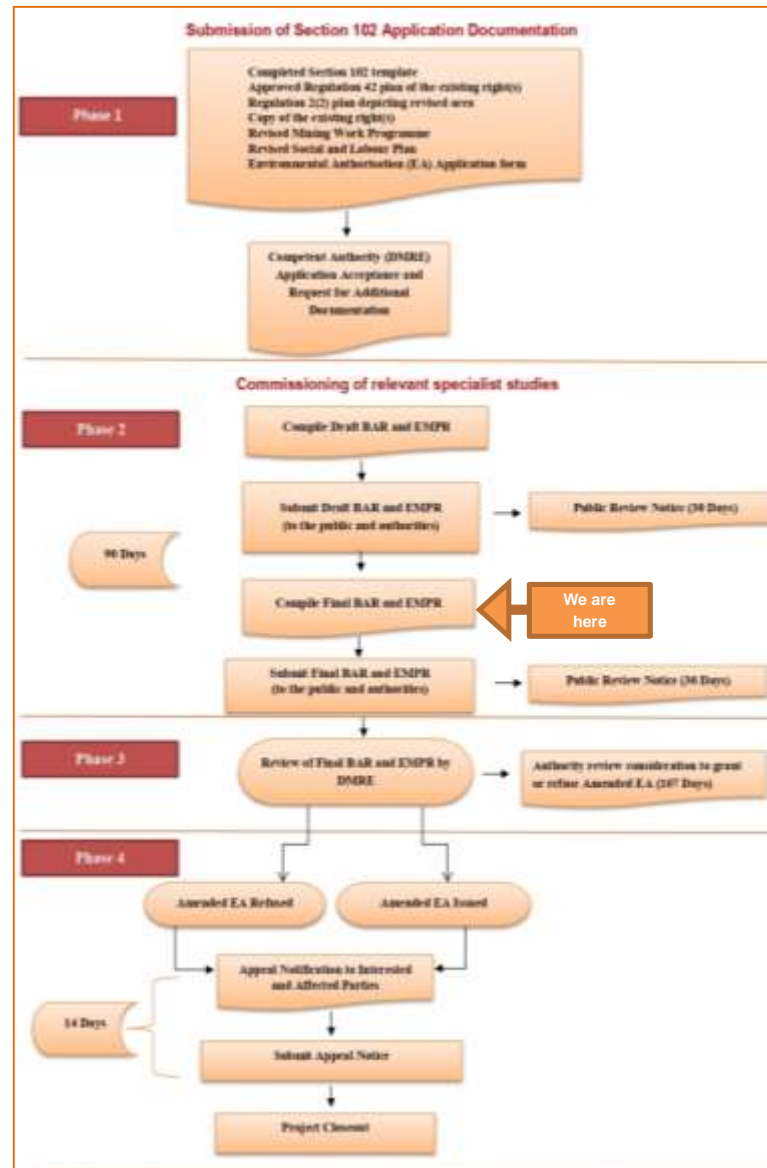
Results of the Basic Assessment Process



| | |
|---|---|
| Property to be added | A portion of the Farm Sheba Siding 939 JU |
| Application area | 20.6293 ha |
| Landowner | National Government of the Republic of South Africa |
| Existing infrastructure/ activities in the application area | None |
| Impact assessment | The application area occurs within a 5 km buffer of a protected area |
| | No heritage observations were recorded |
| | The palaeontological sensitivity is low |
| | The agricultural sensitivity for the application area is Low |
| | The application area supports several indigenous fauna and flora species, including SCC |

Based on the ecological sensitivities within the application area, no surface disturbance is permitted in the application area

Process Going Forward



ATTENDANCE REGISTER

| Description | | Barberton Mines S102 Presentation: Department of Public Works and Infrastructure | |
|---|-------------------------------|--|--------------------------------|
| Project | | Barberton Mines Section 102 Amendment Applications: | |
| Location | | Date | Time |
| Department of Public Works and Infrastructure 30 Brown Street, 9th Floor, Nedbank Building Mbombela/Nelspruit 1200 | | 21 June 2024 | 09H00 to 10H30 |
| Name and Surname | Company | Telephone | Email Address |
| Gyasi Domini | BML | 0837282348 | guyasi@bmlmines.co.za |
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| Garibet Mariken | Public Works & Infrastructure | 0762205762 | garibet.mariken@dpw.gov.za |
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