



# **PROPOSED RIETKOL MINING OPERATION**

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## **Report on the Results of Consultation with Interested and Affected Parties as part of the Final EIA Report**

Public Participation is the process by which potential interested and affected parties are given opportunity to comment on, or raise issues relevant to the application.

**15 November 2021**

**Prepared by**



# DEFINITIONS

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Definitions in terms of the Mineral and Petroleum Resources Development Act, 2002 and the MPRDA Regulations for Implementation as amended on 27 March 2020 in GNR 420.

“**Mine community**” refers to communities where mining takes place, major labour sending areas, adjacent communities within a local municipality, metropolitan municipality or district municipality;

“**Interested and affected persons**” means a natural or juristic person or an association of persons with a direct interest in the proposed or existing prospecting or mining operation. These include, but are not limited to:

- (i) Mine Communities as defined in the Regulations;
- (ii) Landowners, Traditional Council as defined in section 1 of the Traditional Leadership and Governance Framework Act, 2003;
- (iii) Land Claimants who have lodged claims in terms of the Restitution of Land Rights Act, 1994 which have not been rejected or settled in terms thereof;
- (iv) Lawful land occupier;
- (v) Holders of informal rights to land as defined in section 1 of the Interim Protection of Informal Land Rights Act, 1996;
- (vi) The Department responsible for Agriculture, Land Reform and Rural Development;
- (vii) The Department responsible for Cooperative Governance and Traditional Affairs;
- (viii) The Department responsible for Human Settlements, Water and Sanitation;
- (ix) Any other person (including on adjacent and non-adjacent properties) whose socio-economic conditions may be directly affected by the proposed or existing prospecting or mining operation;
- (x) The Local Municipality;
- (xi) Civil Society;
- (xii) The relevant Government Departments, agencies and institutions responsible for the various aspects of the environment and for infrastructure which may be affected by the proposed project;

“**meaningful consultation**” means that the applicant, has in good faith facilitated participation in such a manner that reasonable opportunity was given to provide comment by the landowner, lawful occupier or interested and affected party in respect of the land subject to the application about the impact the prospecting or mining activities would have to his or her right of use of the land by availing all relevant information pertaining to the proposed activities enabling these parties to make an informed decision regarding the impact of the proposed activities.

Definitions in terms of the National Environmental Management Act, 1998 and the EIA Regulations, 2014 as amended:

**“registered interested and affected party”**, in relation to an application means an interested and affected party whose name is recorded in the register opened for that application in terms of regulation 42;

**“interested and affected party”**, for the purposes of Chapter 5 and in relation to the assessment of the environmental impact of a listed activity or related activity, means an interested and affected party contemplated in section 24(4)(a)(v), and which includes- (a) any person, group of persons or organisation interested in or affected by such operation or activity; and (b) any organ of state that may have jurisdiction over any aspect of the operation or activity;

**“public participation process”**, in relation to the assessment of the environmental impact of any application for an environmental authorisation, means a process by which potential interested and affected parties are given opportunity to comment on, or raise issues relevant to the application;

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# 1 INTRODUCTION

Consol Glass (Pty) Limited (Consol) was the holder of a prospecting right over portions of Olifantsfontein 196 IR and Rietkol 237 IR. Consol commenced with an internal restructuring process of its mining interests in terms of the Mineral and Petroleum Resources Development Act (MPRDA), 2002 (Act 28 of 2002) in 2013. The restructure included the establishment of Apex Silica Mining (Pty) Ltd (Apex Silica) and Nhlabathi Minerals (Pty) Ltd (Nhlabathi). Following the restructuring process, Consol gave consent to Nhlabathi to apply for a Mining Right over the area to which it held the prospecting right, for the Rietkol Mining Operation (referred to as the Rietkol Project).



*Figure 1: Company Structure*

Nhlabathi applied for a Mining Right to mine silica in February 2018 and commenced with the Environmental Impact Assessment (EIA) process as contemplated in the National Environmental Management Act 107 of 1998 (NEMA) and GN No. R. 982-986 of 4 December 2014: NEMA: EIA Regulations, as amended in 2017, for the Rietkol Project.

Several specialist studies were conducted within the Mining Right application (MRA) area in support of the EIA process, and a comprehensive Public Participation process was initiated. The Final Scoping Report was submitted on 3 April 2018 and accepted by the Department of Mineral Resources and Energy (DMRE) on 26 April 2018. However, the MRA was rejected by the DMRE Mpumalanga Mine Economics Directorate on the basis that the MRA formed part of another right granted in terms of the MPRDA. This decision resulted in a delay in the EIA process, ultimately causing the application for Environmental Authorisation to lapse.

After research by DMRE officials and Nhlabathi employees, it was established that the prior right, on which basis the MRA was rejected, was the prospecting right registered over the properties held by Consol. To remedy the situation, Consol submitted a letter to the DMRE on 8 June 2018 granting Nhlabathi the consent to proceed with the MRA. As a result, the DMRE withdrew the refusal letter by issuing an acceptance letter on 12 September 2018. Nhlabathi could, therefore, continue with the EIA process.

However, on 31 August 2018, Mineral Resources and Energy Minister Gwede Mantashe closed the Mpumalanga DMRE Office until further notice, with the result that DMRE accepted no new applications for Environmental Authorisation. The DMRE Office was only re-opened for business on 5 August 2019.

Following the re-opening of the DMRE Office, Nhlabathi has re-initiated the MRA process and applied for a Mining Right over the same farm portions in early 2020. The MRA was accepted by the DMRE on 21 January 2021 and Nhlabathi has since re-initiated the EIA process with Jacana Environmentals cc (Jacana) appointed as the independent Environmental Assessment Practitioner (EAP).

## **2 PROJECT DESCRIPTION**

Silica is planned to be mined by means of conventional opencast methods to a depth of between 30 and 50 meters below surface (mbs). The estimated life of mine (LOM) for the proposed Rietkol Project is 20 years. Further exploration drilling will be conducted during the operational phase, which may increase the LOM and mining depth if the resource proves viable.

The proposed project includes the following mining and related infrastructure:

- Opencast pits;
- Run of mine (RoM) stockpiles;
- Processing plant (crushing, screening, washing and drying operations, etc.);
- Product stockpiles;
- Administration office facilities (security building, administration and staff offices, reception area, ablution facilities);
- Production facilities (locker rooms, laboratory, workshops, stores, ablution facilities);
- Bagging facility and warehouse;
- Weigh bridge;
- Access roads; and
- Clean and dirty water management infrastructure.

## **3 BACKGROUND TO THE STAKEHOLDER ENVIRONMENT**

### **3.1 Locality**

The Rietkol Project is located in Wards 8 and 9 of the Victor Khanye Local Municipality within the Nkangala District Municipality of Mpumalanga Province. Delmas/Botleng are approximately 6 km east and Eloff 4 km south of the MRA area. The Rietkol Project is located strategically close to major roads in the area, including the N12 (to the north-west), R50 (to the north-east) and R555 (to the south). The Springs/Durban Transnet Freight Rail (TFR) railway line is situated to the south, alongside the R555.

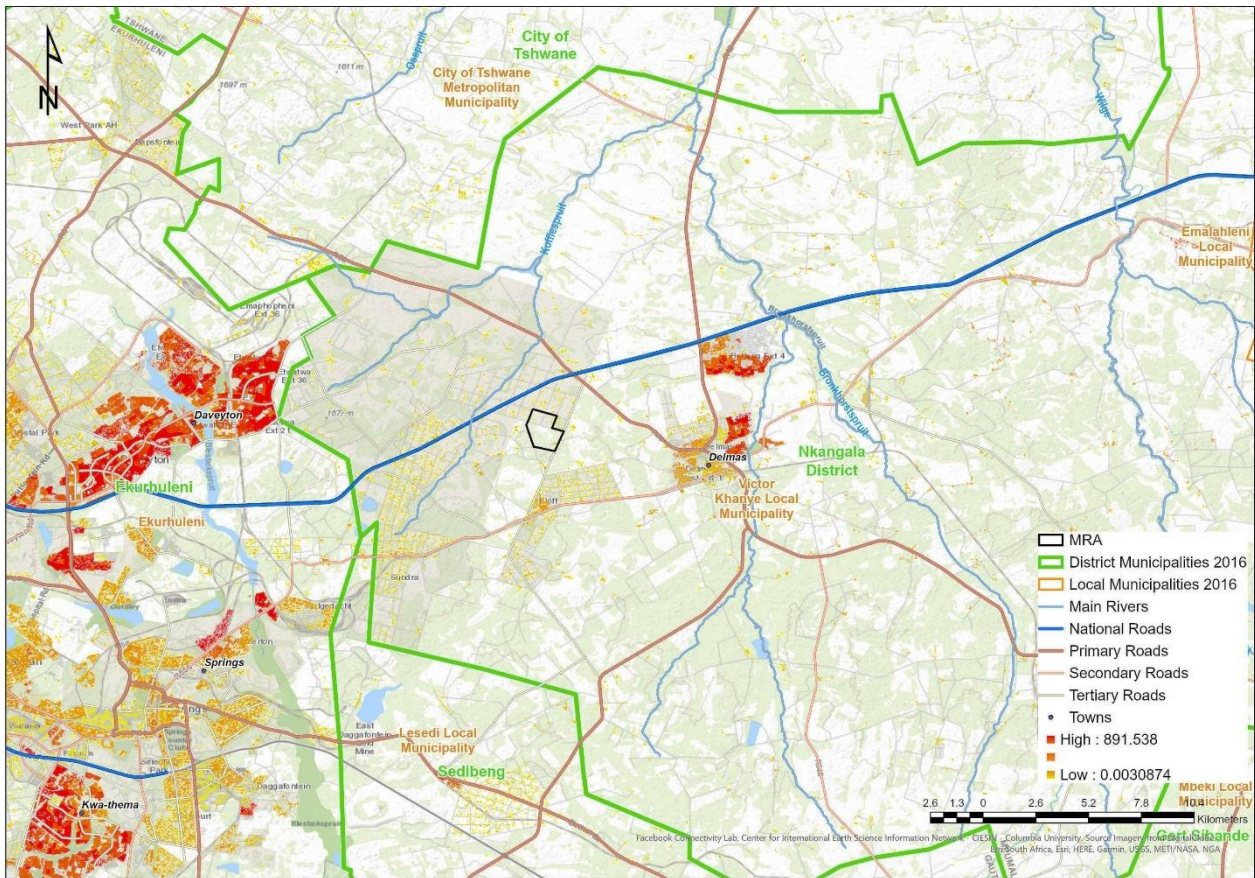
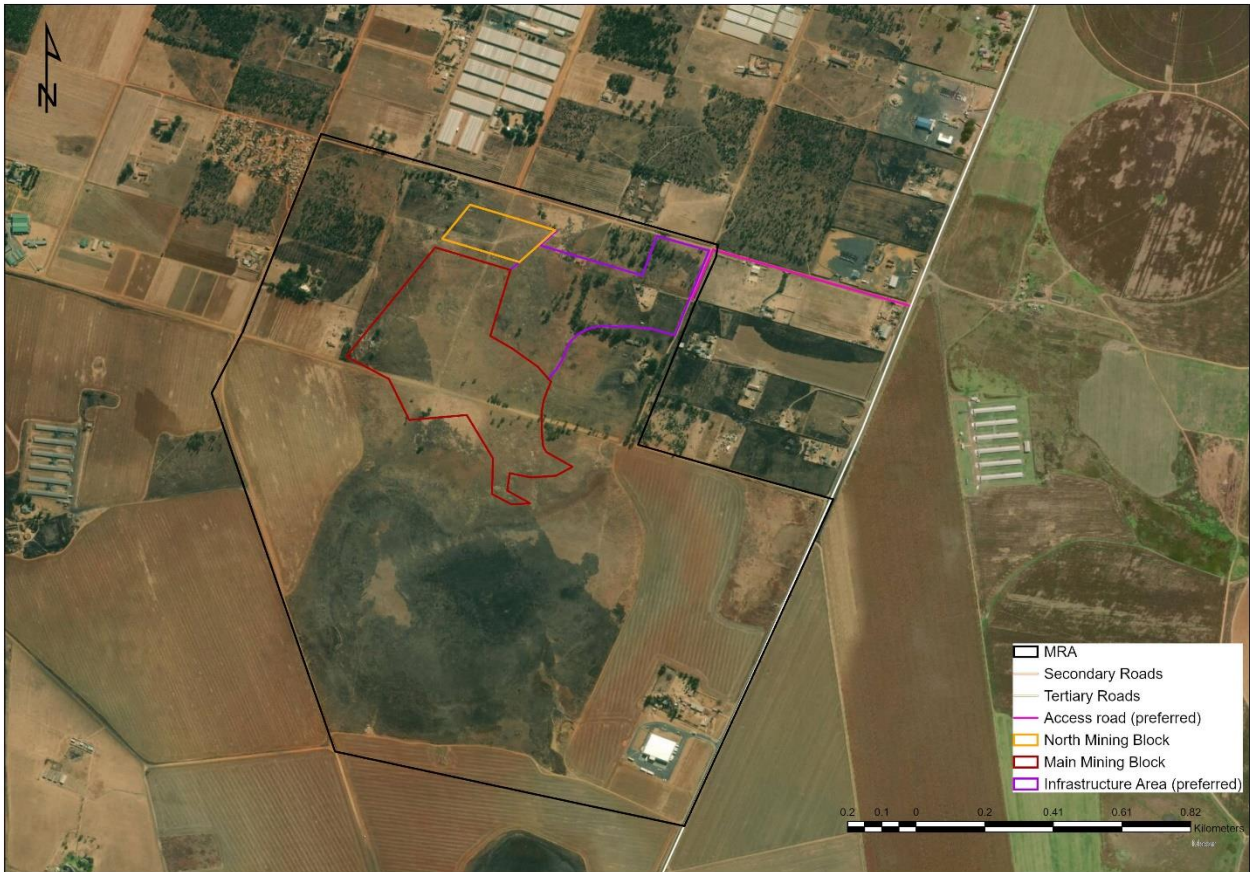


Figure 2: Institutional Map

The Rietkol MRA covers an area of 221 ha consisting of:

- 16 Modder East Agricultural Holdings (AHs) on the farm Olifantsfontein 196 IR, each approximately 4.1 ha in extent;
- Portion 71 of the farm Rietkol 237 IR; and
- A portion of Remaining Extent (RE) of portion 31 of the farm Rietkol 237 IR.





*Figure 3: Rietkol Project Layout*

The main reason for this MRA is for the supply of silica sand to various markets including the glass, foundry and filtration industries in the Gauteng and Mpumalanga regions. In addition to this, many other local industries rely on various grades of silica sand to manufacture their products. The main products that are envisaged to be sold are River Sand, Amber Sand, Flint Sand, Chemical Sand and Filter Sand.

Roughly 95% of the products will be distributed within the region while the remaining 5% is destined for the remainder of South Africa and surrounding African countries.

It is important to note that this EA application deals with the first 20 years of mining only, as indicated in the map below.

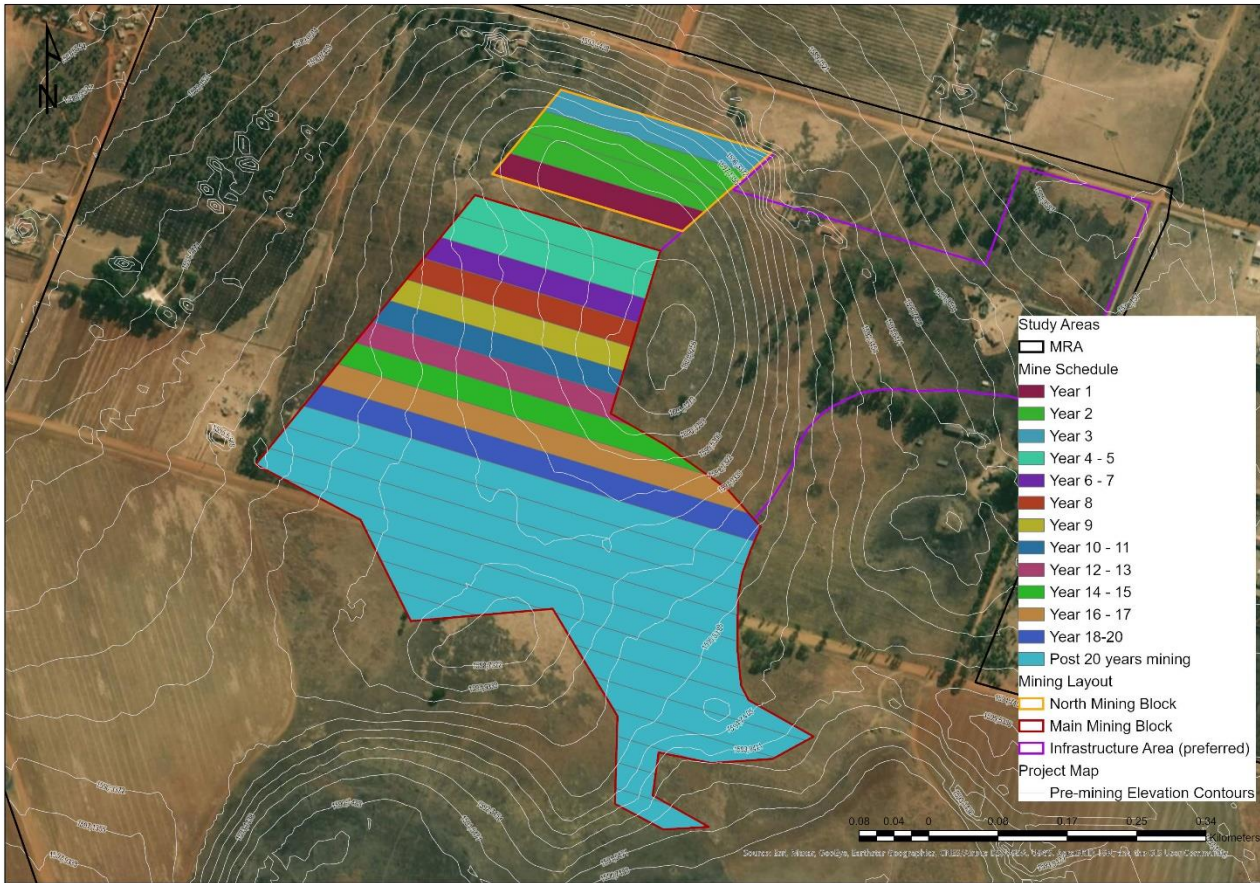


Figure 4: Mine Schedule

### 3.2 Landowner

Landownership of the properties affected by the proposed Rietkol Project is presented in Table 1 below indicating the main landowners in a 1km radius surrounding the proposed project area. Land use is mixed between agriculture, light industrial and commercial use.

Table 1: Proposed Project Area Landowners Table

Portion Number	Title Deed Number#	SG Number	Owner
AH 209	T11927/2019	TOIR04410000020900000	Consol Glass (Pty) Ltd
AH 210	T8896/2019	TOIR04410000021000000	Consol Glass (Pty) Ltd
AH 211	T38311/1969	TOIR04410000021100000	Willem Christoffel Meyer
AH 212	T1558/2020	TOIR04410000021200000	Consol Glass (Pty) Ltd
AH 213	T171746/2005	TOIR04410000021300000	Johanna Elizabeth van der Walt
AH 214	T5414/2018	TOIR04410000021400000	Consol Glass (Pty) Ltd
AH 215	T2743/2003	TOIR04410000021500000	Veizaj Sokol
AH 216	T116099/2006	TOIR04410000021600000	Bheki & Lorraine Mthethwa
AH 217	T2918/2019	TOIR04410000021700000	Consol Glass (Pty) Ltd
AH 218	T7171/2019	TOIR04410000021800000	Consol Glass (Pty) Ltd
AH 219	T7171/2019	TOIR04410000021900000	Consol Glass (Pty) Ltd
AH 220	T2918/2019	TOIR04410000022000000	Consol Glass (Pty) Ltd

Portion Number	Title Deed Number#	SG Number	Owner
AH 221	T2918/2019	TOIR04410000022100000	Consol Glass (Pty) Ltd
AH 222	Pending	TOIR04410000022200000	Consol Glass (Pty) Ltd
AH 223	T2918/2019	TOIR04410000022300000	Consol Glass (Pty) Ltd
AH 224	Pending	TOIR04410000022400000	Consol Glass (Pty) Ltd
RE of Ptn 31 of Rietkol 237 IR	T16617/1993	TOIR00000000023700031	Christiaan Le Cordeur Rossouw
Ptn 71 of Rietkol 237 IR	T1885/2018	TOIR00000000023700071	Rossouw Plumvee-Eiers (Pty) Ltd

#Pending: Consol (Pty) Ltd purchased the property, in process of transfer.

### 3.3 Land Claimants

As per the Department of Rural Development and Land Reform (DRDLR), dated 22 March 2018, no land claims have been made for the properties included in the application (refer to **Table 1**). For further details, refer to the correspondence with the DRDLR (see Appendix 1-7 for a letter sent and response received from the Land Claims Commissioner). No traditional authority is present in this area and none was identified in close proximity of the proposed mine.

### 3.4 Neighbouring Traditional Leadership and Communities

#### 3.4.1 Traditional Authorities

There are no Traditional Authorities within or surrounding the project area.

#### 3.4.2 Towns and Settlements

The project area is located amongst existing towns and settlements. The following towns are in the vicinity of the project:

*Table 2: Nearest towns*

No	Town	Direction	Distance
1	Delmas / Botleng	East	5km
2	Daveyton / Etwatwa	West	15km
3	Eloff	South	3.5km

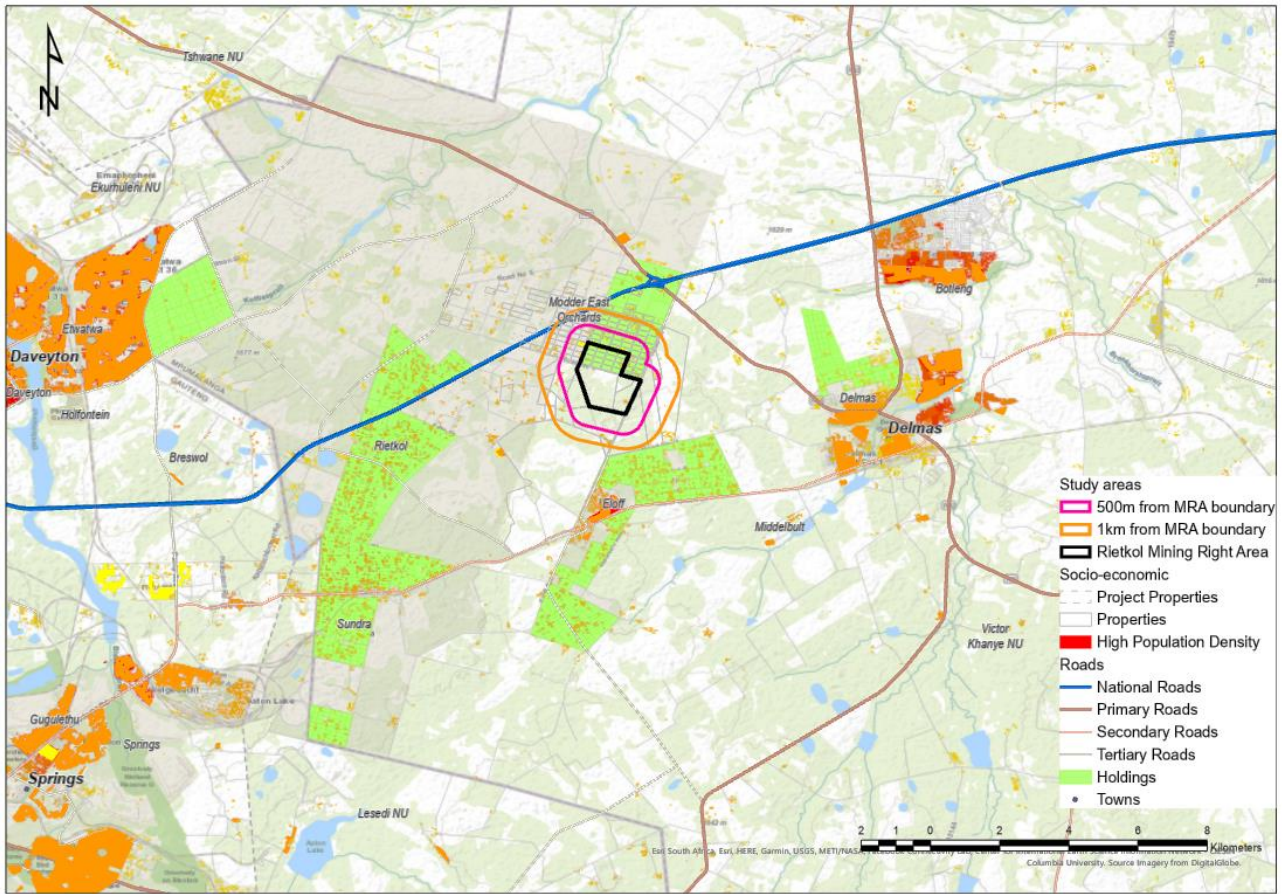


Figure 5: Towns and Settlements

On the periphery of the formal towns some settlements and informal housing has been observed, these are relevant as a risk of uncontrolled expansion in these areas due to the potential influx of job seekers is present.

The figure below indicates the location of the land occupants and settlements.

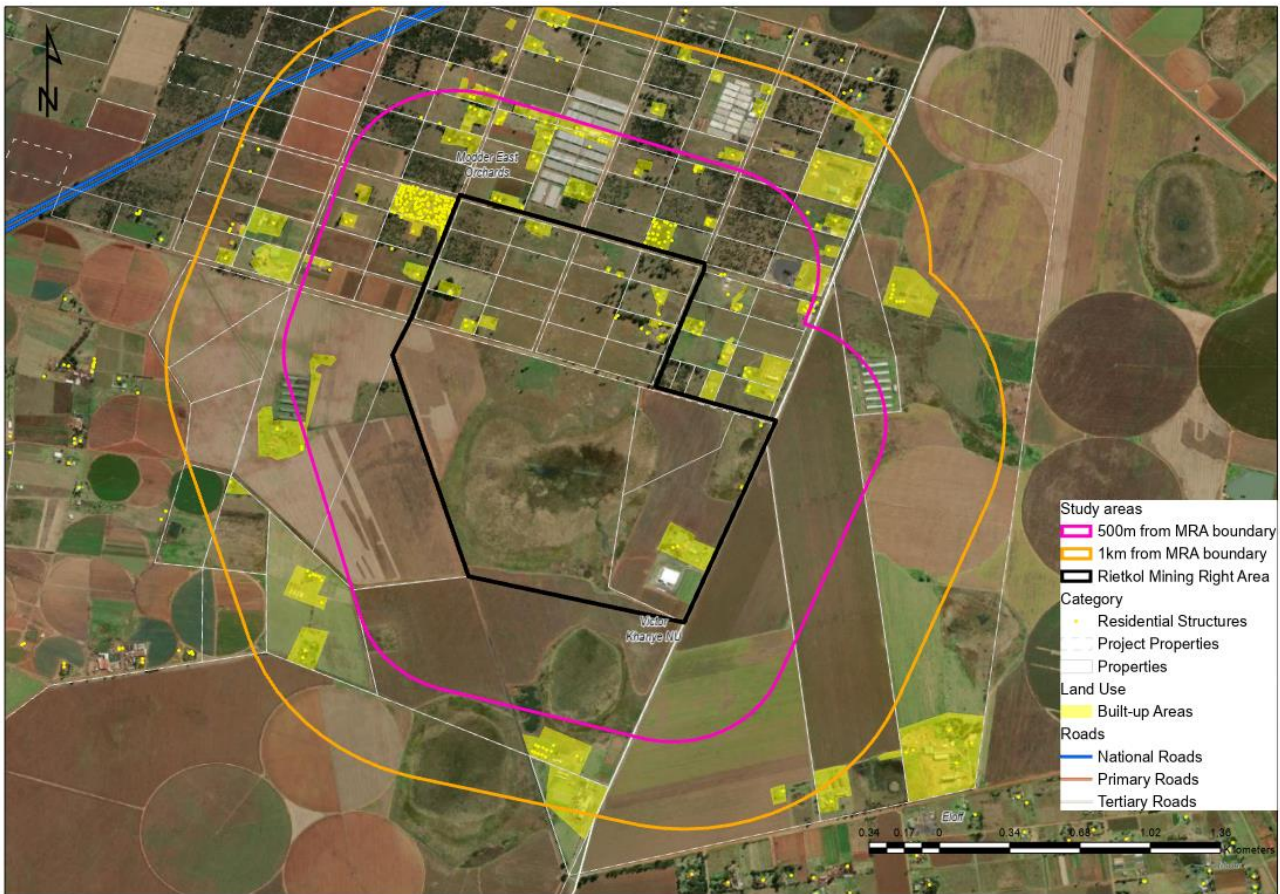


Figure 6: Land Occupants and Settlements

There are no formal settlements / towns (with registered erven) in the MRA area or 1km radius around it.

On the MRA area, there are a number of land occupants associated with activities on the agricultural properties and holdings.

### 3.5 Relevant National and Provincial Authorities

All relevant National and Provincial Authorities are included in the process (refer to I&AP register for detail)

### 3.6 Adjacent Affected Landowners and Parties

#### 3.6.1 Neighbouring Landowners and Settlements / Land Occupants

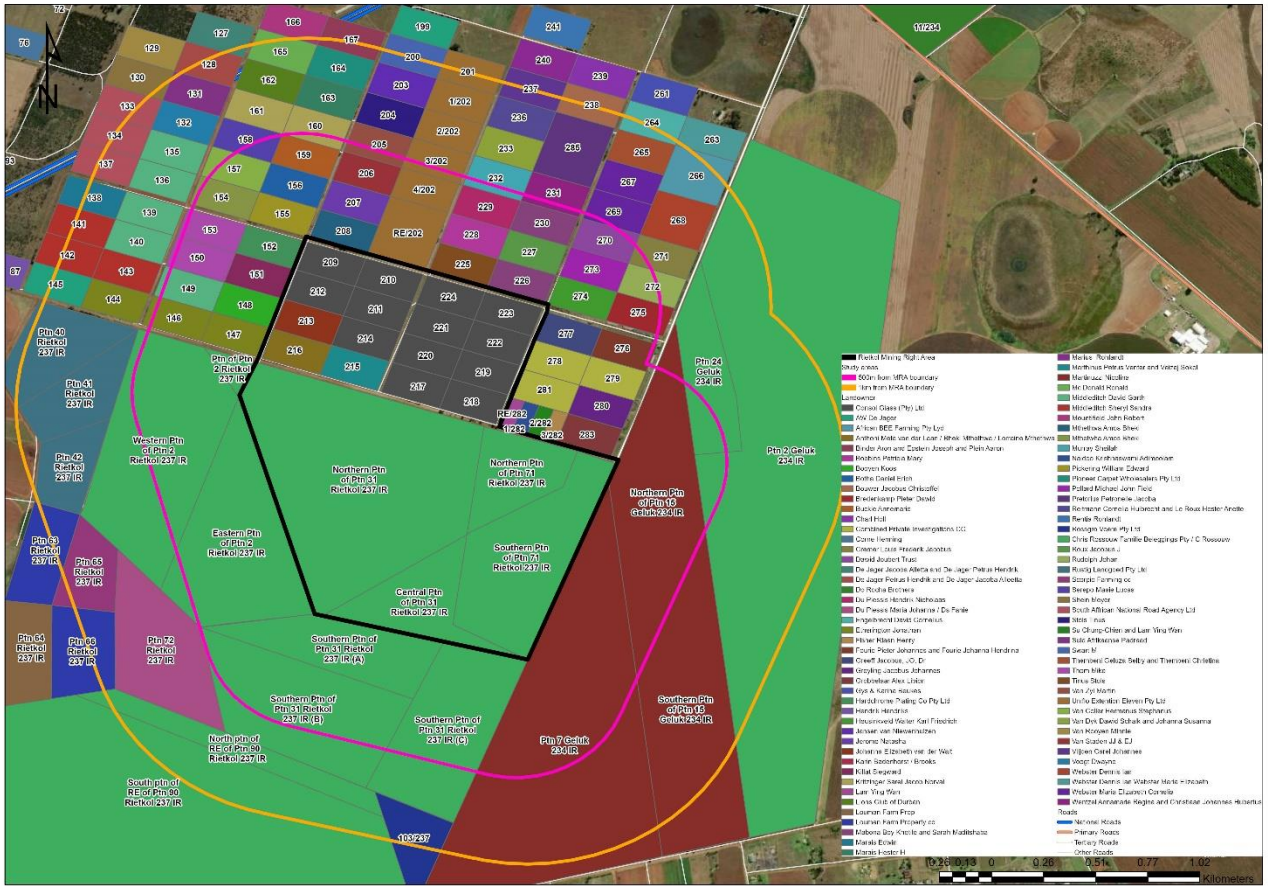


Figure 7: Land users / owners

Within the broader project area (study area further than 500m from the MRA area), there are no formal towns. There are, however, built-up areas and residential structures located on many of the Modder East Orchard agricultural holdings, which may constitute a rural dispersed settlement in the broader context. The figure below indicates residential structures and built-up areas. In the study areas the following residential structures can be found:

Table 3: Residential / Tenant Structures

STUDY AREA	MRA AREA	WITHIN 500M OF MRA AREA	BETWEEN 500M AND 1KM OF THE MRA AREA	TOTAL
Owner / Tenant Residential Structures	12	36	28	76
Worker Residential Structures	13	41	13	67
Support Structures	22	39	27	88
Informal Settlement Structures	0	63	0	63
<b>Total</b>	<b>47</b>	<b>179</b>	<b>68</b>	<b>294</b>

Apart from the land occupants or labour tenant housing located on the various properties, there are two agricultural holdings that have occupants that constitute the start of or an informal settlement. These are holding 152 spreading over to holding 151.



Figure 8: Informal settlement on Holding 152

Other residential areas are less dense and are mixed with other land uses such as agriculture. In some cases owners also use residential rent-out to generate an additional income for the household.

## 4 PUBLIC PARTICIPATION PROCESS

The following diagram indicate the process, where we are now (☀️) and the steps to follow.

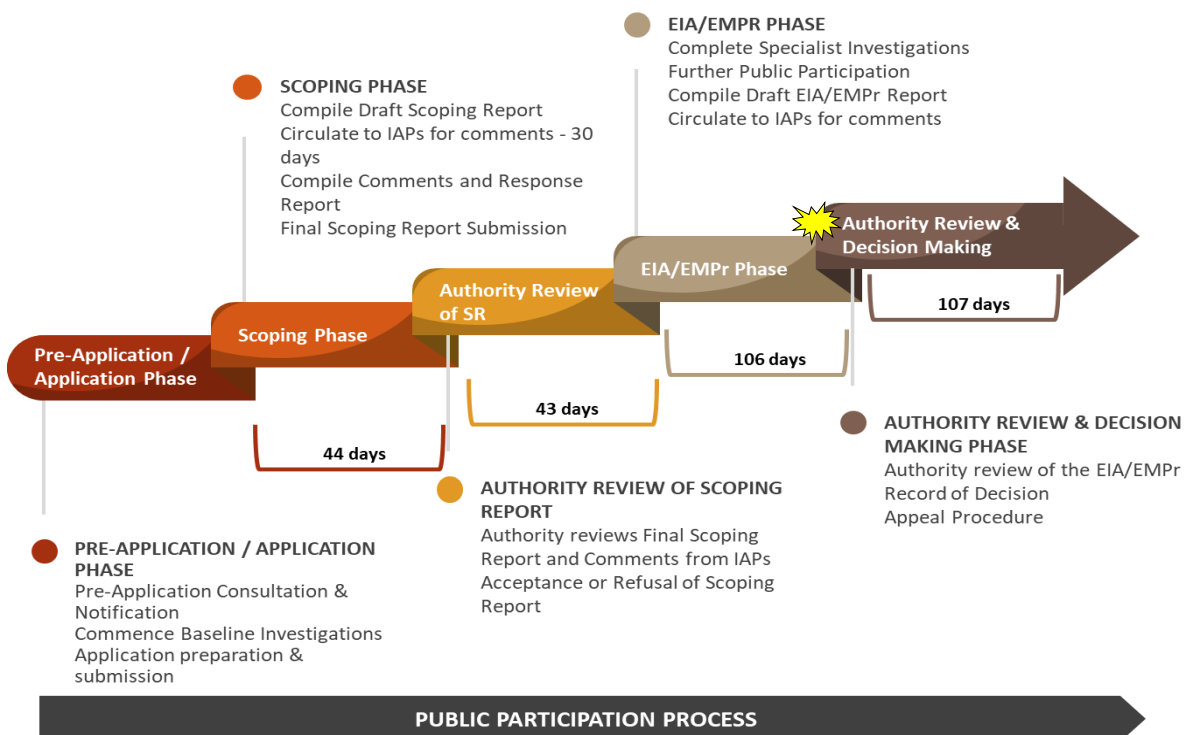


Figure 9: Public Participation Process (Announcement and Scoping Phase)

## **5 RESULTS OF THE PUBLIC PARTICIPATION PROCESS**

### **5.1 Register of Interested and Affected Parties (IAPs) (Appendix 1-1)**

A list of potential IAPs were compiled at the onset of the Public Participation Process in January 2016 and updated in 2021. The register includes all relevant Government Departments and other agencies, landowners, neighbouring landowners and communities, and Environmental Interest Groups / NGO's.

The following Government Departments are included in the Interested and Affected Party Register due to their relevancy to the project:

- Mpumalanga Department of Mineral Resources and Energy (DMRE)
- Mpumalanga Department of Agriculture, Rural Development, Land Reform, Environmental Affairs (MDARDLEA)
- Mpumalanga Department of Water and Sanitation (DWS)
- Mpumalanga Department of Rural Development and Land Reform: Regional Land Claims Commission
- Mpumalanga Department of Agriculture, Forestry and Fisheries (DoA & DAFF)
- Department of Forestry, Fisheries and the Environment (DFFE)
- Mpumalanga Department of Public Works and Road Transport (DPWRT) Nkangala District Municipality
- Victor Khanye Local Municipality

Additional Authorities and Agencies included in the IAP register are:

- South African Heritage Resource Agency (SAHRA)
- Mpumalanga Tourism and Parks Agency (MTPA)
- Environmental NGO's and Advocacy Groups

### **5.2 Project Notifications (Appendix 1-2 & 1-3)**

Project Notifications are sent via:

- Email, where email addresses exist and are available,
- Fax, where a fax number exists
- Post, if neither an email nor a fax is available, but a postal address is available
- Sms, where a cell number is available

This ensures all parties are aware of the notification. The following notifications have been sent to the registered IAPs:

- Project Announcement (notification of intended applications) and Background Information Document (BID) on 12 February 2021 (refer to Appendix 1-2 for the notification letter and Appendix 1-3 for a copy of the BID in English and isiZulu).



- Letter to the Mpumalanga Land Claims Commissioner sent on 20 January 2017 with follow-up emails and responses on 22 March 2018 (refer to Appendix 1-7).
- Project notification of the availability of the Draft Scoping Report on 18 Mar 2021 (refer to Appendix 1-2 for the notification letter).
- Project notification of the availability of the Final Scoping Report on 6 May 2021 (refer to Appendix 1-2 for the notification letter).
- Project announcement of the acceptance of the Final Scoping Report by DMR on 23 Aug 2021 (refer to Appendix 1-2 for the notification letter).
- Project announcement of the availability of the Draft Environmental Impact Assessment (DEIA), Draft Environmental Management Programme (DEMP) and Draft Integrated Water and Waste Management Plan (DIWWMP) on 4 Oct 2021. The notification included an invitation to attend the public meetings (refer to Appendix 1-2 for the notification letter).

The following table provides detail on stakeholder groups and method of notification:

*Table 4: Notifications*

INTERESTED & AFFECTED PARTY	METHOD OF NOTIFICATION	DATE OF NOTIFICATION
<b>AFFECTED PARTIES</b>		
<b>MRA Landowner</b>		
Landowners within the MRA area	Nhlabathi's intent to resubmit the Environmental Authorisation application Notification and BID emailed Advertisements & On-site Notices Notification of the availability of the DSR emailed Response to specific comments e-mailed Availability of the FSR e-mailed Notification of DMRs acceptance of the FSR e-mailed Notification of the availability of the DEIA, DEMP and DIWWMP e-mailed Invitation to the Public Meeting e-mailed	12 Feb 2021 12 Feb 2021 18 Mar 2021 April 2021 6 May 2021 23 Aug 2021 4 Oct 2021 4 Oct 2021
<b>Traditional Leaders, Communities, Settlements</b>		
Traditional Leader	Not applicable	
Lawful Occupier, Community / Settlement	Not applicable	
<b>Land Claimants</b>		
Land Claims Commissioner	Nhlabathi's intent to resubmit the Environmental Authorisation application Notification and BID emailed Notification of the availability of the DSR emailed Availability of the FSR e-mailed Notification of DMRs acceptance of the FSR e-mailed Notification of the availability of the DEIA, DEMP and DIWWMP e-mailed Invitation to the Public Meeting e-mailed	12 Feb 2021 18 Mar 2021 6 May 2021 23 Aug 2021 4 Oct 2021 4 Oct 2021
Land Claimant	No land claims registered	
<b>Municipalities</b>		
All District and Local Municipalities as contained in the I&AP Register	Nhlabathi's intent to resubmit the Environmental Authorisation application Notification and BID emailed Notification of the availability of the DSR emailed Availability of the FSR e-mailed Notification of DMRs acceptance of the FSR e-mailed Notification of the availability of the DEIA, DEMP and DIWWMP e-mailed Invitation to the Public Meeting e-mailed	12 Feb 2021 18 Mar 2021 6 May 2021 23 Aug 2021 4 Oct 2021 4 Oct 2021

INTERESTED & AFFECTED PARTY	METHOD OF NOTIFICATION	DATE OF NOTIFICATION
<b>Organs of State</b>		
All relevant Authorities contained in the Authority Register	Nhlabathi's intent to resubmit the Environmental Authorisation application Notification and BID emailed Notification of the availability of the DSR emailed Availability of the FSR e-mailed Notification of DMRs acceptance of the FSR e-mailed Notification of the availability of the DEIA, DEMP and DIWWMP e-mailed Invitation to the Public Meeting e-mailed	12 Feb 2021 18 Mar 2021 6 May 2021 23 Aug 2021 4 Oct 2021 4 Oct 2021
<b>OTHER AFFECTED PARTIES</b>		
<b>Other landowners</b>		
Direct neighbours	Nhlabathi's intent to resubmit the Environmental Authorisation application Notification and BID emailed Notification of the availability of the DSR emailed Response to specific comments e-mailed Availability of the FSR e-mailed Notification of DMRs acceptance of the FSR e-mailed Notification of the availability of the DEIA, DEMP and DIWWMP e-mailed Invitation to the Public Meeting e-mailed	12 Feb 2021 18 Mar 2021 May 2021 6 May 2021 23 Aug 2021 4 Oct 2021 4 Oct 2021
Landowners within a 1km radius	Nhlabathi's intent to resubmit the Environmental Authorisation application Notification and BID emailed Notification of the availability of the DSR emailed Response to specific comments e-mailed Availability of the FSR e-mailed Notification of DMRs acceptance of the FSR e-mailed Notification of the availability of the DEIA, DEMP and DIWWMP e-mailed Invitation to the Public Meeting e-mailed	12 Feb 2021 18 Mar 2021 May 2021 6 May 2021 23 Aug 2021 4 Oct 2021 4 Oct 2021
<b>Neighbouring land occupants, settlements or communities</b>		
Adjacent Traditional Leaders	Not applicable	
Neighbouring land occupants, settlements or communities	Nhlabathi's intent to resubmit the Environmental Authorisation application Notification and BID emailed Notification of the availability of the DSR emailed Availability of the FSR Notification of DMRs acceptance of the FSR Notification of the availability of the DEIA, DEMP and DIWWMP e-mailed Invitation to the Public Meeting e-mailed	12 Feb 2021 18 Mar 2021 6 May 2021 23 Aug 2021 4 Oct 2021 4 Oct 2021
<b>INTERESTED PARTIES</b>		
Regional Landowners	Nhlabathi's intent to resubmit the Environmental Authorisation application Notification and BID emailed Notification of the availability of the DSR emailed Availability of the FSR Notification of DMRs acceptance of the FSR Notification of the availability of the DEIA, DEMP and DIWWMP e-mailed Invitation to the Public Meeting e-mailed	12 Feb 2021 18 Mar 2021 6 May 2021 23 Aug 2021 4 Oct 2021 4 Oct 2021
Environmental NGO's / Conservation Organisations	Nhlabathi's intent to resubmit the Environmental Authorisation application Notification and BID emailed Notification of the availability of the DSR emailed Availability of the FSR Notification of DMRs acceptance of the FSR Notification of the availability of the DEIA, DEMP and DIWWMP e-mailed	12 Feb 2021 18 Mar 2021 6 May 2021 23 Aug 2021 4 Oct 2021

INTERESTED & AFFECTED PARTY	METHOD OF NOTIFICATION	DATE OF NOTIFICATION
	Invitation to the Public Meeting e-mailed	4 Oct 2021
Other, as registered	Nhlabathi's intent to resubmit the Environmental Authorisation application Notification and BID emailed Notification of the availability of the DSR emailed Availability of the FSR Notification of DMRs acceptance of the FSR Notification of the availability of the DEIA, DEMP and DIWWMP e-mailed Invitation to the Public Meeting e-mailed	12 Feb 2021 18 Mar 2021 6 May 2021 23 Aug 2021 4 Oct 2021 4 Oct 2021

### 5.3 Advertisements and On-site Notifications

The following advertisements (Appendix 1-4) were placed for announcing the project and application:

*Table 5: Advertisement Table*

TYPE OF MEDIA	NAME OF MEDIA	DISTRIBUTION	DATE OF PLACEMENT
Newspaper	Streek Nuus	Local Delmas area	12 Feb 2021
Newspaper	Streek Nuus	Local Delmas area	1 Oct 2021

The following on-site notifications (Appendix 1-4) were placed for announcing the project and application:

*Table 6: On-site notices table*

LOCATION OF NOTICE	NAME OF LOCATION	COORDINATE OF PLACEMENT	DATE OF PLACEMENT
Project Property Boundary	Main road to Eloff, entrance to Emafentsini	S26°07.609 E028°37.131	12 Feb 2021
Plot 152	Mafensini Tuck Shop	S26°07.521 E028°36.120	12 Feb 2021
Delmas	Victor Khanye Local Municipality	S26°08.979 E028°40.762	12 Feb 2021
Delmas	Willow Corner Center Shoprite	S26°09.058 E028°40.947	12 Feb 2021
Delmas	Pick and Pay Center	S26°08.405 E028°40.560	12 Feb 2021

The map below indicates the positions of the on-site notices.

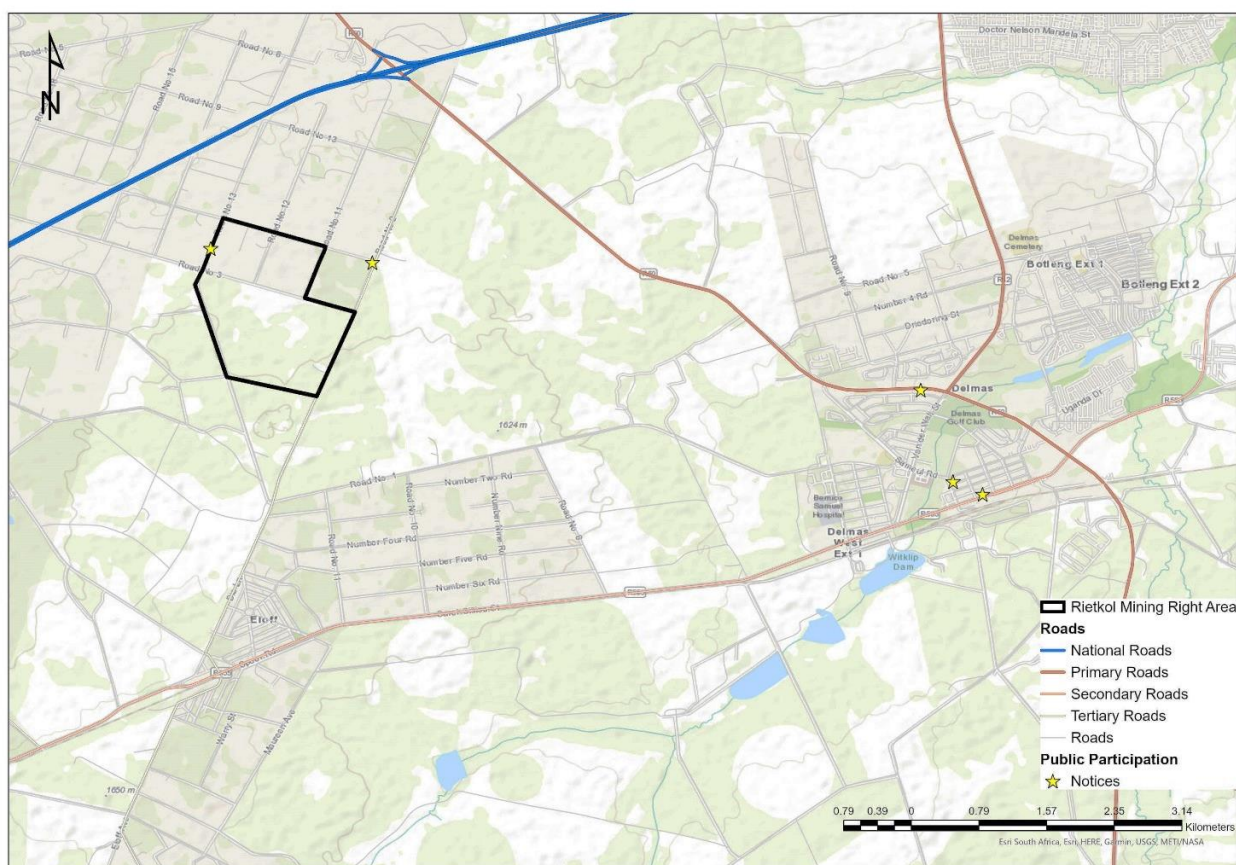


Figure 10: On-site Notice Locations

The following on-site notifications (Appendix 1-4) were placed for announcing the availability of the Draft EIA/EMP, IWWMP and invitation to the public meetings:

Table 7: On-site notices table

LOCATION OF NOTICE	NAME OF LOCATION	COORDINATE OF PLACEMENT	DATE OF PLACEMENT
Plot 152	Mafensini Tuck Shop	S26°07.521 E028°36.120	1 Oct 2021
Emafensini Community	Malume Tuckshop	S26°122854 E028°601623	1 Oct 2021

## 5.4 Availability of Project Documentation

The following documents were made available throughout the process:

Table 8: Public Documents table

DOCUMENT	TIMEFRAME	DATE OF AVAILABILITY	DATE OF COMMENT CLOSURE
<b>Background Information Document</b> (attached as Appendix 1-3)	Ongoing	12 February 2016	Not applicable
<b>Draft Scoping Report</b>	30 days (excl. public holidays)	18 Mar 2021	26 Apr 2021
<b>Final Scoping Report</b>		6 May 2021	Not applicable
<b>Draft EIAR/EMPr</b>	30 days (excl. public holidays)	4 Oct 2021	4 Nov 2021
<b>DIWWMP</b>	60 days (excl. public holidays)	4 Oct 2021	4 Dec 2021

## 5.5 Translation of Project Notices and Documents

The on-site notices, the BID and the Non-Technical Summary was translated into the predominant local language, which is in this case is isiZulu, for distribution.

## 5.6 Engagement with I&APs (Appendix 1-5)

Engagements for the current process was conducted as per the Public Participation Plan; however, previous engagements held with land owners, land occupants and the municipality is included to ensure all relevant issues raised in the previous process is retained and addressed in the re-application process.

Appendix 1-5 contains the minutes of meetings held during the EIA process:

- Victor Khanye Local Municipality Meeting held on 9 March 2018
- Landowner / Occupant Meeting (English) held on 9 March 2018
- Land Occupant, labourers and local communities Meeting (isiZulu) held on 10 March 2018
- DWS Pre-Application Virtual Meeting held on 7 September 2021
- DPWRT EIA Phase Virtual Meeting held on 21 Oct 2021
- Public Meeting in English held on 22 Oct 2021
- Public Meeting in Zulu held on 23 Oct 2021

During May 2021, several Focus Group meetings were held with the larger business activities and their representatives. For confidentiality reasons the minutes of these meetings will not be made public.

*Table 9: Engagement with IAPs table*

Meeting held with	Contact person	Date	Time	Place
CPI	Jan du Plooy	5 May 2021	09h00	AH 278, Die Plaas
Dr J Greeff	Dr J Greeff	5 May 2021	12h00	Greeff Residence, Eloff
P van der Walt	P v d Walt	5 May 2021	15h00	AH 213
Rossgro	Naude Rossouw	6 May 2021	8h30	Virtual Teams Meeting
MBFi	Izak du Toit (lawyer)	10 May 2021	11h00	Casa Kaya Guesthouse, Pretoria
Pretorius Blomme	Leon Pretorius	11 May 2021	11h00	AH 285
Unex Rose	Wally Lewis	11 May 2021	12h30	Unex Rose Office

## 5.7 Comments and Response Report (Appendix 1-6)

The comments and response report includes comments from both the current and previous processes to ensure any previous and current comments made in terms of potential impacts are included in the process.

*Table 10: Comments and Response Summary*

Interested and Affected Parties	Date Comments Received	Issues Raised	Response
<b>AFFECTED PARTIES</b>			
<b><u>MRA Landowners</u></b>			
Landowners within the MRA area	X Feb 2016 March 2016 Nov 2016 Feb 2021 Apr 2021 Oct 2021	Impact on water, air quality (silica), health, noise, economic livelihoods and security. Cumulative impacts of other existing and planned mining operations.	The impacts were addressed in the specialist studies and EIAR. Based on the information provided, the baseline assessment and the impact assessment and modelling results, no impacts have been identified resulting in this project having a significant impact on the environment. Adequate mitigation measures are committed to in the EMPr, which will reduce the significance of the negative impacts, albeit not always to baseline levels, while positive impacts will on average be significantly enhanced to maximise benefits to surrounding communities. To this end, the mitigation measures identified need to be implemented to limit and reduce the significance of the social and environmental impacts.  Cumulative social mapping was conducted in respect of air quality, blasting and noise, based on the impact modelling by the specialists.
Landowners within the MRA area	X Apr 2021	Inclusion of specific studies such as a Medical Research study and Poultry Impact Assessment to determine the impact on human health and on poultry production of the nearby broiler and packhouse businesses.	The potential for silica dust-fallout was addressed in the Air Quality Impact Assessment.  A Human Health Risk Assessment (App 23) and Poultry Impact Assessment (App 22) were conducted during the EIA Phase. In addition, baseline PM and dust fallout monitoring was conducted over a 30-day period (App 20).
Landowners within the MRA area	X March 2018 Feb 2021 April 2021 Oct 2021	Concerns raised regarding the impacts on: Groundwater – quality and quantity including the effect blasting & vibrations may have on groundwater. Air quality and its associated health risks, with specific reference to silicosis as well as the impact	The impacts were addressed in the specialist studies and EIAR. Based on the information provided, the baseline assessment and the impact assessment and modelling results, no impacts have been identified resulting in this project having a significant impact on the environment. Adequate mitigation measures are committed to in the EMPr, which will reduce the significance of the negative impacts, albeit not always to baseline levels, while positive impacts will on average be significantly enhanced to maximise benefits to surrounding communities. To this end, the mitigation measures identified need to be implemented to limit and reduce the significance of the social and environmental impacts.

Interested and Affected Parties		Date Comments Received	Issues Raised	Response
			<p>it would have on the agriculture businesses (crops, livestock, etc).</p> <p>Security and the increase in crime.</p> <p>Noise and blasting impacts.</p> <p>Economic impact on businesses due to above impacts.</p> <p>Cumulative impacts considering the existing baseline and planned other developments.</p>	<p>The potential impact on the existing economic activities and the benefits of the proposed mining activity was assessed as part of the macro-economic impact assessment, including impacts/benefits on GDP and employment.</p> <p>Cumulative social mapping was conducted in respect of air quality, blasting and noise, based on the impact modelling by the specialists.</p>
Landowners within the MRA area	X	Feb 2021	Relocation of packing stores will have a very serious financial and logistical impact on business.	The potential impact on the economic activities and business activities was assessed as part of the macro-economic impact assessment. The predicted impacts at the egg packing facility are well below the acceptable levels, and limited impact is predicted at this sensitive receptor. There is thus no need for the facility to be relocated.
		Apr 2021 Oct 2021	Concerns of irreparable loss and damages that will be suffered because of the proposed mining.	The socio- and macro-economic specialists have secured several meetings with stakeholders that have raised concerns and objections, to discuss their concerns. These were addressed in detail in the relevant specialist studies.
<b><u>Traditional Leaders, Communities, Settlements</u></b>				
Traditional Leader			<i>Not applicable</i>	
Lawful Occupier, Community / Settlement			<i>Not applicable</i>	
<b><u>Land Claimants</u></b>				
Land Claims Commissioner	X	March 2018	No land claims registered on the MRA properties.	
Land Claimants			<i>Not applicable</i>	
<b><u>Municipalities</u></b>				

Interested and Affected Parties	Date Comments Received	Issues Raised	Response
District Municipality		<i>No comments received to date</i>	
Local Municipality	X Oct 2016 Nov 2016	The area is an eco-sensitive area with an underground lake that supplies the town with water. Also, the area is underlain by dolomitic geology. 800m buffer zone between the residential area and the proposed mine. The intended mine is within the urban edge of Delmas and falls within the residential component of the farms of Modder East Orchards. The area is agricultural zoned. The proposed mine is not in line with the SDF of Delmas.	The Waste Classification that was conducted specifically for the purpose of this investigation concluded that the waste material expected to be generated by the mining and related activities can be regarded as a Type 4 or inert waste. It is noted that silica (filter sand) is used for the purification of water, which is an indication of the inert characteristics of the material. No significant groundwater quality impacts are therefore envisaged. Rezoning of the properties in terms of SPLUMA will be applied for on approval of the Mining Right.
Local Municipality	X March 2018	Impact on local roads – need for coordination with the municipality. Impact and monitoring of groundwater – quality & quantity. Blasting impact on groundwater.	Although impact will occur, the magnitude/significance of the impacts is relatively limited. For example, no significant <u>groundwater quality impacts</u> are envisaged because of the inert nature of the Rietkol quartzite deposit. On the other hand, <u>groundwater level impacts</u> will occur and are unavoidable once the pit floor intercepts and progresses further below the groundwater table. The estimated volume of inflow will be a small fraction of other groundwater uses in the area – for example irrigation. The water level impacts were simulated with a numerical groundwater flow model to remain largely restricted within the MRA area and, where exceeded, do not affect any of the current groundwater users. The impact on the local roads is addressed in the Traffic Impact Assessment (TIA).
Ward Councillors	X March 2018	Management of influx and the impact on the informal settlement neighbouring the planned mining area.	The cumulative social sensitivity mapping indicates a Low Combined impact at the community in respect of noise, blasting and air quality. No resettlement is therefore envisaged.
<b><u>Organs of State</u></b>			
DMRE	X August 2021	Acceptance of Scoping Report and Plan of Study. Requirements for EIAR:	This report adheres to the requirements stipulated in the NEMA and the recently published EIA Regulations, 2014 (as amended). The DMRE guidelines were used as framework.



Interested and Affected Parties		Date Comments Received	Issues Raised	Response
			<ul style="list-style-type: none"> <li>• Activities to be described and impacts assessed</li> <li>• Impact management objectives and mitigation measures for risks that need to be managed</li> <li>• Feasible and reasonable alternatives to be assessed</li> <li>• PP must be transparent, all comments to be included</li> <li>• Proof of correspondence with stakeholders to be included</li> <li>• All IAP comments must be adequately addressed</li> <li>• Motivation for need and desirability</li> </ul>	All aspects raised by DMRE was addressed within this report. Stakeholder consultation records and proof of correspondence are included in the PP Report (Appendix 1).
MDARDLEA			<i>No comments received to date</i>	
DoA	X	March 2018	Aspects to be considered during the EIA is current land use, grazing capacity, land capability and a detailed soil study.	These aspects were addressed in the Soils, Land Use and Land Capability specialist assessment and in the EIAR.
DALRRD	X	Feb 2021 May 2021	Soils and land use investigations. Weeds and alien invader plant management plan. Land capability class and grazing capacity.	These aspects were addressed in the Soils, Land Use and Land Capability specialist assessment and in the EIAR.

Interested and Affected Parties	Date Comments Received	Issues Raised	Response
		Sensitive areas and wetlands not to be disturbed.	Sensitive areas and wetlands were addressed in the Faunal, Floral and Freshwater Assessment.
	April 2021	Land capability is II high potential arable land. According to the 1993 grazing capacity index this area is regarded as having a 3 ha/LSU demarcation making it suited for grazing. DALRRD does not support the environmental authorisation on the farm Rietkol 237 IR – land must be protected for food security purposes.	It is noted that although classed as prime agricultural soils, the area is currently only used for grazing, not for cultivation. In addition, the specialist study “ <i>acknowledged that the grazing capacity as indicated by the Department of Agriculture, Land Reform and Rural Development (2021) [(Ref: MP 30/5/1/2/3/2/1 (10124))] is 3 ha/LSU based on the 1993 grazing capacity index; but states that the veld has been transformed due to overgrazing and other historic anthropogenic activities. The veld is best described as a transformed rangeland. Other limitations include rocky outcrops (low productivity Mispah soils) which are not suitable for any cultivated agricultural related activities. As such, the grazing capacity livestock commercial farming is not considered ideal for this area and a grazing capacity of 3 ha/LSU is unlikely to be achieved across the majority of the proposed extent of the mining footprint.</i> ”
SAHRA	X March 2018	Mitigation for the conservation of historical structures. MRA underlain Very High palaeontological sensitive rocks, as seen by the SAHRIS palaeomap. All reports and appendices to be uploaded to the SAHRIS system.	It is unlikely that the structures are older than 60 years and is not regarded as significant. No mitigation measures are recommended. The area falls in the BLUE category of SAHRA’s Palaeontological Sensitivity Map because of the underlying Vryheid formation. Blue is low in sensitivity and no palaeontological studies are required; however, a protocol for finds is required. A desk-top palaeontological study was conducted.
	May 2021	The SAHRA Archaeology, Palaeontology and Meteorites (APM) notes the submission of the HIA and PIA report however further comments will only be issued once the draft EIA report is submitted to the case during the public review period.	The draft EIA report was uploaded onto the SAHRIS system, together with all specialist reports. No further comments were received from SAHRA.
MTPA	X March 2018	No objection. Aspects to be addressed in the EIA include terrestrial assessment, freshwater assessment, critically endangered terrestrial orchid. Recommendations include a detail flora study, wetland delineation, if orchid is found inform MTPA, plans for active water purification.	Sensitive areas and wetlands were addressed in the Faunal, Floral and Freshwater Assessment. The critical endangered orchid was not observed during the specialist fieldwork. No significant groundwater quality impacts are envisaged because of the inert nature of the Rietkol quartzite deposit and active water purification is therefore not required.
	August 2021	MTPA requests that you send a hard copy of the Draft EIAR and EMPr once available.	A hard copy of the draft EIAR and EMPr was submitted to MTPA for their comments.

Interested and Affected Parties	Date Comments Received	Issues Raised	Response	
		Oct 2021	The preferred opencast option is supported, with the condition that the company responsible adhere to all your mitigation recommendations and planned infrastructure layout plan.	Nhlabathi Minerals has provided an undertaking to comply with the commitments made in the EMPr and to adhere to the proposed infrastructure layout plan. Refer to Section 9 of the final EMPr.
Roads and Transport	X	Feb 2021	Concerned how roads will be affected – access and building line	The potential impact on roads was addressed in the Traffic Impact Assessment. Further consultation was initiated with the Dept. on 21 October 2021.
		Oct 2021	Suggest you write a letter stating very clearly what it is you require from the department so that we can respond accordingly. And in return request a formal response from the department. This will ensure we find a way to work together. Maintenance is not a challenge but upgrading of roads needs planning.	Nhlabathi Minerals submitted a letter to the DPWRT indicating the level of collaboration required between the parties.
DFFE	X	June 2021	It is required that after the issuance of the Environmental Authorisation the facility must apply and be in the possession of a Provincial Atmospheric Emission Licence (PAEL) issued by the Minister of DFFE for all proposed activities that are listed in terms of section 21 of NEM:AQA before operation.	The need for a AEL was identified – refer to Section 3.2 of this report. The application for an AEL will follow once the mining right is granted, prior to construction of the dryer plant.
<b>OTHER AFFECTED PARTIES</b>				
<b><u>Other landowners</u></b>				
Direct Neighbours	X	March 2018 Feb 2021 April 2021 Oct 2021	Concerns raised regarding the impacts on: Groundwater – quality and quantity including the effect blasting & vibrations may have on groundwater. Damage to property due to drilling & blasting. Heavy motor vehicles on the access road. Air quality and its associated health risks, with specific reference to silicosis as well as the impact it would have on the agriculture businesses (crops, livestock, etc).	The impacts were addressed in the specialist studies and EIAR. Based on the information provided, the baseline assessment and the impact assessment and modelling results, no impacts have been identified resulting in this project having a significant impact on the environment. Adequate mitigation measures are committed to in the EMPr, which will reduce the significance of the negative impacts, albeit not always to baseline levels, while positive impacts will on average be significantly enhanced to maximise benefits to surrounding communities. To this end, the mitigation measures identified need to be implemented to limit and reduce the significance of the social and environmental impacts.  The potential impact on the existing economic activities and the benefits of the proposed mining activity was assessed as part of the

Interested and Affected Parties		Date Comments Received	Issues Raised	Response
			<p>Biodiversity impacts, visual impacts and sense of place.</p> <p>Increased noise and traffic.</p> <p>Economic impact on businesses due to above impacts, including property value.</p> <p>Cumulative impacts taking into account the existing baseline and planned other developments.</p> <p>Monitoring programmes and feedback to landowners on the results.</p>	<p>macro-economic impact assessment, including impacts/benefits on GDP and employment.</p> <p>The specialist studies recommend the type, method and frequency of monitoring required. This is included in the detail monitoring programme provided in the EMPr.</p>
		Apr 2021	<p>This cumulative impact from an economic, social and environmental perspective should be investigated and included as part of the specialized environmental studies.</p>	<p>Cumulative social mapping was conducted in respect of air quality, blasting and noise, based on the impact modelling by the specialists.</p>
Landowners within a 1km radius	X	<p>Feb 2016</p> <p>March 2016</p> <p>April 2016</p> <p>March 2018</p> <p>April 2021</p> <p>Oct 2021</p>	<p>Concerns raised regarding the impacts on:</p> <p>Groundwater – quality and quantity including the effect blasting &amp; vibrations may have on the dolomitic aquifer and groundwater in general, formation of sinkholes.</p> <p>Air quality and its associated health risks, with specific reference to silicosis as well as the impact it would have on the agriculture businesses (crops, livestock, greenhouses etc).</p> <p>Biodiversity impacts (including specie movement).</p> <p>Visual impacts and sense of place.</p> <p>Increased noise and traffic.</p> <p>Blasting effects on structures and animals especially horses.</p> <p>Economic impact on businesses due to above impacts including property value and method/procedure to address damages and compensation to be paid.</p> <p>Cumulative impacts taking into account the existing baseline and planned other developments.</p> <p>Monitoring programmes and feedback to landowners on the results.</p> <p>Job creation and losses.</p>	<p>The impacts were addressed in the specialist studies and EIAR. Based on the information provided, the baseline assessment and the impact assessment and modelling results, no impacts have been identified resulting in this project having a significant impact on the environment. Adequate mitigation measures are committed to in the EMPr, which will reduce the significance of the negative impacts, albeit not always to baseline levels, while positive impacts will on average be significantly enhanced to maximise benefits to surrounding communities. To this end, the mitigation measures identified need to be implemented to limit and reduce the significance of the social and environmental impacts.</p> <p>Cumulative social mapping was conducted in respect of air quality, blasting and noise, based on the impact modelling by the specialists.</p> <p>The specialist studies recommend the type, method and frequency of monitoring required. This is included in the detail monitoring programme provided in the EMPr.</p> <p>The potential impact on the existing economic activities and the benefits of the proposed mining activity was assessed as part of the macro-economic impact assessment, including impacts/benefits on GDP and employment.</p>

Interested and Affected Parties	Date Comments Received	Issues Raised	Response
<u>Neighbouring land occupants, settlements or communities</u>			
Adjacent Traditional Leaders		<i>Not applicable</i>	
Neighbouring land occupants, settlements or communities	X March 2016 Feb 2021 Oct 2021	Will the project require resettlement? In support as the mine as it will generate job opportunities and skills development. Impact on water, air quality and health.	Cumulative social mapping was conducted in respect of air quality, blasting and noise, based on the impact modelling by the specialists. The cumulative social sensitivity mapping indicates a Low Combined impact at the community in respect of noise, blasting and air quality. No resettlement is therefore envisaged.
Neighbouring land occupants, settlements or communities	X March 2018 Feb 2021	Concerns raised regarding: Resettlement. Graves and ancestral beliefs. Limited employment opportunities.	The families (next of kin) of any grave sites affected will be consulted prior to relocation. With employment, for every person employed in a family, up to 5 dependents may be uplifted. At a mine there are skilled and unskilled opportunities, but those that are unskilled can be developed through skills development. If the skills required does not exist in the local area, this can be remedied over time with skills development programmes. Also, benefits are not only focussed on employment, but there are also procurement and enterprise development opportunities as well as bursaries, internships and learnerships. All these programmes must be described in the 5-year SLP, which forms part of the commitment the mining company makes.
	X Apr 2021 Oct 2021	Corporate Social Investment Road Infrastructure Housing Health Care Services (Clinics/Hospital) Educational Infrastructure Water Infrastructure Creation of Job opportunities to alleviate poverty preferably to local stakeholders. Black economic empowerment businesses residing in the community. Environmental management	Your comments were considered during the social impact assessment that addresses both impacts and benefits to the community.

Interested and Affected Parties		Date Comments Received	Issues Raised	Response
<b>INTERESTED PARTIES</b>				
Regional Landowners (outside 1km buffer)	X	Feb 2016 March 2016	<p>Scope of work of specialist tests.</p> <p>Underground lake and cave on plot 183</p> <p>Impact on air quality and health</p> <p>Benefits to be invested locally through job creation and procurement.</p> <p>Concerned about mining over aquifer</p> <p>Impacts on groundwater, increased subsidence and incidents of sinkholes, degradation of current poorly maintained local and provincial infrastructure, increase in noise and air pollution as well as blasting and tremors, increase in socio-economic problems due to a lack of housing, crime, etc and a decline in property value and sense of place.</p>	<p>The impacts were addressed in the specialist studies and EIAR. Based on the information provided, the baseline assessment and the impact assessment and modelling results, no impacts have been identified resulting in this project having a significant impact on the environment. Adequate mitigation measures are committed to in the EMPr, which will reduce the significance of the negative impacts, albeit not always to baseline levels, while positive impacts will on average be significantly enhanced to maximise benefits to surrounding communities. To this end, the mitigation measures identified need to be implemented to limit and reduce the significance of the social and environmental impacts.</p>
Regional Landowners (outside 1km buffer)	X	March 2018	<p>Groundwater – quality and quantity including the effect blasting &amp; vibrations may have on the dolomitic aquifer and groundwater in general, formation of sinkholes.</p> <p>Air quality and its associated health risks, with specific reference to silicosis.</p> <p>Economic impact including property value.</p> <p>Increase in crime and safety concerns.</p> <p>Blasting effects on animals especially horses.</p> <p>Monitoring and the reporting protocol when limits are exceeded.</p>	<p>The impacts were addressed in the specialist studies and EIAR. Based on the information provided, the baseline assessment and the impact assessment and modelling results, no impacts have been identified resulting in this project having a significant impact on the environment. Adequate mitigation measures are committed to in the EMPr, which will reduce the significance of the negative impacts, albeit not always to baseline levels, while positive impacts will on average be significantly enhanced to maximise benefits to surrounding communities. To this end, the mitigation measures identified need to be implemented to limit and reduce the significance of the social and environmental impacts.</p> <p>The potential impact on the existing economic activities and the benefits of the proposed mining activity will be assessed as part of the macro-economic impact assessment, including impacts/benefits on GDP and employment.</p> <p>The specialist studies recommend the type, method and frequency of monitoring required. This is included in the detail monitoring programme provided in the EMPr.</p> <p>The potential impact on the existing economic activities and the benefits of the proposed mining activity was assessed as part of the macro-economic impact assessment, including impacts/benefits on GDP and employment.</p>

Interested and Affected Parties		Date Comments Received	Issues Raised	Response
	X	Mar 2021	<p>Concerns regarding dust and air quality for cattle.</p> <p>Negative effects on bull frogs, cranes and secretary birds.</p> <p>Negative effects on water levels.</p>	<p>Sensitive species were addressed in the Faunal, Floral and Freshwater Assessment.</p> <p>The impacts were addressed in the specialist studies and EIAR. Based on the information provided, the baseline assessment and the impact assessment and modelling results, no impacts have been identified resulting in this project having a significant impact on the environment.</p>
Interested Parties (Stefan Roets)	X	Feb 2018 Feb 2021	<p>Impact on land use and zoning surrounding the mining area.</p> <p>Rezoning application process.</p> <p>Concerned about infrastructure, mainly roads.</p>	<p>The rezoning process will be done after the EIA process is complete, as this application normally requires the specialist studies conducted during the EIA. They also normally require the Authorisations and Licenses. It will happen before we go on site.</p> <p>The potential impact on roads was addressed in the Traffic Impact Assessment.</p>
Other, as registered	X	Mar 2021	We are grateful about the report hoping for life changing opportunities.	Noted.

A detailed Comment and Response Report (CRR) is attached as Appendix 1-6. Copies of written submissions during the current process are included in Appendix 1-7, previous written copies of comments as contained in the CCR is available on request.

## **6 CONCLUSION**

This report reflects the Public Participation conducted as part of the Announcement, Scoping and EIA Phases, and meets the legal requirements for the said phases. The process forms part of a re-application and therefore comments made in the previous application from 2016 – 2021 has been included to ensure all comments are taken into consideration.