



mineral resources & energy

Department:
Minerals Resources and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag X 54307, Durban, 4000, 333 Anton Lembede Street, 3rd Floor Durban Bay House, Durban, Tel (031) 335 9600, Fax (031) 305 5801
Reference: KZN30/5/1/1/2/11027PR Enquiries: Mr. Sandile Njapha Email address: Sandile.njapha@dmr.gov.za,

REGISTERED MAIL

THE MANAGER
VENATRIX COLLIERY (PTY) LTD
POSTNET SUITE#157
PRIVATE BAG X121
HALFWAY HOUSE
1685

Dear Sir/Madam

ACCEPTANCE OF AN APPLICATION FOR PROSPECTING RIGHT IN TERMS OF SECTION 16(4) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002)

1. Please be informed that your application for Prospecting of Coal, Pseudocoal, Torbanite/ Oil shale on Portion 1, 4, 6 of the Farm Pongola No. 518-HU and the Remainder of the Farm Pongola No. 518-HU situated in the Magisterial District of Zululand, is hereby accepted on the above mentioned properties, in terms of section 16 (2) of the Act
2. *Please take note that your application in respect on Portions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 19 of the Farm Waterval No. 70-HU, Portion 2 of the Farm Tygerskloof No. 173-HU and remainder of the Farm Tygerskloof No. 173-HU, The Farm Demoina No. 830-HU, Portion 3, 4 and 5 of the Farm Pongola No.560-HU, The Farm Mariantha No. 845-HU and The Farm Tierkloof No. 829-HU, is rejected on all properties as mentioned above, since there is granted mining right renewal on the same area and for the same mineral.*

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Acceptance Of An Application For Prospecting Right In Terms Of Section 16 Of The Mineral And Petroleum Resources Development Act, (Act 28 Of 2002) To Prospect For Coal, Pseudocoal, Torbanite/Oil shale On Portion 1, 4, 6 Of The Farm Pongola No. 518-Hu And The Remainder Of The Farm Pongola No. 518-Hu Situated In The Magisterial District Of Zululand: Venatrix Colliery (Pty) Ltd S.N

3. You are therefore further advised to amend your regulation 2.2 plan to exclude the rejected properties from the process and submit amendment on or before 30th April 2021.
4. Take note that in light of the minimum requirements as stipulated on regulation 16 (1) and 16 (2) of the EIA Regulations, your application for an Environmental Authorisation was deemed incomplete as it was not accompanied by this acceptance letter as per Regulation 16 (1) (ix) and considering that it is now completed by this acceptance letter, you are hereby required to submit the documents as stipulated on Regulation 19 (1) to 19 (8) of the EIA Regulation (only in cases where Basic Assessment Report is applicable or Regulation 21 (Scoping Report and Regulation 23 (Environmental Impact Report) (only in cases where applicable). All submission timeframes are effective from the dates of this acceptance letter.
5. Please take further note that in terms of section 16 (4) of the Act, you are required to: -
 - 5.1 Upload unto the SAMRAD system one copy and submit three (03) hard copies of the requisite environmental reports as required by section 16 of the MPRDA within ninety (90) days from the date of this letter. **(16th August 2021)**.
 - 5.2 to consult in the prescribed manner with the landowner, lawful occupier and any interested and affected party including the Land Restitution Commission and include the result of such consultation in the relevant environmental reports to be submitted and uploaded on the SAMRAD system on or before **24th May 2021 (within 30 days from the date of this letter)**

Please note that the consultation process referred to in paragraph 2.2 above does not imply issuing letters and requesting the affected parties to indicate whether they support your proposed project or not.

*It includes among others an extensive process of giving and discussing the specific details of the proposed project, giving the I & A Parties an opportunity to table their comments, objection and support, it also involves **your written responses and specific commitments made** in dealing with the issues raised during the consultation.*

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Note that it is important to ensure that your consultation process is comprehensive so that your Environmental Impact Assessment and Environmental Management Plan can be informed by all potential impacts that your project may have.

6. Should the land be owned by the communities or a Trust on behalf of the community, a proper and thorough consultation process must be engaged upon and a legitimate Tribal Resolution or consent must be obtained from the Traditional Authority / Council or Trust and be submitted with the results of consultation. *Should you need any assistance or guidance relating to the required consultation process & procedure in traditional institutions, please contact the District office of the Department of Cooperative Governance and Traditional Affairs in **Zululand District Municipality**.*
7. Further note that the acceptance of your application does not grant you the right to commence with **prospecting activities**. It only signifies that your application will be processed and evaluated. The Minister or his delegate will make a decision once the process of the evaluation and appeal on the Environmental Authorization application has been finalized.
8. You are in terms of Section 17(1) of the Act required to give effect to the objects referred to in Section 2 (d) of the Act. Therefore please submit on or before **05th July 2021 (within 60 days from the date of this letter)** to this office for the attention of Regional Manager any documentation proving such including but not limited to:-
 - 8.1 Duly signed shareholders agreements with your empowerment partner in which provision **shall** be made for entrepreneurs, local community and employees,
 - 8.2 Share certificates,
 - 8.3 Details relating to the equity by the BEE shareholders, Any other agreement relating to the BEE shareholding including the voting pool agreement where applicable,
 - 8.4 Articles and memorandum of association of the company.
 - 8.5 Any other information that may be necessary to explain and serve as evidence that the applicant meets the appropriate HDSA ownership and/or compliance requirements of the aforesaid Act and Mining Charter.

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9. Please submit within 60 days (05th July 2021) from date of this letter for the attention of Regional Manager a complete prospecting work programme prepared in terms of Regulation 7 of the Mineral and Petroleum Resources Development Act, 2002 (Act no 28 of 2002): Mineral and Petroleum Development Regulation.
10. You are also required to adhere with the requirements of Mine Health and Safety Inspectorate and upload on system the required information and details on or before **24th May 2021 (within 30 days from the date of this letter)**
11. Please be advised that your application might be processed in terms of section 9 (1) (b) of the Act. If this office discovers that there is an existing or pending application on the same properties and for the same mineral, this application shall discontinue.
12. Please take note that failure to adhere to the timeframe stipulated above and to submit any documentation required in terms of this notice will result into non-compliance with the provision of the Act and the Amendment Act and will result in the refusal of your application.

Yours faithfully


ACTING REGIONAL MANAGER

KWAZULU NATAL REGION

DATE: 12/04/2021