



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

NAME OF APPLICANT: The South African National Roads Agency SoC Limited

REFERENCE NUMBER:

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.

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.

Quarries 3 & 4 are situated on Remnant of the Farm Xokonxa No. 4 and is communal land that falls under the jurisdiction of the Department of Rural

Development and Land Reform. The land is inhibited by the Tsolo Community represented by Chief N. Dipha.

Quarry 7 is situated on Farm Tikitiki No. 404 and is communal land that falls under the jurisdiction of the Department of Rural Development and Land Reform. The land is inhibited by the Tikitiki Community represented by Chief L Gcisa.

Quarry 8 is situated on a Remnant 42 of Tsolo Commonage and is communal land that falls under the jurisdiction of the Department of Rural Development and Land Reform. The land is inhibited by the Tikitiki Community represented by Chief L Gcisa.

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

The land is inhibited by the Tsolo Community and the Tikitiki Communities but they are not the landowners. The land is communal land that falls under the jurisdiction of the Department of Rural Development and Land Reform.

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

The Department of Rural Development and Land Reform was identified as an interested and/or affected party and was consulted during the public participation process. No comments were received.

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

No land claim is involved on the farm as confirmed by the communities.

1.5. Name the Traditional Authority identified

Quarries 3 & 4 are situated on Remnant of the Farm Xokonxa No. 4 and the traditional authority is the Tsolo Community represented by Chief N. Dipha.

Quarry 7 is situated on Farm Tikitiki No. 404 and the traditional authority is the Tikitiki Community represented by Chief L Gcisa.

Quarry 8 is situated on a Remnant 42 of Tsolo Commonage and the traditional authority is the Tikitiki Community represented by Chief L Gcisa.

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

he land is communal land that falls under the jurisdiction of the Department of Rural Development and Land Reform.

- 1.7. List the lawful occupiers of the land concerned.

Quarries 3 and 4: The lawful occupier of the land concerned is the Tsolo community.

Quarries 7 and 8: The lawful occupier of the land concerned is the Tikitiki community.

- 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.

A potential socio-economic impact is that the Tsolo community and the Tikitiki community will not be able to use the land for grazing purposes for the duration of the quarry activities of approximately 2-3 years.

- 1.9. Name the Local Municipality identified by the applicant

The Mhlontlo 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.

The following Government Departments, agencies and institutions were involved during the public participation process:

- o **Eastern Cape Department of Economic Development, Environmental Affairs and Touris;**
- o **Mhlontlo Municipality**
- o **Dept of Rural Development and Land Reform;**
- o **Relevant Ward Councillor;**
- o **Department of Mineral Resources;**
- o **Department of Water and Sanitation.**

- 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.

Please see the notification letters to the Mhlontlo Municipality and the Department of Rural Development and Land Reform included as well as documents signed by Chief Dipa and Gcisa.

- 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.

The plans were shown to the Tsolo community and the Tikitiki community and they agreed on the existing status of the environment.

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

There is a small, informal burial place identified in close proximity of a possible access road to Quarries 3 & 4 as well as an area where MSA tools and flakes are

eroding out. The sites will not be affected. There is no other cultural aspect that will be affected by the proposed mining areas.

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

Please see above.

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

The landcover or landuse of the quarries and surrounding areas is primarily that of open grassland, and low- density rural urbanisation. The land use is predominantly that of grazing lands for sheep, goats and cattle.

A potential socio-economic impact is that the communities will not be able to use the land for grazing purposes for the duration of the quarry activity.

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

No infrastructure will be affected.

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 refer to the BAR report p 21 - 22 for a full description of the biophysical environment.

2.1.7. Provide any relevant additional information.

None

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.

There is a small, informal burial place identified in close proximity of a possible access road to Quarries 3 & 4 as well as an area where MSA tools and flakes are eroding out. The sites will not be affected. There is no other cultural aspect that will be affected by the proposed mining areas.

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

There is a small, informal burial place identified in close proximity of a possible access road to Quarries 3 & 4 as well as an area where MSA tools and flakes are eroding out. The sites will not be affected. There is no other cultural aspect that will be affected by the proposed mining areas.

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.

A potential socio-economic impact is that the Communities will not be able to use the land for grazing purposes for the duration of the quarry activity.

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

Positive impacts pertaining to the mining of the quarries:

The gravel will be used for the the rehabilitation of the N2 Section 19 between Nqadu (Km 21.7) and Mzeke River (Km 55.4) and and safety improvements at Dan's (km 17,0 to 19,0). The opening of the quarries could encourage business, industry and investment and assist in alleviating the high unemployment in the region as a whole.

The negative impacts associated with the opening of the quarries are the possible short term impacts associated with the construction phase i.e.

- a. Dust Pollution**
- b. Soil Erosion**
- c. Noise Impact**
- d. Visual impact**
- e. Terrestrial ecology**
- f. Impact on uncovered heritage aspects**
- g. Contamination of site due to hydrocarbon spillage**

h. Emissions from heavy vehicles

i. Possible water pollution

With the implementation of the EMPr, the significance of the impacts associated with the opening of the quarries are foreseen to be low.

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.

The potential impacts associated with the biophysical environment of the mining areas have been identified as the following:

- **noise impacts;**
- **air quality;**
- **aquatic impacts;**
- **terrestrial ecology;**
- **soil erosion;**
- **topography**

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.

The cumulative impacts associated with the establishment of the proposed mining areas could be the following:

- **Additional traffic on the local roads during mining of the area;**
- **Limited influx of people in the area during mining of the area;**
- **Additional water and electricity supply to the area - limited, if any.**

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 alternative land use is using the land for ploughing purposes.

- 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 area earmarked for mining purposes are located on farms. There are no other land developments that will be affected by the proposed mining operation.

- 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.

The proposals made by the communities did not necessitate the adjustment of any plans. The communities, amongst other, requested remuneration for the use of the quarries for the upgrade of the road.

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

The gravel material will be used for the rehabilitation of the N2 Section 19 between Nqadu (Km 21.7) and Mzeke River (Km 55.4) and and safety improvements at Dan's (km 17,0 to 19,0). The opening of the quarries is paramount to the success of the road construction. Geological tests in the surrounding area shows insufficient quality of gravel material for road construction purposes and therefore the need for the quarries are extremely high.

The use of only commercial sources of gravel/aggregates for a project would also be inordinately expensive, and would render this project unviable. It was therefore, decided that investigations would be conducted to obtain gravel material from borrow pits and quarries to be used for road building purposes.

Should the mining of the gravel material not be allowed, the necessary material for the road building purposes will not be available and the project will not be able to proceed.

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;

A plan, Background Information Document and notification letter were given to the landowners and the communities to show what the mining operation will entail and the extent of the proposed mining areas in order for them to assess the impact of the quarries on the land.

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

Please see a list of Interested and/or Affected Parties in Appendix D that were consulted.

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.

The following issues were raised:

- 1. Fencing erected around the area to be worked on.**
- 2. Employ local youths and woman.**
- 3. Assist people when problems arise with blasting.**
- 4. Community is demanding payment per load/ton of material extracted from the land.**

The following responses were provided:

- 1. The quarries will be fenced with a 1.8 m fence and the necessary warning signs will be erected.**
- 2. The PLO of the project will assist with the employment of people, including youths and woman.**
- 3. Blasting will proceed as per SANRAL's blasting specification and people will be assisted if any problems will arise.**
- 4. All minerals now belong to the state and SANRAL only compensate for the surface value of the land through the land acquisition process through a short term wayleave agreement with the landowners. You will be compensated for the land at a market related value and once the mining is completed and the land rehabilitated, the land will revert back to you as the landowner.**

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.

None

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

None

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

Please see the document signed by Chief Dipa and Chief Gcisa.

5.7. Provide information with regard to any objections received.

No objections were received.

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

1. The quarries will be fenced with a 1.8 m fence and the necessary warning signs will be erected.

2. The PLO of the project will assist with the employment of people, including youths and woman.

3. Blasting will proceed as per SANRAL's blasting specification and people will be assisted if any problems will arise.

4. The Manco/Aurecon JV appointed by SANRAL will contact the relevant communities and landowners with regard to any land acquisition issues and remuneration pertaining to this project.

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	Mr Mogole Mphahlele
Identity Number	Identity number not included due to fraud encountered in the past

- END -