

NAME OF APPLICANT: Black Mountain Mining (Pty) Ltd

REFERENCE NUMBER: NC30/5/1/1/2/12389PR

REPORT ON THE RESULTS OF CONSULTATION

WITH COMMUNITIES AND INTERESTED AND AFFECTED PARTIES

**AS REQUIRED IN TERMS OF SECTIONS, 16(4)(b) or 27 (5) (b) OF THE
MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT (ACT
28 of 2002), AND IN ACCORDANCE WITH THE STANDARD DIRECTIVE
FOR THE COMPILATION THEREOF AS PUBLISHED ON THE OFFICIAL
WEBSITE OF THE DEPARTMENT OF MINERAL RESOURCES.**



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

A. Definitions

'consultation' means a two way communication process between the applicant and the community or interested and affected party wherein the former is seeking, listening to, and considering the latter's response, which allows openness in the decision making process.

'community' means a group of historically disadvantaged persons with interest or rights in a particular area of land on which the members have or exercise communal rights in terms of an agreement, custom or law: Provided that, where as a consequence of the provisions of the Act negotiations or consultations with the community are required, the community shall include the members or part of the community, directly affected by prospecting or mining, on land occupied by such members or part of the community.

'Interested and affected' parties include, but are not limited to; –

- (i) Host Communities
- (ii) Landowners (Traditional and Title Deed owners)
- (iii) Traditional Authority
- (iv) Land Claimants
- (v) Lawful land occupier
- (vi) The Department of Land Affairs,
- (vii) Any other person (including on adjacent and non-adjacent properties) whose socio-economic conditions may be directly affected by the proposed prospecting or mining operation
- (viii) The Local Municipality,
- (ix) 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.

B. Report on the results of consultation

1. Methodology applied to consultation.

- 1.1. Name the community or communities identified, or explain why no such community was identified.

The application area falls within ward 4 of Khai-Ma LM and ward 3 of Hantam LM within Namakwa District Municipality (NDM). No formal communities have been identified following the consultations with landowners in the area.

1.2. Specifically state whether or not the Community is also the landowner.
It is understood that land is not owned by a community in the application area.

1.3. State whether or not the Department of Land Affairs been identified as an interested and affected party.

The Department of Land Affairs has been identified as an interested and affected party. Consultation was done with the department to enquire on existing land claims within the application area.

1.4. State specifically whether or not a land claim is involved.

The Department of Land Affairs has advised that are no land claims lodged against the properties in the application area.

1.5. Name the Traditional Authority identified

No Traditional Authority was identified.

1.6. List the landowners identified by the applicant. (Traditional and Title Deed owners)

The following surrounding surface rights holders/landowners of the area under application have been identified and notified of the proposed Jaagers Plaat Prospecting Right application:

- **Mr. Horn Christiaan Jacobus**
- **Conradie Van Heerden Familietrust**
- **Mr. Nel Petrus Abel Elias**
- **Mrs. Nel Hendrina Maria**
- **Mr. Nel Phillippus Lodewickus**
- **Mr. Van Zyl Hendrik Johannes Jacobus**

- **Mr. Van Zyl Johanna Maria Elizabeth**
- **Mr. Van Zyl Hendrik Johannes Jacobus**
- **Mr. Nel Willem Petrus**
- **Mr. Louw Everhardus Johannes**
- **Mr. Nel Phillippus Lodewickus**
- **Mr. Visser Mattheus Willemse**
- **Mr. Nel Johannes Louw**
- **Mr. Kearney Hendrik Albertus**
- **Mr. Nel Isak Hendrik Johannes**
- **National Government of The Republic of South Africa**
- **Mr. Van Zyl Gideon Andries**
- **Ezels Trust**
- **Mr. Von Wielligh Hendrik Efraim**
- **Mr. Nel Jacobus Hendrik Louw**
- **Mr. Nel Susanna Maryna**
- **Mr. Nel Nicolaas Daniel Lombard**
- **Mr. Louw Willem Steenkamp**
- **Mr. Nel Nicolaas Daniel Lombard**
- **Louw Willem Steenkamp**
- **Mr. Lombard Gert Johannes**
- **Mr. Louw Hermanus Albertus**
- **Mr. Louw Willem Steenkamp**

- **Mr. Nel Susanna Maryna**
- **Mr. Kearney Christina Alida Adriana**
- **Dwaggas Trust**
- **Mr. Nel Gerrit Jacobus**
- **Nel Jacoba Johanna**
- **Mr. Nel Antonie Louis**

1.7. List the lawful occupiers of the land concerned.

The following surrounding surface rights holders/landowners of the area under application have been identified and notified of the proposed Jaagers Plaat Prospecting Right application:

- **Mr. Horn Christiaan Jacobus**
- **Conradie Van Heerden Familietrust**
- **Mr. Nel Petrus Abel Elias**
- **Mrs. Nel Hendrina Maria**
- **Mr. Nel Phillippus Lodewickus**
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- 1.8. Explain whether or not other persons' (including on adjacent and non-adjacent properties) socio-economic conditions will be directly affected by the proposed prospecting or mining operation and if not, explain why not.

The proposed prospecting activity will not directly affect the socio-economic conditions. Although the proposed activity may interfere with existing landuses, this would be limited to the application areas and not the adjacent or nonadjacent properties. Mitigation measures have also been included and further discussed in Section 21.4 of the Environmental Management Plan, which propose that further landowner interaction be undertaken prior to the actual activities being undertaken and further, the activities be limited to the actual prospecting areas and that rehabilitation be undertaken of the sites and the access roads.

- 1.9. Name the Local Municipality identified by the applicant

Khai Ma and Hantam Local Municipalities.

- 1.10. Name 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.

- **Khai Ma Local Municipality**
- Hantam Local Municipality;**
- **Namakwa District Municipality;**
- **Northern Cape Department of Mineral Resources;**
- **Northern Cape Department of Environment and Nature Conservation (DENC): Springbok;**
- **Northern Cape Department of Water and Sanitation**
- **Northern Cape Department of Agricultural & Land Reform ;**
- **Northern Cape Department of Rural Development and Land Reform ;**
- **Northern Cape Department of Roads Transport and Public Works;**
- **South African Radio Astronomical Observatory;**
- **South African Heritage Resources Agency.**

- 1.11. Submit evidence that the landowner or lawful occupier of the land in question, and any other interested and affected parties including all those listed above, were notified.

Proof of delivery of notification documents is attached in Appendix B2 of the Basic Assessment Report.

2. Description of the existing status of the cultural, socio-economic or biophysical environment, as the case may be, prior to the proposed prospecting or mining operation.

2.1.1. Confirm that the identified and consulted interested and affected parties agree on the description of the existing status of the environment.

I&AP registration questionnaires were provided to the identified and consulted interested and affected parties and those who returned the questionnaires confirmed that the receiving environment is mostly grazing land where sheep farming is practiced.

2.1.2. Describe the existing status of the cultural environment that may be affected

In total, 30 potential heritage features were identified in the location of the study area. The majority are depicted as several single structures and groups of structures. Since the first edition of the topographic maps for the area date to between 1972-73, the potential heritage features are likely to be 47/48 years or older. No burial grounds or graves are depicted on the historical topographic maps for the study area. However, it is possible that unknown burial grounds and graves are present. The identification of the features will have to be confirmed during the field work phase.

The area is mainly underlain by the Kalahari Formation with isolated areas of the Dwyka Group, Karoo Dolerite and Prins Albert Formation. According to the Palaeosensitivity Map available on the South African Heritage Resources Information System database (SAHRIS), the Palaeontological Sensitivity of the Kalahari Group is rated as Low, the igneous rocks of the Bushmanland and Karoo Dolerite are rated Insignificant or zero, while the Ecca sediments of the Karoo Supergroup have a high Palaeontological Sensitivity.

Previous studies conducted in the surroundings of the study area have identified a number of archaeological sites. These include Stone Age (ESA, MSA and LSA) sites including find spots, surface scatters and rock art sites.

2.1.3. Describe the existing status of any heritage environment that may be affected

In total, 30 potential heritage features were identified in the location of the study area. The majority are depicted as several single structures and groups of structures. Since the first edition of the topographic maps for the area date to between 1972-73, the potential heritage features are likely to be 47/48 years or older. No burial grounds or graves are depicted on the historical topographic maps for the study area. However, it is possible that unknown burial grounds and graves are present. The identification of the features will have to be confirmed during the field work phase.

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Previous studies conducted in the surroundings of the study area have identified a number of archaeological sites. These include Stone Age (ESA, MSA and LSA) sites including find spots, surface scatters and rock art sites.

2.1.4. Describe the existing status of any current land uses and the socio-economic environment that may be directly affected

The Prospecting application area is located close to the Aggeneys - Gamsberg base metal mines. The proposed properties are situated mainly south of the R358 tar road from Pofadder to Nuwerus. Several farm roads and servitude gravel roads cross these properties. Existing power lines are also situated across these properties.

The proposed properties are expected to be generally flat, with a few drainage lines, quartzite ridges and outcrops, as well as a few pans across some parts of these properties. The areas proposed for the prospecting project are expected to have red Kalahari Aeolian sands of various thickness on top of a general calcrete layer.

The vegetation of the general area and the proposed site is expected to be typical of the Upper Karoo, consisting mainly of Karoo scrub and grass and the occasional Karoo Acacia which forms part of the vegetation in the Nama-Karoo biome (Mucina & Rutherford 2006).

The properties are expected to be previously largely undisturbed and presently mainly used for grazing of sheep and cattle. Existing farm infrastructure such as windmills, boreholes, fencing and livestock pens is expected to be sparsely

dotted across the properties. Only a few tracks or roads cross these properties.(PGS, 2019).The application area falls within the Karoo Central Astronomy Advantage Area 1 and 2.

Khaisi Local Municipality includes various towns with the largest being the towns of Pofadder and Aggeneys. Khaisi Local Municipality has the smallest land cover of all the local municipalities within the NDM with an area of 8 331km². Pofadder is situated on the N14 Highway between Springbok and Kakamas is situated between Pofadder and Keimoes. Other towns within the Khaisi Local Municipality include Goodhouse, Pella and Onseepkans. Pofadder is a sheep farming centre. Located on the Springbok-Pofadder road, Aggeneys is a copper, zinc and lead mining town (Chidley et al, 2011)

According to Census 2011, the Khaisi Municipality has a total population of 12 465 people, of which 75,1% are coloured, 17,6% are black African, and 6,0% are white. Other groups make up 0,4% of the population. The education levels in the NDM are low. Approximately half of the population over 20 years old within the District have some secondary education and a very small percentage obtained Grade 12 qualification. Of those aged 20 years and older, 46,3% have some secondary schooling, 17,5% have some primary schooling, 18,1 % completed Grade 12/matric, 5,8% have some higher education, 8,4% completed some primary schooling and 3,9% of this municipality have no schooling.

The main economic activities within the Khaisi LM are agriculture and mining. Agricultural activities are dominated by livestock and poultry farming. Of the 5904 economically active people (employed and unemployed but looking for work), 22,1% are unemployed. 322 are classified as discouraged work-seekers. Of the youth (aged 15 – 34), 2 511 are employed, 776 are unemployed, 192 are classified as discouraged work-seekers, and 1 109 are not economically active.

There are 3 796 households in the municipality, with an average household size of 3,2 persons per household. Of the households in the municipality, 45,5% have access to piped (tap) water inside the dwelling/institution, and 46,5% have access to piped (tap) water inside the yard.

Hantam Local Municipality includes the towns of Calvinia, Loeriesfontein, Nieuwoudtville, Brandvlei, Middelpoort and Swartkop. Calvinia serves as the main agricultural service centre with the associated transport infrastructure shaping the (original) spatial structure of the town. Overall, the Hantam municipal area is characterised by negative population growth and, thus, changing dynamics, i.e. the number of persons and the number of households has decreased since 1995. According to the 2019-2020 Hantam Municipality IDP, the total number of people in Hantam is 21 505. In the Hantam municipal area, 5 165 (38.2%) of the working age population was formally employed in 2017, compared to 5224 (or 39.3%) in 2016 and 5 614 (or 37.4%) in 2001.

The Census 2011 shows that a significant proportion (about 76%) of the population in the municipal area earns less than R76 401 per annum, i.e. less than R5 200 per month. There is a slight improvement in the number of persons with matric in the Hantam municipal area despite a very low population growth rate. The biggest success, however, is the reduction of persons with no schooling in the area coming down from 4 515 in 2001 to 3 068 in 2017.

2.1.5. Describe the existing status of any infrastructure that may be affected.

The Prospecting application area is located close to the Aggeneys - Gamsberg base metal mines. The proposed properties are situated mainly south of the R358 tar road from Pofadder to Nuwerus. Several farm roads and servitude gravel roads cross these properties. Existing power lines are also situated across these properties.

The proposed properties are expected to be generally flat, with a few drainage lines, quartzite ridges and outcrops, as well as a few pans across some parts of these properties. The areas proposed for the prospecting project are expected to have red Kalahari Aeolian sands of various thickness on top of a general calcrete layer.

The properties are expected to be previously largely undisturbed and presently mainly used for grazing of sheep and cattle. Existing farm infrastructure such as windmills, boreholes, fencing and livestock pens is expected to be sparsely dotted across the properties. Only a few tracks or roads cross these properties.(PGS, 2019).The application area falls within the Karoo Central Astronomy Advantage Area 1 and 2.

2.1.6. Describe the existing status of the biophysical environment that will be affected, including the main aspects such as water resources, flora, fauna, air, soil, topography etc.

Please consult Section 6.4.2 of the Basic Assessment Report.

2.1.7. Provide any relevant additional information.

Copies of the I& AP registration questionnaires completed by the interested and affected parties have been included in Appendix B4 of the Comments and Response Report.

3. The anticipated environmental, social or cultural impacts identified.

3.1. Confirm that the community and identified interested and affected parties have been consulted and that they agree that the potential impacts identified include those identified by them.

3.1.1. Provide a list and description of potential impacts identified on the cultural environment.

**Safety and security risks to landowners and lawful occupiers;
Interference with existing land uses.**

3.1.2. Provide a list and description of potential impacts identified on the heritage environment, if applicable.

**Impact on potential burial grounds and graves;
Impact on structures older than 60 years;
Impact on archaeological resources;
Impact on palaeontological resources;**

3.1.3. Provide a list and description of potential impacts identified on the socio-economic conditions of any person on the property and on any adjacent or non adjacent property who may be affected by the proposed prospecting or mining operation.

**Job Creation;
Deterioration and damage to existing access roads and tracks;
Safety and security risks to landowners and lawful occupiers;
Interference with existing land uses;**

3.1.4. Provide a list and description of potential impacts (positive & negative) identified on: employment opportunities, community health, community proximity.

- **Job Creation;**
- **Impact on identified heritage sites;**
- **Safety and security risks to landowners and lawful occupiers;**
- **Interference with existing land uses;**
- **Generation and disposal of waste;**
- **Loss of fossil heritage.**

3.1.5. Provide a list and description of potential impacts identified on the biophysical environment including but not be limited to impacts on: flora, fauna, water resources, air, noise, soil etc.

Temporary disturbance of wildlife due to increased human presence and possible use of machinery and/or vehicles.

**Destruction of, and fragmentation of, portions of the vegetation community;
Loss of ESA and sections of area classed as moderate and highest biodiversity importance;**

Displacement of faunal community (including possible threatened or protected species) due to habitat loss, disturbance (noise, dust and vibration) and/or direct mortalities;

Continued disturbance of vegetation communities (including portions of an ESA and a section classed as moderate and highest biodiversity importance)
Encroachment by alien invasive plant species;
Displacement of avifauna by the airborne survey;
Disturbance and mortalities of herpetofauna due to assaying (Rock chips and Soil sampling);
Ongoing displacement, direct mortalities and disturbance of faunal community (including multiple threatened species) due to habitat loss and disturbances because of the drilling and access roads;
Further impacts due to the spread and/or establishment of alien and/or invasive species;
Displacement, direct mortalities and disturbance of faunal community (including multiple threatened species) due to habitat loss and disturbances (such as dust, vibrations, poaching and noise);
Degradation of aquifers;
Impacts on existing groundwater users;
Impacts on surface water features (e.g. streams, rivers, wetlands, saltpans) – which may be recharged by groundwater;
Noise;
Pollution of Soils;
Air Quality;
Generation and disposal of waste; and
Erosion due to improper rehabilitation.

3.1.6. Provide a description of potential cumulative impacts that the proposed operation may contribute to considering other identified land uses which may have potential environmental linkages to the land concerned.

Clearance of vegetation may take many years to re-establish after rehabilitation has taken place due to the semi-arid environment of the proposed area. The interference of the proposed activity with existing land uses may limit the amount of grazing land available and in so doing the livelihood of the farmers within the application areas may be affected.

4. Land use or development alternatives, alternative means of carrying out the proposed operation, and the consequences of not proceeding with the proposed operation.

4.1. Provide a list of and describe any alternative land uses that exist on the property or on adjacent or non-adjacent properties that may be affected by the proposed mining operation.

The properties are expected to be previously largely undisturbed and were and are presently mainly used for grazing of sheep and cattle. Existing farm infrastructure such as windmills, boreholes, fencing and livestock pens are expected to be sparsely dotted across the properties.

4.2. Provide a list of and describe any land developments identified by the community or interested and affected parties that are in progress and which may be affected by the proposed mining operation.

The properties are expected to be previously largely undisturbed and were and are presently mainly used for grazing of sheep and cattle. Existing farm infrastructure such as windmills, boreholes, fencing and livestock pens are expected to be sparsely dotted across the properties.

4.3. Provide a list of and describe any proposals made in the consultation process to adjust the operational plans of the mine to accommodate the needs of the community, landowners and interested and affected parties.

Mitigation measures have been proposed in the EMPr for all impacts identified.

4.4. Provide information in relation to the consequences of not proceeding with proposed operation

If the prospecting right is not granted, the potential to identify viable mineral resources could be lost. Historical prospecting and mining activities have taken place in the vicinity of the proposed prospecting right area and as such the proposed prospecting activities represent a continuation of surrounding land uses. Additionally, it allows for marginal land impacted on by historical prospecting and mining activities to be re-introduced into the economy. The negative impacts likely to occur as a result of the prospecting work are anticipated to be of low significance.

5. Description of the process of engagement referred to in 3.2.1 and 3.2.2 above with identified communities, landowners and interested and affected parties.

5.1. Provide a description of the information provided to the community, landowners, and interested and affected parties to inform them in sufficient detail of what the prospecting or mining operation will entail on the land, in order for them to assess what impact the prospecting will have on them or on the use of their land;

Notification documents sent to all pre-identified I&AP's included the following information:

- **The site plan;**
- **List of activities to be authorised;**
- **Typical impacts of activities to be authorised;**
- **The duration of the activity;**

- Sufficient detail of the intended operation to enable them to assess what impact the activities will have on them or on the use of their land;
- The purpose of the proposed project;
- The prospecting methods to be used;
- Details of the affected properties (including parent farm and portion);
- Details of the MPRDA and NEMA Regulations that must be adhered to;
- The minerals being prospected for;
- The information contained in the BAR and EMPR;
- Date by which comment, concerns and objections must be forwarded through to EIMS; and
- Contact details of the Environmental Assessment Practitioner (EAP).

In addition, a questionnaire was included in the registered letters, emails and facsimiles sent and requested the following information from I&AP's:

- To provide information on how they consider that the proposed activities will impact on them or their socio-economic conditions;
- To provide written responses stating their suggestions to mitigate the anticipated impacts of each activity;
- To provide information on current land uses and their location within the area under consideration;
- To provide information on the location of environmental features on site, to make written proposals as to how and to what standard the impacts on site can be remedied.
- To mitigate the potential impacts on their socio-economic conditions to make proposals as to how the potential impacts on their infrastructure can be managed, avoided or remedied;
- Details of the landowner and information on lawful occupiers;
- Details of any communities existing within the area;
- Details of any Tribal Authorities within the area;
- Details of any other I&AP's that need to be notified;
- Details on any land developments proposed;

- Details of any perceived impacts to the environment that should be considered in the BAR; and
- Any specific comments, concerns or objections to the proposed prospecting operation.

5.2. Provide a list of which of the identified communities, landowners, lawful occupiers, and other interested and affected parties were in fact consulted.

The following authorities have been identified and notified of the proposed Prospecting Right Application:

Aggeneys Community Forum
Agri Namakwa
Agri Northern Cape
Agrimark Kenhardt
Agrimark Pofadder
Augrabies Falls National Park
Boesmanland Farmers Union
Botanical Society
Brandvlei Boere Unie
Conservation South Africa (CSA)
Endangered Willdlife Trust (EWT)
Environmental Monitoring Group
ESKOM Holdings
Federation for a Sustainable Environment
Kenhardt Landbou Vereniging
Khai Ma Business Forum
Khai-Ma Municipality
Hantam Local Municipality
KLK Kenhardt
Loeriesfontein Boere Unie
Namakwaland Action Group/Nago
Pofadder KLK
Pofadder Landbou Vereniging
Riemvasmaak Community Conservancy
SANRAL
SKA South Africa
South African National Biodiversity Institute
South African National Parks
Succulent Karoo Ecosystem Programme (SKEP)
Succulent Society of South Africa (SSSA)
Transnet SOC Ltd Head Office
Namakwa District Municipality

**Khai Ma Local Municipality
Endangered Wildlife Trust
WESSA PE Office
Commission on Restitution of Land Rights: Northern Cape and Free State Regional Office
Department of Agriculture
Department of Roads Transport and Public Works
Department of Water Affairs (Springbok)
Department of Water Affairs (Upington)
NC Department of Agricultural & Land Reform
NC Department of Environment and Nature Conservation (DENC) Kimberley
NC Department of Environment and Nature Conservation (DENC): Springbok
Regional Land Claims Commission Free State and Northern Cape
South African Civil Aviation Authority
South African Heritage Resources Agency
South African Radio Astronomy Observatory (SARAO)
Department of Mineral Resources
DMR
Workinfo**

The following surrounding surface rights holders/ landowners of the area under application have been identified and notified of the proposed Koa Valley Prospecting Right application:

- **Mr. Horn Christiaan Jacobus**
- **Conradie Van Heerden Familietrust**
- **Mr. Nel Petrus Abel Elias**
- **Mrs. Nel Hendrina Maria**
- **Mr. Nel Phillippus Lodewickus**
- **Mr. Van Zyl Hendrik Johannes Jacobus**
- **Mr. Van Zyl Johanna Maria Elizabeth**
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- Dwaggas Trust
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- Nel Jacoba Johanna
- Mr. Nel Antonie Louis

The I&AP database is included in Appendix B1

5.3. Provide a list of their views raised in regard to the existing cultural, socio-economic or biophysical environment, as the case may be.

A list of the I&AP views received during the comment period is included in the Comments and Response Report which is attached as Appendix B of the BAR.

5.4. Provide a list of their views raised on how their existing cultural, socio-economic or biophysical environment potentially will be impacted on by the proposed prospecting or mining operation.

Please consult the comments and response report attached as Appendix B of the BAR.

5.5. Provide list of any other concerns raised by the aforesaid parties.

Please consult the comments and response report attached as Appendix B of the BAR.

5.6. Provide the applicable minutes and records of the consultations as appendices.

I&AP questionnaires are included in Appendix B4.

5.7. Provide information with regard to any objections received.

No objections have been received to date.

6. Describe the most appropriate means to carry out the proposed operation with due accommodation of the issues raised in the consultation process.

The prospecting Works Programme submitted to the DMR and all conditions of the Environmental Management Plan must be adhered to. Further consultation must be undertaken by the applicant with the landowners of the properties where invasive prospecting techniques are proposed.

C. IDENTIFICATION OF THE REPORT

The report on the results of consultation must, at the end of the report include a certificate of identification as follows;

Herewith I, the person whose name and identity number is stated below, confirm that I am the person authorised to act as representative of the applicant in terms of the resolution submitted with the application, and confirm that the above report comprises the results of consultation as contemplated in Section 16 (4) (b) or 27 (5) (b) of the Act, as the case may be.	
Full Names and Surname	Gideon Petrus Kriel
Identity Number	8309015001081

- END -