

Appendix B4: Consultation Report

NAME OF APPLICANT: Black Mountain Mining (Pty) Ltd

REFERENCE NUMBER: NC 30/5/1/1/2/11985 PR

**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 the Riemvasmaak Community Conservancy.

- 1.2. Specifically state whether or not the Community is also the landowner.

The Riemvasmaak Community Conservancy is not the the land owner for any of the properties within 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 Koa Valley Prospecting Right application:

- **Khai-Ma Local Municipality (Remaining extent of the Farm Katkop 55 and Portion 1 of the Farm Zuurwater 62,);**
- **Mr JJ Mostert (Portion 5, Portion 6 and Remaining extent of the Farm Zuurwater 62, Portion 9, Portion 14 of the Farm Ou Taaibosmond 66);**
- **Mr Elton Van Wyk (Portion 4 of the Farm Amam 46);**
- **Mr Louw (Portion 5 of the Farm Amam 46);**

- Mr FB Agenbag (Portion 1 of the Farm Haramoep 53);
- Mr AJ de Waal (Remaining Extent of the Farm Haramoep 53);
- Nama Khoi Local Municipality (Remaining Extent of the Farm Oonab 52);
- Mr E Agenbag (Farm (Oonab Noord)609);
- Mr Simon Koch (Zibula Xploration)
- Mr J van der Westhuizen (Emerald Panther)

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 Koa Valley Prospecting Right application:

- Khai-Ma Local Municipality (Remaining extent of the Farm Katkop 55 and Portion 1 of the Farm Zuurwater 62,);
- Mr JJ Mostert (Portion 5, Portion 6 and Remaining extent of the Farm Zuurwater 62, Portion 9, Portion 14 of the Farm Ou Taaibosmond 66);
- Mr Elton Van Wyk (Portion 4 of the Farm Amam 46);
- Mr Louw (Portion 5 of the Farm Amam 46);
- Mr FB Agenbag (Portion 1 of the Farm Haramoep 53);
- Mr AJ de Waal (Remaining Extent of the Farm Haramoep 53);
- Nama Khoi Local Municipality (Remaining Extent of the Farm Oonab 52);
- Mr E Agenbag (Farm (Oonab Noord)609);
- Mr Simon Koch (Zibula Xploration)
- Mr J van der Westhuizen (Emerald Panther)

- 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 socioeconomic 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

Nama Khoi Local Municipality and Khai Ma Local Municipality.

- 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.

- **Nama Khoi Local Municipality**
- **Khai Ma 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;**

- 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, letters and emails is attached in Appendix B2.

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

The Koa Valley prospecting is proposed by means of a phased approach, including a desktop study, geological field mapping, semi-regional geophysical ground based survey and invasive techniques, including assaying and drilling. Only the impact of invasive techniques is to be considered with reference to requirements of the NHRA 1999. The impact of assaying, rock chip and soil sample collection, is negligible with reference to the recorded archaeological and cultural heritage of the greater terrain. The Phase 1 AIA focussed on field assessment of the thirty-four (34) proposed drill positions. Drill positions are proposed situated on the peneplains and within the Koa Valley dune system, with both of these areas having proven to be of no to low archaeological significance. Low density MSA and LSA artefacts are present in surface gravel lenses, as has been identified at drill positions BH0221 (Site KOA-01) and BH031 (Site KOA-02) on the south-eastern peneplain of Haramoep. Similar type anthropogenic lenses have been identified elsewhere, on the peneplains of Haramoep but with these not affected by the proposed drill positions.

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

Drill positions BH0221, BH0231, BH031 and BH032 are situated on a peneplain to the south-east of the Haramoep inselberg. The peneplain is characterised by low density scatters of MSA and LSA lithic artefacts in surface gravel lenses. Gravel lenses containing artefacts are intersected by vast areas of anthropogenic sterile red Hutton sands. Lithic deposits across the greater BH0221, BH0231, BH031

and BH032 peneplain are archaeologically insignificant. Site KOA-03 is situated in close proximity to the BH0221, BH0231, BH031 and BH032 cluster of drill positions and comprises the Colonial Period Haramoep farmstead.

The BH037, BH0251, BH035 and BH036 cluster of drill positions are situated towards the north of the Haramoep inselberg, on an anthropogenic sterile red Hutton sand peneplain. High rising quartz and quartzite outcrops surrounding the peneplain serve as indicators of a potential archaeological landscape, but development in this area poses no threat to any identified archaeological resources.

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

The properties were previously largely undisturbed and were and are presently mainly used for grazing of sheep and cattle. The existing land uses within the proposed Prospecting Right Application area include:

Vacant land; and

Grazing land.

The prospecting area falls within ward 4 of Khai Ma Local Municipality and ward 1 of Nama-koi Local Municipality within Namakwa District Municipality (NDM).

The main economic activities within the NDM are agriculture and mining. Stock farming in the District includes sheep, cattle and goat farming and is the key contributor to the agricultural sector. Ostrich farming is also practised within the District. Flower bulbs and wool production are also important contributors to the agricultural sector. The Orange River plays a key role in the regions' agricultural activities and alluvial diamond mining activities.

Nama Khoi is considered the hub of the NDM in terms of economic activities with a 41.7% contribution to the NDM Gross Domestic Product (GDP). Mining is a very crucial industry in the Namakwa District Municipality, contributing 52.3% towards the district GDP and 21.3% towards employment.

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

The most notable infrastructure features on site includes roads, residences, fences and the Haramoep 53 farmstead.

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 B2 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.

**Impact on identified lithic scatter;
Impact on conserved Haremeop Farmstead;
Loss of fossil Heritage;
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 identified lithic scatter ;
Impact on conserved Haremeop 53 farmstead;
Interference with existing land uses.**

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.**

Potential positive that may occur as a result of the proposed prospecting activities are related to socio-economic development as the proposed project that will aim to ascertain if economically viable mineral deposits exist within the application area. Nama Khoi is considered the hub of the NDM in terms of economic activities with a 41.7% contribution to the NDM Gross Domestic Product (GDP). Mining is a very crucial industry in the Namakwa District Municipality, contributing 52.3% towards the district GDP and 21.3% towards employment.

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.

- **Clearance/Disturbance of vegetation;**
- **Compacting of Soils;**
- **Deterioration and damage to existing access roads and tracks;**
- **Contamination of surface and ground water;**
- **Introduction/invasion by alien species;**
- **Noise;**
- **Pollution of Soils;**
- **Dust;**
- **Erosion due to clearance of vegetation;**
- **Impact on surface water features;**
- **Impact on groundwater;**

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.

Sheep farming, proposed solar farm and mining activities

- 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.

Sheep farming is occurring on most of the properties within the application area. The properties are also used for game activities and accommodation of tourists.

- 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 EMP 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 Koa Valley Prospecting Right Application:

- Nama Khoi Local Municipality
- Khai Ma 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 Heritage Resources Agency;

The following key stakeholders have been identified and notified of the proposed Koa Valley Prospecting Right Application:

- Riemvasmaak Community Conservancy;
- Khai Ma Tourism;
- Khai Ma Business Forum;
- Aggeneys Community Forum;
- Agri Namakwa;
- Boesmanland Farmers Union;
- Pofadder Landbou Vereniging;
- Augrabies Falls National Park;
- Wildlife and Environment Society of South Africa (WESSA) (Northern Cape Regional Office);
- Endangered Wildlife Trust;
- Botanical Society;
- Namakwaland Action Group/Nago;
- Conservation South Africa (CSA)
- Environmental Monitoring Group;
- South African Heritage Resources Agency;
- SANBI;
- Succulent Karoo Ecosystem Programme (SKEP);
- Eskom

- **SANRAL;**

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:

- **Khai-Ma Local Municipality (Remaining extent of the Farm Katkop 55 and Portion 1 of the Farm Zuurwater 62,);**
- **Mr JJ Mostert (Portion 5, Portion 6 and Remaining extent of the Farm Zuurwater 62, Portion 9, Portion 14 of the Farm Ou Taaibosmond 66);**
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- **Nama Khoi Local Municipality (Remaining Extent of the Farm Oonab 52);**
- **Mr E Agenbag (Farm (Oonab Noord)609);**
- **Mr Simon Koch (Zibula Xploration)**
- **Mr J van der Westhuizen (Emerald Panther)**

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 B2.

5.7. Provide information with regard to any objections received.

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

- 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 -