

NAME OF APPLICANT: Coal African Mining (Pty) Ltd

REFERENCE NUMBER: KZN 30/5/1/1/2/11048 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 community identified is Inyambe Community

- 1.2. Specifically state whether or not the Community is also the landowner.
No, The community is not the landowners.

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

Yes the Department of Land Affairs was consulted, find attached consultation results.

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

There is currently no land claim on the farm.

1.5. Name the Traditional Authority identified

Chief Butheledzi Traditional Council

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

Leeuw Mining & Exploration

Pienaar Fj

Xstrata South Africa

1.7. List the lawful occupiers of the land concerned.

Leeuw Mining & Exploration

Pienaar Fj

Xstrata South Africa

- 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 project will bring about a positive spin-off to the Inyambe Area as a whole, if the envisaged mining project become a success.

- 1.9. Name the Local Municipality identified by the applicant

Abaqulusi 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.

Department of Agriculture, Department of Environmental Affairs and Department of rural development and Land Reform. Copies of BARs will be distributed to other state Departments and proof will be sent to the DMR.

- 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.

Notice, advert, meetings and submission to the municipalities were done. Meetings were held with all the interested and affected parties. (Find attached annexure) minutes of the meeting and proof of advert, site notice and other letters. Consultations with other State Departments.

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.

Meeting were held with the Interested & affected parties. Find attached proof as minuted during the meeting. Comments received from other I&APs are also attached.

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

There are no existing cultural or heritage resources in the area. Should there be heritage or cultural activities identified during the prospecting operations, these will be demarcated and no activities will take place in close vicinity.

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

None. If any heritage environment is discovered work will stop immediately. SAHRA will be contacted for them to intervene.

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

The area is currently vacant.

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

No infrastructure that will be affected due to the prospecting activities

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.

There will be minimal disturbance of surrounding natural features. The area is flat and the few number of mines that took place within the farm.

2.1.7. Provide any relevant additional information.

There are neighbouring power lines within the area which run along the farms, however there will be no impacts envisaged to these structures.

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.

None, however minimal impacts on cultural environment is detailed in the EMP.

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

None, however minimal impacts on cultural environment is detailed in the EMP.

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.

Improved socio-economic opportunities for the farm residents and people from the surrounding villages. Introduction of additional labour to the communities which will boost local community.

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

Limited job opportunities will be made available to local farm residents and, purchasing and use of local supplies, and intrusion to the local community by foreign work force.

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.

There will be loss of topsoil during site establishment as well as during mining , loss of vegetation, Dust from roads and less vegeted.

There will be very limited to none impacts to fauna and flora of the area. Water resources (groundwater) may potentially be impacted upon during the mining.

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.

Cumulatively, the impact from noise and dust during the activities can create nuisance disturbance to the community, but prospecting activities will be done as far as 500m away from any residential area.

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 Land is currently vacant

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.

Please find attached minutes which contains comments.

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 community member indicated:

They must be informed with all decision taken in the process.

we must not community with anyone who claims to be the chief of Inyembe.

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

This will deprive the community of eventual mining opportunities that their land may offer. This will reduce illegal mining in the KZN Province.

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;

The municipality and the community member at large were consulted through various platform. The background information such as particulars of applicant, Acceptance, draft BAR. The prospecting project details such a dimension area was outlined.

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

Inyembe Village

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.

Compensation and agreement will be drawn for mining in their fields and employment of local labour (from the village)

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.

Non, .

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

The Community members just indicated that they want to be involved in all the processes.

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

See attached files (appendix).

5.7. Provide information with regard to any objections received.

No objection letter received so far and not anticipating any objection as all consulted interested and affected parties are positive about the project.

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

The ward Concillor and Chief Butheledzi will engage with the local people furthermore for any future information.

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	Thabelo Nelwamondo
Identity Number	8908230658086

- END -

**PUBLIC PARTICIPATION REPORT PROSPECTING RIGHT APPLICATION FOR COAL,
PSEUDOCOAL, TORBANITE/ OIL SHALE ON REMAINDER OF FARM RUSTPLAATS
NO. 165-HU, WITHIN THE ABAQULUSI LOCAL MUNICIPALITY, UNDER THE
JURISDICTION OF ZULULAND DISTRICT, KWAZULU-NATAL PROVINCE**

REF: KZN 30/5/1/1/2/11048 PR

DATE: MAY 2021

PROJECT BACKGROUND

Coal African Mining (Pty) Ltd has appointed EnviroStep (Pty) Ltd as an Independent Environmental Assessment Practitioners (EAP) for the proposed project to conduct an Environmental Impact Assessment Process in terms of the National Environmental Management Act (NEMA). Coal African Mining (Pty) Ltd intends to prospect for coal, pseudocoal, torbanite/ oil shale on Remainder of farm Rustplaats No. 165-HU. Within the Abaqulusi Local Municipality, under the Jurisdiction of Zululand District, KwaZulu-Natal Province.

Coal African Mining (Pty) Ltd is required to obtain Environmental Authorization (EA) in support of the proposed prospecting and will accordingly submit an application for Environmental Authorization to Kwazulu Natal Region (Department of Mineral Resources and Energy). The proposed project is likely to trigger listed activities in terms of the National Environmental Management Act (No. 107 of 1998) (NEMA).

Any activity including the operation of that activity which requires a prospecting right in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002

(Act No. 28 of 2002), including—

- (A) associated infrastructure, structures and earthworks, directly related to prospecting of a mineral resource[,]; or [including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)] [GNR 327, Activity 20 (a)];
- (B) The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic meters or more but not exceeding 500 cubic meters. (GNR 327 Activities 14; GNR 324, Activity 10);

The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. (GNR 324, Activity 12).

PUBLIC PARTICIPATION PROCESS

Public Participation is a process by which an organisation consults with interested and affected individuals, organizations and government entities potentially may have an interest in a development or project and affected by it. The objective of the Public Participation Process (PPP) is to meet all legal requirements, to ensure that all Interested and Affected Parties (I&APs) are informed of the proposed project. Comments and issues are captured and responded into, a database compiled and containing information of I&APs and that registered I&APs are communicated with on an on-going basis in an open and honest manner.

Public Participation Process is conducted along the guidelines given in terms of the National Environmental Management Act, 107 of 1998 (amended) in Regulation 41 of chapter 6 of the EIA Regulations of 2014. It forms an integral part of the EIA Process influenced by:

- Placing notifications on site and in the local media
- Placement of Site Notices around the site
- Distributing Background Information Document (BID)
- Conducting public meetings with I & APs
- Providing registered I&APs with sufficient and transparent information on an ongoing bases

SITE NOTICES

5 notices were placed on site and in different locations within 100m of the site.

STAKEHOLDER DATABASE

A stakeholder database was compiled containing a list of Provincial, Government, Zululand District Municipality, Abaqulusi Local Municipality, the ward Councillor and interested and affected parties. All the parties in the stakeholder database were notified by an email where the Draft Basic Assessment Report was forwarded.

ADVERTS

The advert was published and will be attached on final Basic Assessment Report

NOTIFICATION LETTERS

Notification Letters together with the Background Information Document was sent to Government Departments, Zululand District Municipality, Abaqulusi Local Municipality and also to the interested and affected parties.

BACKGROUND INFORMATION DOCUMENT

Background Information Documents (BID), was distributed electronically to the ward councillor, stakeholders and I&Aps. The BID contains the following:

- An explanation of the purpose of the document
- A description of the project proponent, their regulations, principles, and approaches
- Information on how and when stakeholders can contribute;
- The environmental studies to be conducted; and
- Name and contact details of public participation representative, interested and affected parties

PUBLIC PARTICIPATION MEETING

A public participation meeting was held on the 21 May 2021 at Inyambe Rustplaats (165) at 10;00am, Background Information Documents (BID), attendance register and the acknowledgement of BID register were distributed to the attendees to read, sign and for them to add comments.

Pictures of the meeting were taken and attached below:







REVIEW OF REPORTS

The Draft Basic Assessment Report will be distributed to Stakeholders, Interested and Affected Parties and the competent authority for review. On this Report Stakeholders and I&APs will be given 30 days for commenting, all the comments and responses received will be recorded on the Comments and Response Report.

CONCLUSION

The Public Participation Process conducted fairly and accordingly to the legislation. All stakeholders and I&APs were contacted and given a chance to raise their comments and issues regarding to prospecting for coal, pseudocoal, torbanite/ oil shale on Remainder of farm Rustplaats No. 165-HU. Within the Abaqulusi Local Municipality, under the Jurisdiction of Zululand District, KwaZulu-Natal Province.