

**Revised Draft Scoping Report (DSR) and outline of Study for
Environmental Impact Assessment for Mining and Associated
Activities in Emalahleni, Ophondweni and Mahujini, KwaZulu-
Natal
Report**

**Version – 1
15 July 2022**



**Tendele Mining
Client Reference: Emalahleni, Ophondweni and Mahujini Mining Right
(MR10041)**



Emalahleni, Ophondweni and Mahujini Mining Right (MR10041)

Draft Scoping Report


Version – 1

Reference



15 July 2022

Tendele Mining

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BACKGROUND AND PURPOSE OF THIS REPORT

Tendele Mining (Pty) Ltd, hereafter referred to as Tendele, owns and operates an open cast anthracite mine known as Somkhele Anthracite Mine (Somkhele). The Mine is situated 23km north west of Mtubatuba Town, Kwazulu-Natal, within the uMkhanyakude District Municipality. Tendele commenced mining operations in 2007 at Somkhele for which Tendele holds various Mining Rights (MR).

Tendele applied for a Mining Right in 2014 and on 26 October 2016, Tendele was granted the MR (KZN30/5/1/2/2/10041MR) otherwise known as the Area 4 & 5 MR. This MR covered 222Km² although the intended mining areas were substantially smaller. Tendele has since abandoned the majority of the original mining area and has retained 3 areas known as Emalahleni, Ophondweni and Mahujini. The MR was contested and on 4 May 2022 the Pretoria High Court handed down a judgment relating to MR10041 and its associated Environmental Management Programme (EMPr) held by Tendele (Court Case No: 82865/2018). The decisions to grant the MR and approve the EMPr were declared invalid by the Judge. The Mining Right and its EMPr were not, however, set aside by the Court but rather sent back to the Minister of Mineral Resources and Energy (DMRE) for reconsideration. The Minister's decision of 15 June 2018 in dismissing the appeal against the grant of the Mining Right to Tendele and the Approval of Tendele's EMPr is hereby declared invalid and is set aside. The appeal is remitted back to the Minister for reconsideration in accordance with the findings of this judgement.

The following order was granted by the High Court:

"1. The Director General's decision of 31 May 2016, in awarding the Mining Right to Tendele, and the Regional Manager's decision of 26 October 2016, in approving Tendele's EMPr, are hereby declared invalid. The decisions are not set aside [our emphasis].

2. The Minister's decision of 15 June 2018 in dismissing the appeal against the grant of the Mining Right to Tendele and the Approval of Tendele's EMPr is hereby declared invalid and is set aside.

3. The appeal is remitted back to the Minister for reconsideration in accordance with the findings of this judgement.

4. In reconsidering the appeal, and in addition to the findings of this judgement, the Minister is directed to consider:

(a) any information that the Applicants and Tendele wish to place before him for that purpose.

(b) any information, comments, and submissions from I&APs.

5. Tendele is directed to notify interested and affected parties of their entitlement to participate in the appeal process by publicizing the contents of this widely.

6. Tendele is to ensure that public participation process to be conducted pursuant to the Minister's determination of the appeal process, complies with the requirements of (Public Participation Guidelines in terms of the National Environmental Act, 1998 and (Chapter 6 of the Environmental Impact Assessment Regulations, 2014 as Published in Government Gazette No38282 GNR 982 of 4 December 2014."

In reconsidering the appeal, the Judge has directed the Minister to consider any information that the Mine wishes to place before him as well as any information and comments from Interest and Affected Parties (I&APs)

In addition, the Judge has directed the Mine to notify I&APs of their entitlement to participate in the appeal process (the notification to be published widely) and the Mine must ensure that public participation complies with the public participation guidelines.

The intent is to resubmit all the documents back to the Minister for reconsideration following Chapter 6 of the Environmental Impact Assessment Regulations, 2014 as Published in Government Gazette No38282 GNR 982 of 4 December 2014 (EIA Regulations).

It is a legislative requirement according to the National Environmental Management Act (Act No. 107 of 1998) (NEMA) and the EIA Regulations, 2014 that potential or registered Interested and / or Affected Parties (interested in the proposed development or affected by the proposed development) are subjected to a consultation period (at least 30 days) on the Draft Scoping Report before their comments are taken into account and responded to in a Final Scoping Report.

Concerns Raised During the Initial Mining Right Application

During the public participation process conducted as part of the initial MR application the following concerns were raised by I&APs.

Relocation:

- Concerned that people are being forced to relocate.
- Questions over what areas people will be relocated to.
- Relocation policies and procedures.
- Relocation considering Polygamist marriages.
- Timing of relocation.
- Loss of access to fields.
- Loss of income.
- Separation of the community and community structures.

Rehabilitation:

- How will the mine be rehabilitated?
- The grazing potential on rehabilitated land.
- The guarantee that rehabilitation will be conducted.
- The nature and success of current rehabilitation activities.

Employment:

- The Process of applying for jobs.
- Employment opportunities.
- Business opportunities.
- Employment policies.
- Current employment numbers and employment numbers of people in local areas.

Education and Training:

- The training benefits for the community.
- The incorporation of additional programs into the SLP.

Health and Environment:

- Access to water and the pollution of rainwater/groundwater.
- Increase of dust and health related issues from excessive dust.
- Lack of environmental monitoring.
- Concerns over blasting and noise.
- Climate change and the mine's contribution.
- Impact from lighting at operations.
- Loss of wilderness potential.

Communication, Community Engagement:

- The mine conniving with the royal house.
- The relationship bias developing within the Traditional authority.
- More feedback, feedback from meetings.
- Utilization of existing representative structures.

Social and Heritage:

- Loss of land.
- Nepotism of committees and benefits.
- Concerns about grave relocation.
- Grave relocation procedures.
- Migration of foreigners and employment of foreigners.

Potential Impacts and Mitigation

The table below summarises impacts and mitigation identified in the various specialist studies conducted for the areas of Emalahleni, Ophondweni and Mahujini and shows the calculated risk both before and after mitigation. 26 additional specialist studies have been conducted since the grant of the 10041MR in 2016.

Impact	Description	Mitigation	Risk rating before mitigation	Risk rating after mitigation
Soil	Change in soil properties. The handling, stripping and stockpiling of soils will result in compaction, clodding, loss of structure or leaching of nutrients.	All soils should be stripped in a dry or near-dry state as possible, no soil stripping after or during rainfall events. All soils will be stripped and stockpiled for use in rehabilitation of the site. Soils should be stockpiled as close to harvested area as possible.	Medium (-)	Low (-)
	Soil Contamination The soils in immediate vicinity of the mine and associated infrastructure may become contaminated with coal fines.	Dust suppression that is currently being implemented at Somkhele must be extended to extension area. Soil should not be handled during high wind conditions.	Medium (-)	Low (-)
	Soil Erosion & Loss of topsoil. The results of soil stripping and stockpiling and disturbance of vegetation could result in soil erosion and loss of viable material.	Stockpiles should be kept away from watercourses or areas that are prone to erosion. Long-term stockpiling (> 6 months) must be revegetated by sowing with suitable grass/legume mix. No soil stockpiles must be placed within 1:100-year flood lines.	Medium (-)	Low (-)
Air Quality	Increased dust levels: Dust will be generated both by the vehicular and plant machinery movement. Surfaces will be exposed, particularly during windy periods.	Somkhele Mine uses water bowsers for dust suppression. Continue with existing dust suppression mitigation measures currently utilized by the mine.	Medium to Low (-)	Low (-)
Blasting and Vibration	Cracking of buildings and blasting impacts	Review blasting management plan/SOP. Third party monitoring of blasts, select charge weights for optimal efficiency and ensure they are not higher than necessary. Only day time blasts, control quantity and quality of stemming and use modern blasting techniques	Medium (-)	Low (-)

Impact	Description	Mitigation	Risk rating before mitigation	Risk rating after mitigation
Biodiversity	Loss of Vegetation	The footprint of disturbed area must be kept to a minimum. Protected species should be relocated or kept in a holding nursery to be used during the rehabilitation process.	High to Medium (-)	Medium to low (-)
	Reduced Diversity.	The footprint of disturbed area must be kept to a minimum. Protected species should be relocated or kept in a holding nursery to be used during the rehabilitation process.	High to Medium (-)	Medium to low (-)
	Impacts on Mammals, Birds and Terrestrial Insects - related to the loss of habitat and to increased levels of human presence and activity.	Reduce the fragmentation of faunal habitat by confining the area of disturbance. This particularly applies to the riverine vegetation.	High to Medium (-)	Medium to low (-)
	Invasion of Weeds and Alien Plants	The weed eradication plan that is active at Somkhele must include areas disturbed by pit extension.	Medium (-)	Low (-)
Surface Water	Surface Water Volume: Fractional decline in runoff in the catchment.	Implement Storm Water Management Plan (SWMP), avoid buffer zones to sensitive riparian areas where possible	High to Medium (-)	Medium to low (-)
	Surface water quality: contaminated runoff from the active mining areas entering the local streams.	Diverting all clean water away from contaminated mining areas using diversion berms and drains. Capturing all contaminated runoff and using the water at the plant as part of an ongoing water recycling plan.	Medium (-)	Medium to low (-)
Groundwater	Groundwater quality reduction	The mine annually updates groundwater models. The models together with quarterly monitoring show any potential pollution.	Medium (-)	Medium to Low (-)
	Groundwater: Impact on groundwater users	A hydrocensus conducted during previous studies showed no immediate groundwater users.	Medium (-)	Low (-)

Impact	Description	Mitigation	Risk rating before mitigation	Risk rating after mitigation
Noise	Increased Ambient Noise Levels	Use existing management measures which includes ensuring vehicles are in good working condition.	Medium (-)	Medium (-)
Heritage & Palaeontology	Impact on graves and items of cultural significance	The Somkhele heritage management plan must be adhered to. No mining within 100metres of Graves. Compliance with (Mine Health and Safety Act) (MHSA) and AMAFA.	High (-)	Medium (-)
Local Employment / Socio-economic	The project will ensure the employment of members from the local community.	This is a positive impact with no mitigation	High (+)	High (+)
	Relocation of residence within a 500m radius of the blast sites	Relocation consultation as has commenced in 2017 and has been based on Local and International best practise providing fair and mutually agreed upon compensation.	High (-)	Medium (-)
Health	Increase in infections, diseases, STDs, accidents/incidents and exposure to hazardous materials	Dust suppression, speed limits, dust monitoring, support HIV&TB educational programs, support local health facilities, water monitoring, correct disposal, storage and handling of waste	Medium (-)	Low (-)
Visual	Change in visual character	Visual screens along perimeter fence, topsoil stockpiles to a minimum height of 4 metres, suitable lighting, dust suppression, speed limits	Medium (-)	Medium to Low (-)
Climate Impact assessment	Increase in carbon footprint	Annual review of carbon footprint	Low (-)	Low (-)

Closure and Financial Provision

The financial provision liability for Areas 4 and 5 will be assessed and the necessary provision will be made to the DMRE.

REQUIRED CONTENT OF A SCOPING REPORT AS PER THE 2014 NEMA EIA REGULATIONS

Appendix 2 of Government Notice 326 (7 April 2017) of NEMA EIA Regulations (2014) states the requirements for the contents of a Scoping Report. Table A1 below summarises the regulatory requirements and where this required information is included in this report.

Table A1 Requirements for Scoping Report

Description	Section in report
a) details of- (i) the EAP who prepared the report; and (ii) the expertise of the EAP, including a curriculum vitae;	Section 1.5 and Appendix A
b) the location of the activity, including- (i) the 21-digit Surveyor General code of each cadastral land parcel; (ii) where available, the physical address and farm name; (iii) where the required information in items (i) and (ii) is not available, the coordinates of the boundary of the property or properties;	Section 1.2 Section 1.4 Table 4-1,
(c) a plan which locates the proposed activity or activities applied for at an appropriate scale, or, if it is- (i) a linear activity, a description and coordinates of the corridor in which the proposed activity or activities is to be undertaken; or (ii) on land where the property has not been defined, the coordinates within which the activity is to be undertaken;	Figure 4-1
(d) a description of the scope of the proposed activity, including- (i) all listed and specified activities triggered; (ii) a description of the activities to be undertaken, including associated structures and infrastructure;	Table 2-1 Section 2.3 Section 4.1
(e) a description of the policy and legislative context within which the development is proposed including an identification of all legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks and instruments that are applicable to this activity and are to be considered in the assessment process;	Section 2.2
(f) a motivation for the need and desirability for the proposed development including the need and desirability of the activity in the context of the preferred location;	Section 10
(g) a full description of the process followed to reach the proposed preferred activity, site and location within the site, including - (i) details of all the alternatives considered; (ii) details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs; (iii) a summary of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them; (iv) the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects; (v) the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts- (aa) can be reversed;	Section 5 Section 7.4 Section 11 Section 7.3 Section 12.1 Section 12.4

Description	Section in report
(bb) may cause irreplaceable loss of resources; and (cc) can be avoided, managed or mitigated; (vi) the methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives; (vii) positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects; (viii) the possible mitigation measures that could be applied and level of residual risk; (ix) the outcome of the site selection matrix; (x) if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such and (xi) a concluding statement indicating the preferred alternatives, including preferred location of the activity;	Section 5
(h) a plan of study for undertaking the environmental impact assessment process to be undertaken, including- (i) a description of the alternatives to be considered and assessed within the preferred site, including the option of not proceeding with the activity; (ii) a description of the aspects to be assessed as part of the environmental impact assessment process; (iii) aspects to be assessed by specialists; (iv) a description of the proposed method of assessing the environmental aspects, including a description of the proposed method of assessing the environmental aspects including aspects to be assessed by specialists; (v) a description of the proposed method of assessing duration and significance; (vi) an indication of the stages at which the competent authority will be consulted; (vii) particulars of the public participation process that will be conducted during the environmental impact assessment process; and (viii) a description of the tasks that will be undertaken as part of the environmental impact assessment process; (ix) identify suitable measures to avoid, reverse, mitigate or manage identified impacts and to determine the extent of the residual risks that need to be managed and monitored.	Section 7 Section 5 Section 8
(i) an undertaking under oath or affirmation by the EAP in relation to- (i) the correctness of the information provided in the report; (ii) the inclusion of comments and inputs from stakeholders and interested and affected parties; and (iii) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested or affected parties;	Section 15
(j) an undertaking under oath or affirmation by the EAP in relation to the level of agreement between the EAP and interested and affected parties on the plan of study for undertaking the environmental impact assessment;	Section 15
(k) where applicable, any specific information required by the competent authority; and	N/a
(L) any other matter required in terms of section 24(4)(a) and (b) of the Act.	N/a

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LIST OF ABBREVIATIONS

AMAFA	Amafa aKwaZulu-Natali
BA	Basic Assessment
DAFF	Department of Agriculture Forestry and Fisheries
DEA	Department of Environmental Affairs
DMRE	Department of Mineral Resources and Energy
DEAIR	Draft Environmental Impact Assessment
DSR	Draft Scoping Report
DWS	Department of Water and Sanitation
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EKZNW	Ezemvelo KwaZulu Natal Wildlife
EHIA	Environmental Health Impact Assessment
EMP	Environmental Management Programme
FEAIR	Final Environmental Impact Assessment
FSR	Final Scoping Report
HIA	Heritage Impact Assessment
HMP	Heritage Management Plan
I&APs	Interested and Affected Parties
KZNHA	KwaZulu Natal Heritage Act
LoM	Life of Mine
MAE	Mean Annual Evaporation
MAP	Mean Annual Precipitation
MHSA	Mine Health and Safety Act (Act No. 29 of 1996)
MPRDA	Mineral and Petroleum Resources Development Act (Act No. 28 of 2002)
NEMA	National Environmental Management Act (Act No. 107 of 1998)
NoK	Next of Kin
NWA	National Water Act (Act No. 36 of 1998)
PIA	Palaeontological Impact Assessment
PCD	Pollution Control Dam
PoS	Plan of Study
RoM	Run of Mine
RWD	Return Water Dam
SEIA	Scoping and Environmental Impact Assessment
USBM	United States Bureau of Mines
VIA	Visual Impact Assessment
WRD	Waste Rock Dump
WUL	Water Use Licence

1. BACKGROUND TO TENDELE

Tendele Mining (Pty) Ltd, (Tendele), owns and operates an open cast anthracite mine, known as Somkhele Anthracite Mine (Somkhele), situated 23km northwest of Mtubatuba Town, Kwazulu-Natal (KZN), within the uMkhanyakude District Municipality. Tendele commenced mining operations in 2007 at Somkhele for which Tendele owns and holds various Mining Rights (MRs).

Tendele has been issued with MRs and associated EMPs for each mining area, these being the Area 1 MR (KZN135MR), the Area 2 MR (KZN 30/5/1/2/2/216MR), and on the 26 October 2016 Tendele was granted a MR (KZN30/5/1/2/2/10041MR) for Areas 4 and 5. This MR originally covered 222km² although the intended mining areas were substantially smaller.

Tendele has since abandoned 92% of the area covered by the MR. The intended mining areas are now approximately 27km². The retained areas are located in Emalahleni, Ophondweni and Mahujini. These areas are also referred to as Area 4 and 5.

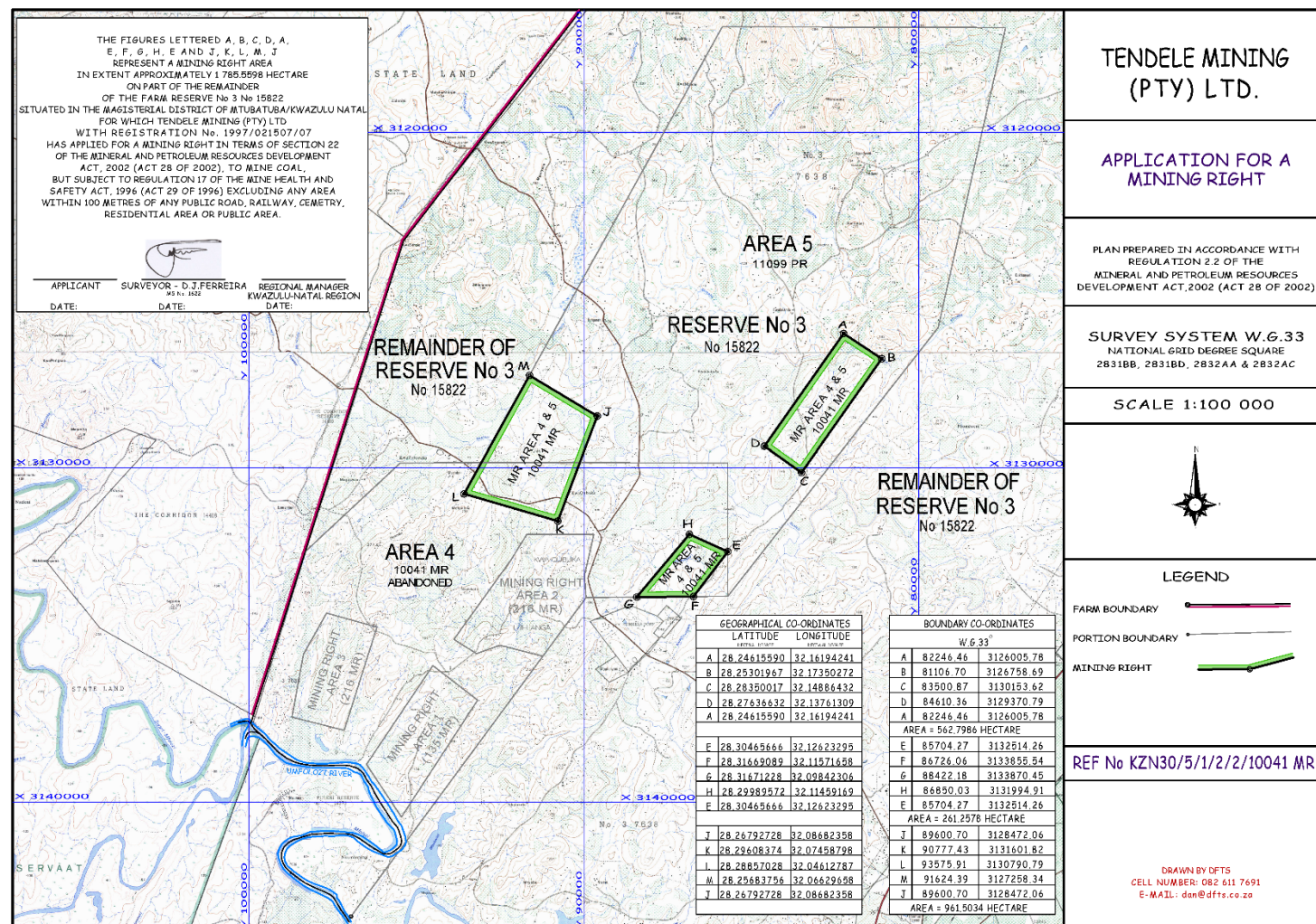


Figure 1-1 Mining Areas

1.1 Legal process to date

The MR was contested and, on 4 May 2022, the Pretoria High Court handed down a judgment relating to the 10041MR and an EMPr held by Tendele (Court Case No: 82865/2018). The decisions to grant the MR and approve the EMPr were declared invalid by the Judge. The MR and its EMPr were not, however, set aside by the Court but rather sent back to the Minister of Mineral Resources and Energy (DMRE) for reconsideration.

The court ordered the following:

- *“The Director General’s decision of 31 May 2016, in awarding the Mining Right to Tendele, and the Regional Manager’s decision of 26 October 2016, in approving Tendele’s EMPr, are hereby declared invalid. The decisions are not set aside”*
- *“The Minister’s decision of 15 June 2018 in dismissing the appeal against the grant of the Mining Right to Tendele and the Approval of Tendele’s EMPr is hereby declared invalid and is set aside.”*
- *“The appeal is remitted back to the Minister for reconsideration in accordance with the findings of this judgement.”*
- *“In reconsidering the appeal, and in addition to the findings of this judgement, the Minister is directed to consider”:*
 - a) *any information that the Applicants and Tendele wish to place before him for that purpose.*
 - b) *any information, comments, and submissions from I&APs.*
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- *Tendele is to ensure that public participation process to be conducted pursuant to the Minister’s determination of the appeal process, complies with the requirements of (a) Public Participation Guidelines in terms of the National Environmental Act, 1998 and (b) Chapter 6 of the Environmental Impact Assessment Regulations, 2014 as Published in Government Gazette No38282 GNR 982 of 4 December 2014.*

In reconsidering the appeal, the Judge has directed the Minister to consider any information that Tendele wishes to place before him as well as any information and comments from Interest and Affected Parties (I&APs)

In addition, the Judge has directed the Mine to notify I&APs of their entitlement to participate in the appeals process (the notification to be published widely) and the Mine must ensure that public participation is conducted in terms of the EIA Regulations, read with the public participation guidelines.

The intent is to submit all relevant documents with the Minister following Chapter 6 of the EIA Regulations.

As per the EIA Regulations, 2014, a Scoping and EIA (SEIA) process must be undertaken in such a manner that the environmental outcomes, impacts and residual risks of the activities to be undertaken are noted in the Scoping and EIA Reports and assessed accordingly by the Environmental Assessment Practitioner (EAP).

1.2 Mine Details

Table 1-1 Name and Address of Mine

Name of Mine	Somkhele Anthracite Mine
Physical Address	23 Km West of Mtubatuba, along the R618
Telephone	082 895 1406 x 101
Facsimile	082 895 1386

Table 1-2 Mining Right Holder

Name of company	Tendele Mining (Pty) Ltd
Physical Address	Tendele Mining (Pty) Ltd 1st Floor 37 Peter Place Lyme Park Gauteng
Postal Address	1st Floor 37 Peter Place Lyme Park Gauteng
Telephone	011 706 1644
Facsimile	011 706 1594
Mining Right No:	KZN 30/5/1/2/2/10041MR

Table 1-3 Responsible Person for Mining Right

Contact Persons:	Jarmi Steyn
Designation	Chief Operating Officer (COO)
Physical Address	Tendele Mining (Pty) Ltd 1st Floor 37 Peter Place Lyme Park Gauteng
Postal Address	Tendele Mining (Pty) Ltd 1st Floor 37 Peter Place Lyme Park Gauteng
Telephone:	011 706 1644
Fax Number	011 706 1594

1.3 Mining Method

The mining method to be used at Somkhele is conventional opencast strip mining and roll-over method, with rehabilitation being undertaken on an ongoing basis where practicably possible. The rollover method implies that the overburden will be stripped from the initial cut and thereafter will be stockpiled. However, with each successive cut taken, the overburden/soils stripped will be used to backfill and top dress the previous cut. In this way, the soils can be replaced in a position very close to that from which they were taken and therefore result in reduced impacts. Where roll-over is not possible, the overburden will be placed next to the pit and as close to the pit as possible to reduce the footprint of the Mine. The overburden/soils that are stripped and stockpiled for use in the final void will need to be protected against wind and water erosion (drainage), as well as any compaction. This will be done through the re-vegetation of the stockpiles.

1.4 Location of the Activity

Somkhele is located approximately 23 km to the west of Mtubatuba, within Mpukunyoni traditional land, KZN. The Mine falls within Reserve No. 3 (Somkhele 15822) of the Mtubatuba Administrative District and is located within the boundaries of the uMkhanyakude District Municipality (DC27) which is sub-divided into six municipalities (Figure 1-3). The components of the Somkhele Project affect one of the six municipalities i.e. Mtubatuba Municipality (KZN275) in which the Mine is located. At present the Mtubatuba Municipality is served by the uMkhanyakude District Municipality.

1.5 Details of the Environmental Assessment Practitioner (EAP)

Details of the qualified EAP involved in undertaking the Scoping and Environmental Impact Report (SEIR) Process are noted in Table 1-4 and the Curriculum Vitae (CV) and expertise of the relevant EAP is attached as Appendix A.

Table 1-4 EAP Responsible for SEIR report

EAP	Qualifications & Professional affiliations	Experience	Contact Details
Mr Christopher Wright	B SocSci,	15 Years	Tel: 083 500 0205 Email: chris@blackrock-env.co.za

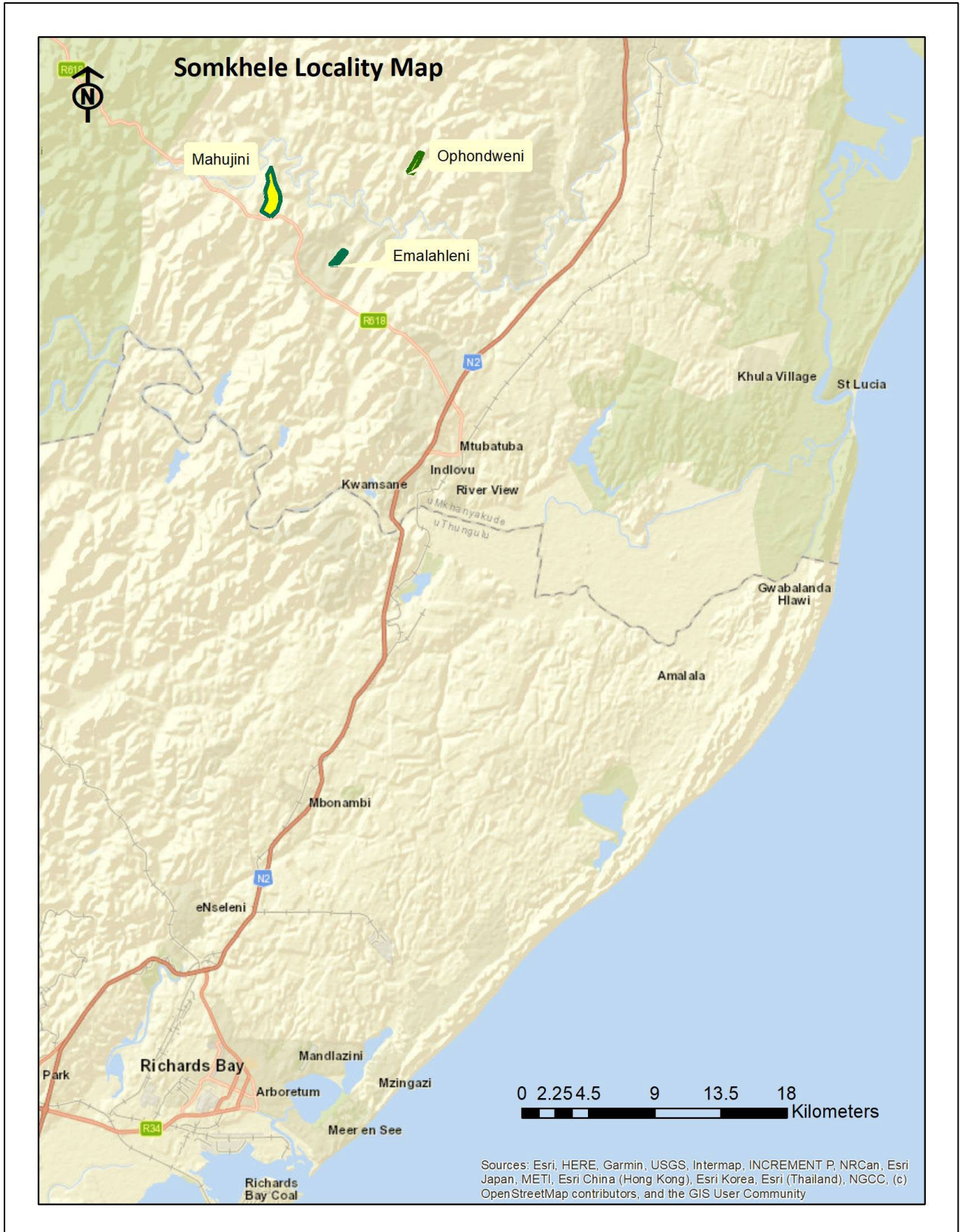


Figure 1-2 Locality of the Somkhele Mining Areas

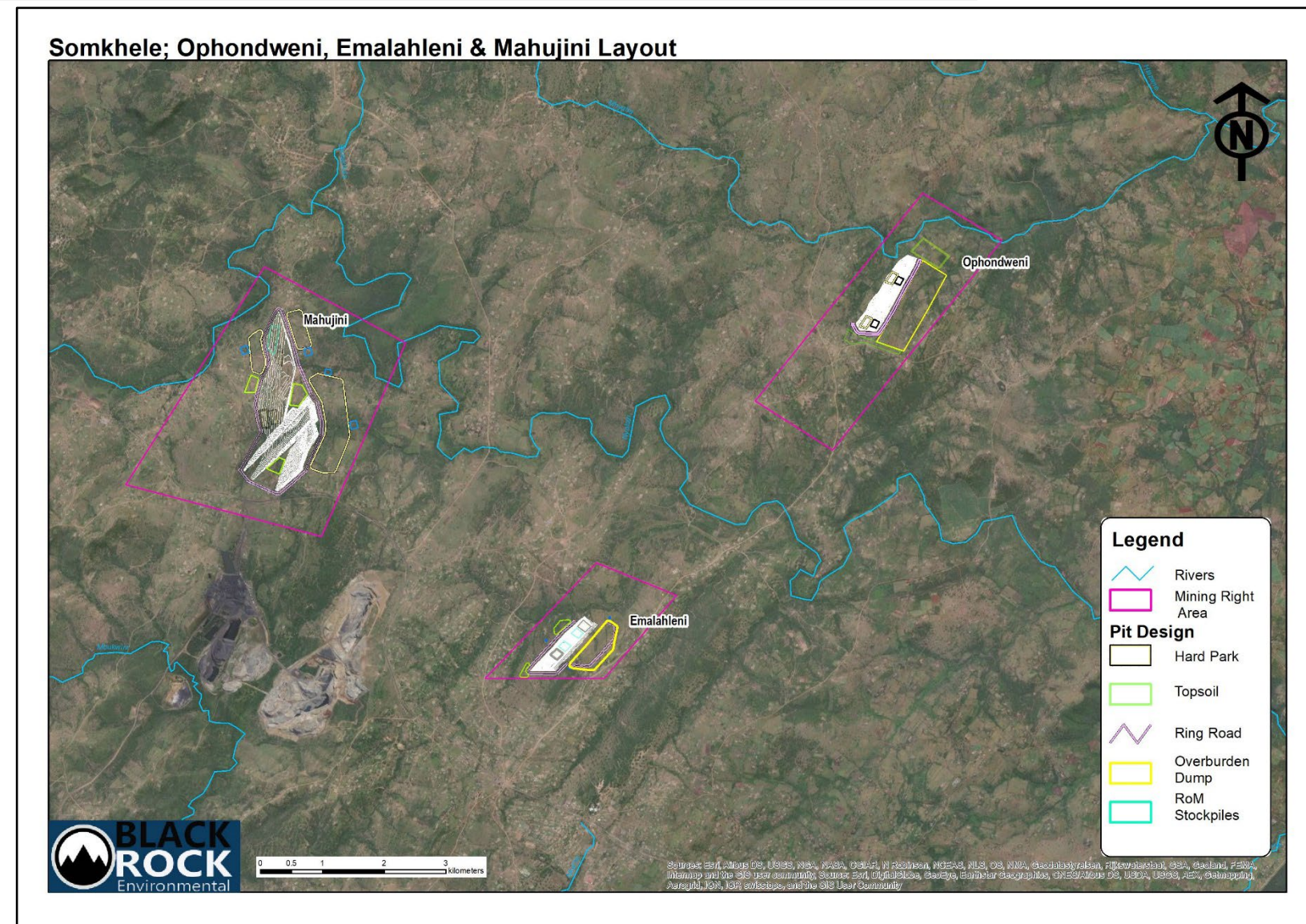


Figure 1-3 **Location of mining areas**

2 LEGISLATION AND POLICY PERTAINING TO THIS APPEAL

2.1 The Scoping / EIA Process

The EIA process is informed by the EIA Regulations, 2014 and typically follows the four main phases listed below and illustrated in Figure 2-1.

1. Pre-application phase with Public and Authority Consultation (Scoping Phase);
2. Application Phase;
3. Post-application Scoping Phase and associated consultation; and
4. Environmental Impact Assessment Phase and associated consultation.

The process that will be followed will exclude the pre-application and application phases as these processes are not applicable in this case.

The objective of the “Scoping” Phase, is to, through a consultative process:

- Identify the relevant policies and legislation relevant to the activity;
- Motivate the need and desirability of the activity, including the need and desirability of the activity in the context of the preferred location;
- Identify and confirm the preferred activity and technology alternative through an identification of impacts, risks and ranking process of such impacts and risks;
- Identify and confirm the preferred site and alternatives, through a detailed site selection process, which includes an identification of impacts and risks inclusive of cumulative impacts and a ranking process of all the identified alternatives focusing on the geographical, physical, biological, social, economic, and cultural aspects of the environment;
- Identify the key issues to be addressed in the assessment phase;
- Agree on the level of assessment to be undertaken, including the methodology to be applied, the expertise required as well as the extent of further consultation to be undertaken to determine the impacts and risks the activity will impose on the preferred site through the life of the activity, including the nature, significance, consequence, extent, duration and probability of the impacts to inform the location of the development footprint within the preferred site; and
- Identify suitable measures to avoid, manage or mitigate identified impacts and to determine the extent of the residual risks that need to be managed and monitored.

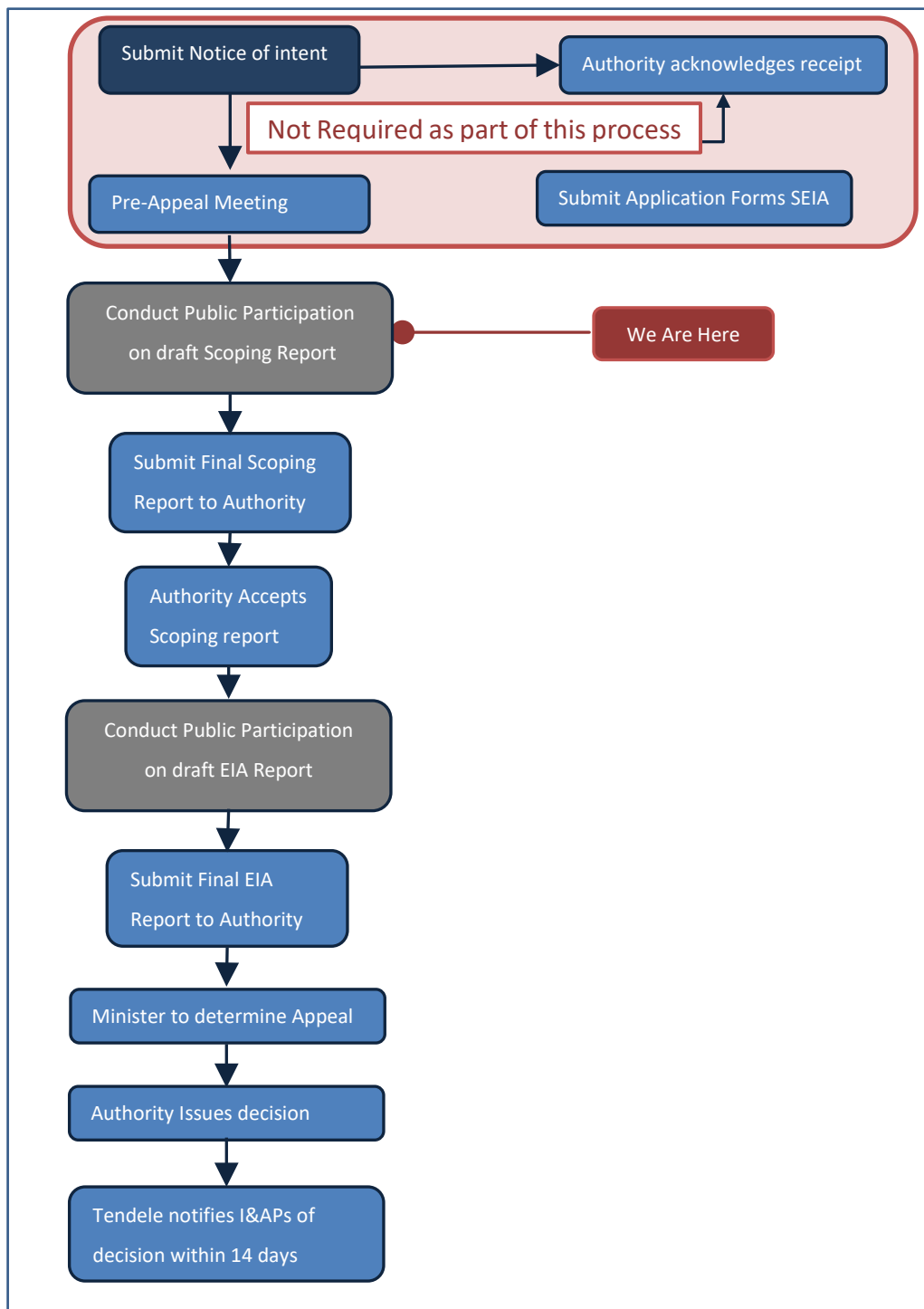


Figure 2-1 Summary of the Appeal Process

2.2 List of Significant Regulations, Guidelines, Frameworks & Policies

The following Regulations / Acts outlined in Table 2-1 pertain to this development and have been considered during the assessment process:

Table 2-1 Legislation relevant to the application

Title of Legislation	Administering Authority	Date
The Constitution of South Africa (Act 108 of 1996) Section 24 The right to an environment that does not harm	Republic of South Africa	1996
National Environmental Management Act (Act 107 of 1998) – for its potential to cause degradation of the environment (Section 28).	Department of Environmental Affairs	1998
National Water Act (Act 36 of 1998) – for potential to cause pollution of water resources defined under the Act (Section 19 and 21).	Department of Water and Sanitation	1998
Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) – for protection of agricultural resources and for control and removal of alien invasive plants.	National Department of Agriculture	1983
National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) – for protection of biodiversity.	Department of Agriculture and Environmental Affairs & Ezemvelo KZN Wildlife	2004
The National Heritage Resources Act (Act No 25 of 1999 as amended) – for the identification and preservation of items of heritage importance.	Department of Arts and Culture and Amafa Akwazulu-Natali I (AMAFA)	1999
KwaZulu-Natal Amafa and Research Institute Act 5 of 2018.	AMAFA	2018

2.2.1 The Constitution of South Africa (Act No 108 Of 1996)

The Constitution of South Africa is the supreme law of the country of South Africa. It provides the legal foundation for the existence of the republic, sets out the rights and duties of its citizens, and defines the structure of the government.

Section 24 of the Constitution states the following:

Everyone has the right —

- To an environment that is not harmful to their health or well-being; and
- To have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation;
- Promote conservation; and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

2.2.2 National Environmental Management Act, (Act No 107 of 1998), as amended, and the EIA Regulations 2014 (as amended)

The National Environmental Management Act (Act No. 107 of 1998, as amended) (NEMA) gives effect to the Constitution of the Republic of South Africa by providing a framework for cooperative environmental governance and environmental principles that enable and facilitate decision-making on matters affecting the environment.

2.2.3 National Environmental Management: Biodiversity (Act 10 of 2004)

This Act controls the management and conservation of South African biodiversity within the framework of NEMA. Amongst others, it deals with the protection of species and ecosystems that warrant national protection, as well as the sustainable use of indigenous biological resources. Sections 52 & 53 of this Act specifically make provision for the protection of critically endangered, endangered, vulnerable and protected ecosystems that have undergone, or have a risk of undergoing significant degradation of ecological structure, function or composition as a result of human intervention through threatening processes.

2.2.4 National Environmental Management: Air Quality Act (Act No. 39 of 2004) (NEM:AQA)

The NEM: AQA was implemented on 24 February 2005 and reforms the law regulating air quality in order to protect the environment by providing reasonable measures for the prevention of pollution and ecological degradation and for securing ecologically sustainable development while promoting justifiable economic and social development; to provide for national norms and standards regulating air quality monitoring, management and control by all spheres of government; for specific air quality measures; and for matters incidental thereto. On 22 November 2013 the list of activities which result in atmospheric emissions which have or may have a significant detrimental effect on the environment, including health, social conditions, economic conditions, ecological conditions or cultural heritage was published under GNR 893 in Governmental Gazette 37054, in terms of section 21(1)(b) of the NEM: AQA thereby repealing the previous list of activities which were promulgated on 31 March 2010.

No listed activities in terms of NEM: AQA will be triggered as a result of the project, however the principles of the act focusing on minimisation of pollutant emissions will be taken cognisance of in this appeal process.

2.2.5 National Water Act (Act No 36 of 1998) (NWA)

The Act provides the framework for the sustainable management of South Africa's water resources. It aims to protect, use, develop, conserve, manage and control water resources as a whole, promoting integrated water resource management that involves participation of all stakeholders. The Act declares the national government to be the public trustee of the nation's water. The Act is administered by the national Department of Water and Sanitation (DWS) via regional offices. The following section 21 "water uses" require water use authorisation in the form of a Water Use Licence (WUL) –

- a) Taking water from a water resource (Abstraction of water from the Mfolozi or boreholes);
- b) Storing water (Clean water storage);
- c) Impeding or diverting the flow of water in a watercourse (River crossings);
- g) Disposing of waste in a manner which may detrimentally impact on a water resource (Pollution control dams);
- i) Altering the bed, banks, course or characteristics of a watercourse (River Crossings); and
- j) Removing, discharging or disposing of water found underground if it is necessary for the efficient continuation of an activity or for the safety of people (Dewatering of Pits).

Somkhele has been granted an Integrated Water Use Licence (IWUL) for all mining operations including within Emalahleni, Ophondweni and Mahujini. The IWUL has Licence NO.: 11/W23A/ABCGIJ/9751 and was issued on 9 July 2020.

2.2.5.1 *Regulations On Use of Water for Mining and Related Activities Aimed at The Protection of Water Resources (Government Notice 704 of 1999) published in terms of the NWA*

Regulations on use of water for mining and related activities aimed at the protection of water resources.

Restrictions on locality

No mining is permitted within the 1:50 year flood-line or within a horizontal distance of 100 metres from any watercourse or estuary, whichever is the greatest. Any operations which encroaches into the 1:50 flood-line or within 100 metres of a water course require an exemption from regulation GN704 of the National Water Act.

GN704 exemptions were applied for operations within 100 meters of watercourses within Ophondweni, Emalahleni and Mahujini. These exemptions formed part of the approved IWUL.

2.2.6 National Heritage Resources Act (Act No 25 of 1999)

The protection and management of South Africa's heritage resources are controlled by the National Heritage Resources Act (Act No. 25 of 1999). AMAFA is the commenting authority in KZN and is registered as a stakeholder for this appeal process. In terms of Section 38 of the National Heritage Resources Act, AMAFA will comment on the development. Section 38(8) also makes provision for the assessment of heritage impacts as part of an EIA process.

For this project a heritage study will be required to be submitted to South African Heritage Resources Information System (SAHRIS).

The Area has already been uploaded onto the SAHRIS system with comments received from Kwazulu-Natal Amafa and Research Institute. Case ID 15116 AMAFA reference SAH20/15116.

2.2.6.1 *The KwaZulu-Natal Amafa and Research Institute Act (5/2018).*

Chapter 8 of the KZNARI Act of 2018 sets the guidelines and principles for the General protection of Heritage resources. According to the Act, no person may alter or demolish any heritage resource without prior written approval having been obtained from the KwaZulu-Natal Amafa and Research Institute. The following Sections become relevant in the management of heritage resources:

- Section 37 deals with the protection of Structures;
- Section 38 deals with the protection Graves of victims of conflict;
- Section 39 deals with the protection of Informal and private burial grounds;
- Section 40 deals with the protection of battlefield sites, archaeological sites, rock art sites, palaeontological sites, historic fortifications, meteorites and meteorite impact sites.

Section 41 the KZNARI Act of 2018 provides guidelines for the management of heritage resources as part of the Heritage Impact Assessment process, including the structure of reports, as well as the notification and submission process that should be followed and as a result, this project requires a . Heritage impact assessment report.

Reports must be submitted in fulfilment of Section 41(3) of the Act, and must include the following information:

- the identification and mapping of all heritage resources in the area affected;
- an assessment of the significance of such resources in terms of the heritage assessment criteria set out in regulations;

- an assessment of the impact of the development on such heritage resources;
- an evaluation of the impact of the development on heritage resources relative to the sustainable social and economic benefits to be derived from the development;
- the results of consultation with communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources;
- the consideration of alternatives, if heritage resources will be adversely affected by the proposed development; and
- plans for mitigation of any adverse effects during and after completion of the proposed development.

Furthermore, Chapter 9 of the KZNARI Act of 2018 sets out guidelines for the special protection of heritage resources (Section 42), which includes land surrounding declared provincial heritage resources; Heritage Landmark sites (Section 44); Graves of members of the Royal Family (Section 46), and Heritage Objects (Section 49).

3 ASSUMPTIONS AND LIMITATIONS

This DSR is based on the assumption that a MR has been granted and this process is to ensure that irregularities found in previous applications can be rectified or additional information can be added. This is not an application for a new MR or the approval of a new EMPr but rather an application that follows outlined in the EIA Regulations, 2014 with the intent to incorporate all information to improve on any inadequacies from the original assessment.

4 DETAILED DESCRIPTION OF THE PROPOSED PROJECT

Table 4-1 give the cadastral details for the locality of the project with Figure 4-1 showing the cadastral map of the area.

Table 4-1 Property details

Farm Name	Farm Number	Portion	21 digit Surveyor General code
Reserve no 3	15822	0 (Remaining extent)	N0GV00000001582200000

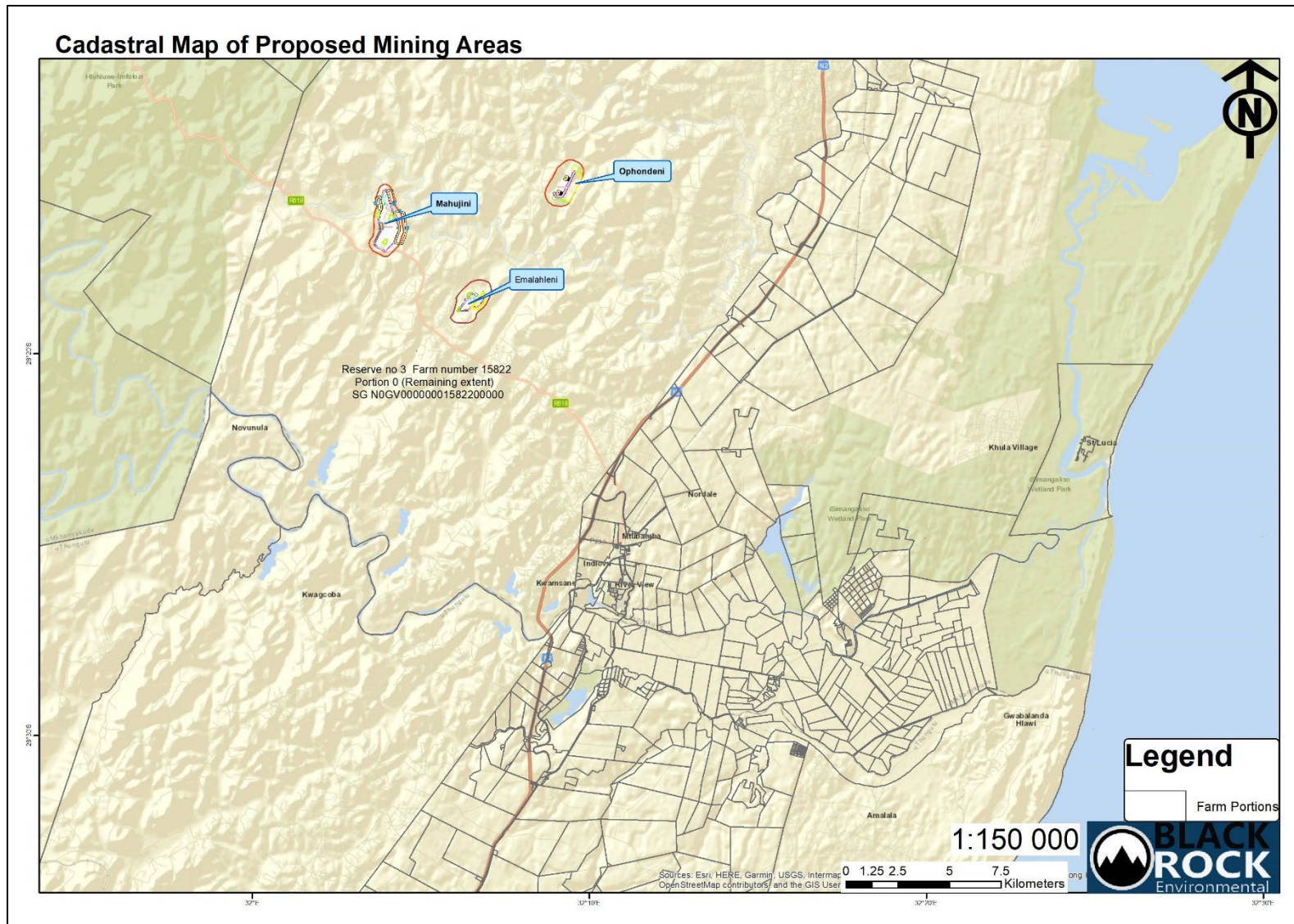


Figure 4-1 Cadastral Map of Emalahleni, Ophondweni and Mahujini

15 July 2022

Somkhele: Emalahleni Layout

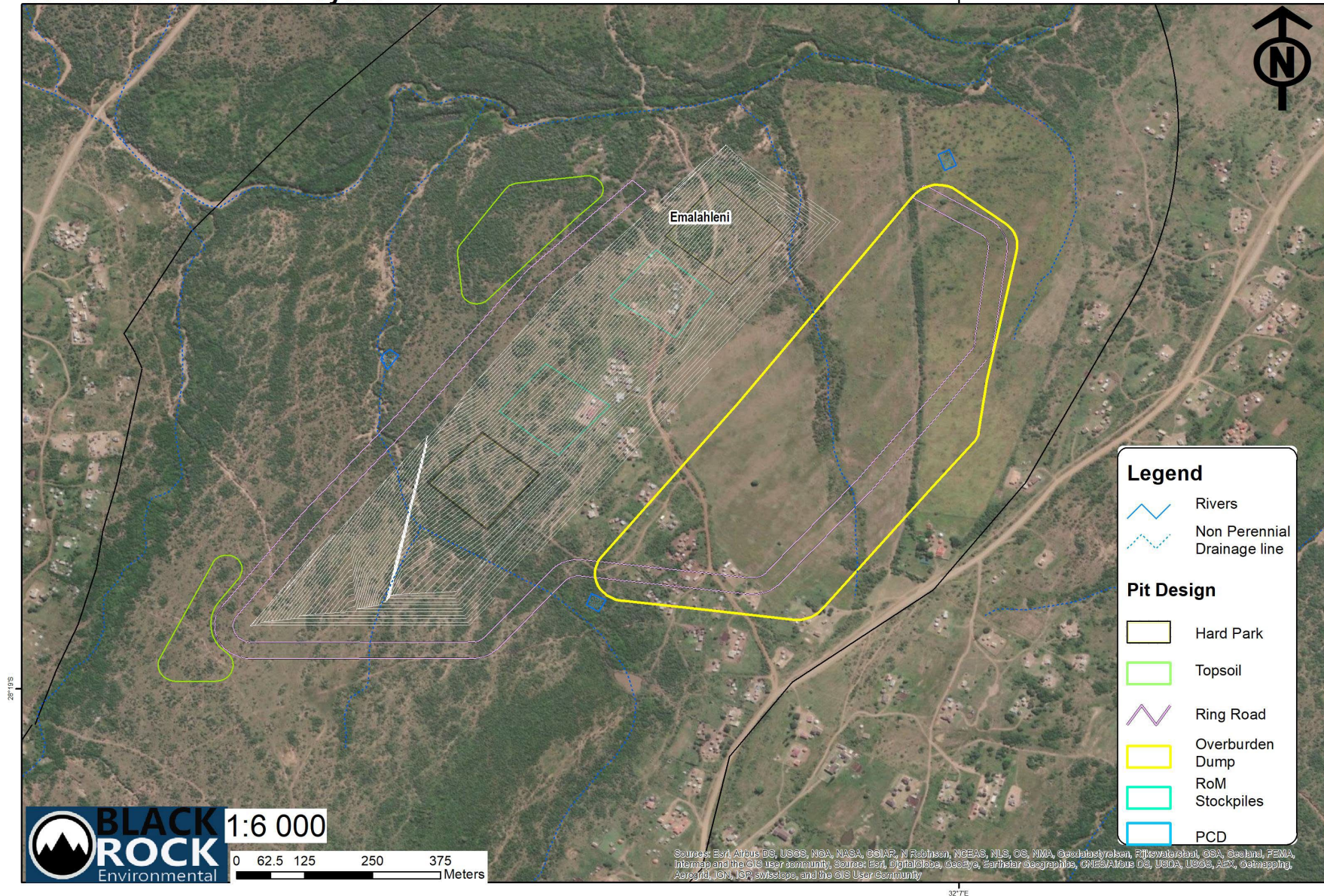


Figure 4-2 Emalahleni Layout

Legend

- Rivers
- Pit Design**
 - Hard Park
 - Topsoil
 - Ring Road
 - Overburden Dump
 - RoM
 - Stockpiles
 - PCD

Scale

0 105 210 420 630 Meters

North Arrow

Map Labels

Ophondweni

Scale

1:10 000

BlackRock Environmental

Sources: Govt, Airphoto, USGS, NOAA, NASA, CGRS, HRCover, NCEAS, NLS, DS, MMA, Goodland/Truman, R/Scholarship, GSA, Goodland, FEMA, Intermap and the GIS User community, Source: Govt, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, Aero, Geomapping, AeroGRID, IGN, IGP, satellite, and the GIS User Community



**BLACK
ROCK**
Environmental

Page | 17

Somkhele: Mahujini Layout

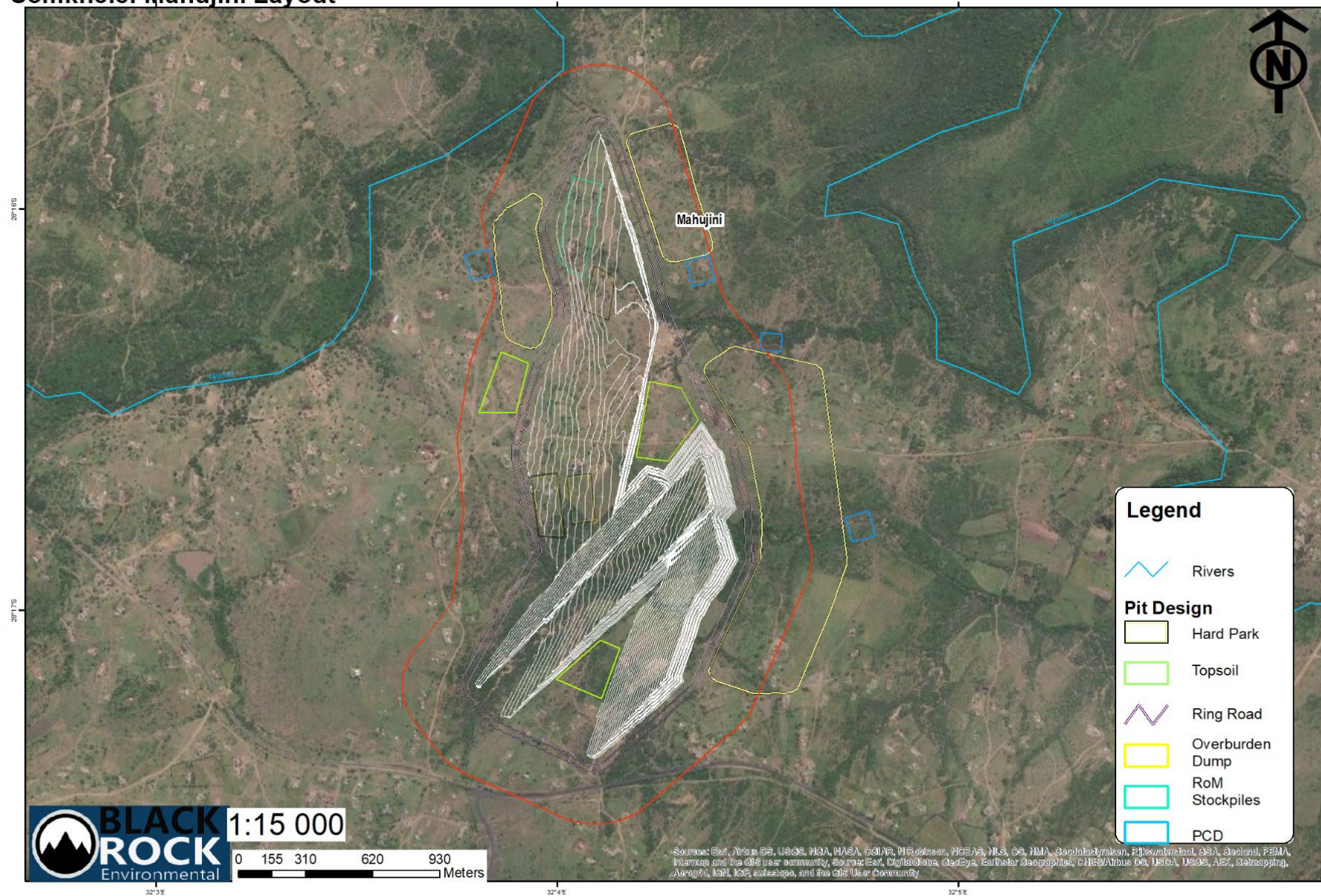


Figure 4-4 Mahujini Layout

4.1 Project Description and Development

The mining activities will include various associated activities within the mining phase, i.e. construction phase, operational phase and decommissioning/closure phase. The following sections list the activities that will be undertaken during the relevant mining phases.

4.1.1 Construction phase

The activities that will be undertaken during the construction phase will include:

- Removal of vegetation;
- Construction of berms and cut-off trenches;
- Soil and overburden stripping;
- Stockpiling of topsoil and overburden;
- Dust suppression; and
- Engineered storm water management.

4.1.2 Operational phase

During the operational phase, the following activities will take place:

- Open cast mining;
- Drilling and blasting;
- Transportation of raw product to the processing plant;
- Dust suppression;
- Dewatering of pit; and
- Storm water management.

A conventional strip mining [roll-over] method will be employed during the operational phase of mining when safe and practicably possible. These operations are opencast mining by means of blasting overburden rock and removing the coal seam with excavators and articulated vehicles. Overburden will be stockpiled outside the pit at designated stockpile areas. Where feasible / safe roll-over will be done limiting the overburden put on stockpiles, but rather contain it in the pit. Alternative technologies have been investigated and the use of a ripper in place of drill and blasting will be used when feasible to do so.

All mined materials will be transported to the existing processing plants within Area 2. The discard material created will be deposited in waste facilities as outlined in the approved waste management licence. In this case the mined-out void of KwaQubuka in Area 9 has been licensed for slurry and discard disposal.

Dust management will be continuous and is done by water bowsers wetting surfaces prone to dust generation. The approved IWUL includes dust suppression in Emalahleni, Ophondweni and Mahujini. Water is sourced from water within the pits as well as from stormwater ponds.

4.1.3 Decommissioning and Closure Phase

The decommissioning phase of the project will involve the rehabilitation of the areas disturbed by the mining operation and return the land to having grazing potential. Certain structures will need to remain in place for water management and pollution control purposes i.e. shallow diversion berms upslope of the mining pit and the flood protection berm. The magnitude of the pit and the height of the high wall necessitates an alteration in the closure topography of the area.

Two solutions for the decommissioning phase would be either to leave part of the vertical face and reshape the remaining area to a maximum gradient of 1:5 or alternately backfilling the face to a maximum gradient of 1:3.

In addition, certain areas will be identified as final voids for evaporation/pollution control purposes. These areas will be appropriately shaped to a suitable profile and allowed to fill with water. However, the remainder of the site will be returned to a state similar to the pre-mining condition.

This will involve:

- Backfilling of voids;
- Topsoil and subsoil replacement;
- Final contouring of the land;
- Revegetation;
- Removal of all infrastructure (pipelines, powerlines); and
- Rehabilitation of all roads no longer required.

The closure objectives are outlined in a closure assessment and rehabilitation plan that has been developed for the operational mine (Areas 1, 2, 8 and 9). The closure objectives are to return the land to grazing potential. The closure and rehabilitation plan is updated annually and submitted to the DMRE for review. Area 4 and 5 will be incorporated into the closure assessment and rehabilitation plan.

5 ALTERNATIVES

“Alternatives”, in relation to a proposed activity, means different means of meeting the general purposes and requirements of the activity, which may include alternatives to –

- (a) The property on which, or location where, it is proposed to undertake the activity;
- (b) The type of activity to be undertaken;

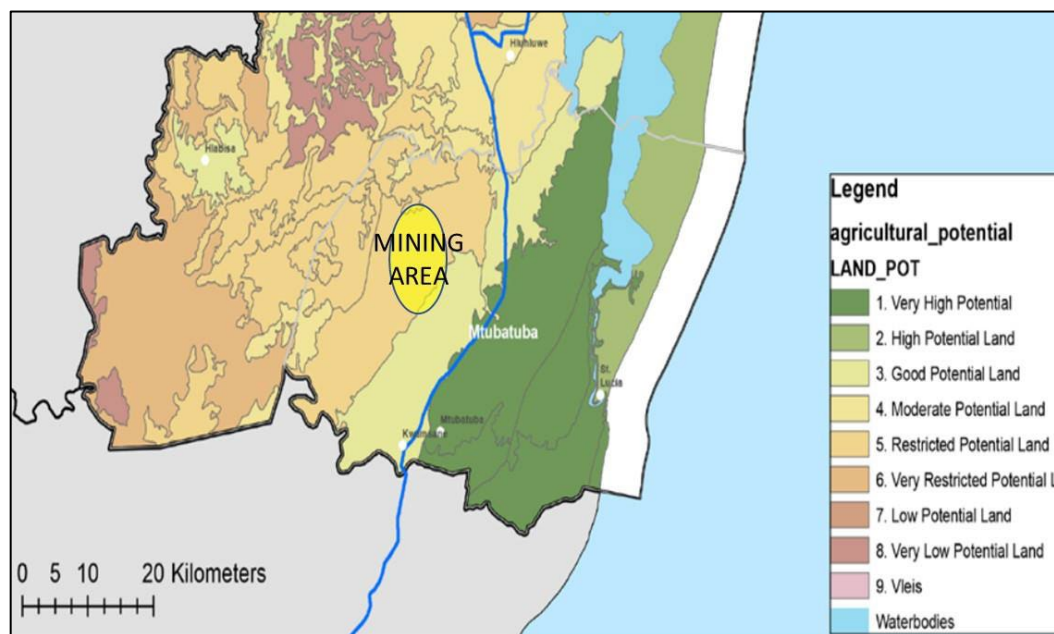
- (c) The design or layout of the activity;
- (d) The technology to be used in the activity;
- (e) The operational aspects of the activity; and
- (f) The option of not implementing the activity.

5.1 Alternatives assessed

In terms of alternatives the following has been considered:

- A. **Locality:** No alternate locality has been considered as mining takes place where the minerals are present. The locality of the pit and mining areas are based on geological models derived during prospecting and drilling.
- B. **Type of activity:** The alternatives which could be considered are:
 - Commercial Agriculture/Forestry
 - Wildlife Conservation
 - Livestock Farming
- i. **Commercial Agriculture**

Commercial agriculture is not prevalent in the area. Figure 5-1 sourced from uMkhanyakude IDP 2018 2019 outlines the general agricultural potential in the mining area. The agricultural potential of the mining areas is listed as “Restricted Potential Land” in the below figure.



Source Mkhanyakude IDP 2018 2019

Figure 5-1 Agricultural potential in mining area

Soil and land capability studies conducted within the mining areas show the area has low dryland and irrigation potential for agricultural purposes (Soil and Land capability Study).

ii. Commercial Afforestation

The distribution of commercial afforestation is largely determined by land ownership with virtually all of the plantations being on privately or corporately owned land. Despite this pattern, there is a growing trend toward production of timber on communally owned land. Such development is often promoted by the large timber companies who assist the small growers both technically and financially. However, afforestation on communal land is complex for several reasons such as the fact that land is a communal resource and that allocation of such land for forestry purposes to an individual will inevitably reduce the total communal area available for food production and grazing of livestock. Thus, there are social problems, as yet with no fixed means of resolution, associated with such development.

With regard to the natural environment, timber production involves a very significant transformation of the landscape, both ecologically and aesthetically. It would entail the loss of virtually all indigenous vegetation and most of the fauna as well. In the probable absence of control, alien plants would proliferate in the unplanted areas (Afriore EIA/EMPR 2002).

iii. Wildlife Conservation

The possibility of linking the study area to the nearby Hluhluwe-Imfolozi Park (HIP), and perhaps operating it in some form of joint venture with the traditional community, is a remote one. The reasons for this are both socio-political and ecological. In regard to the latter, the partially transformed nature of the landscape makes it relatively unappealing although it would undoubtedly rehabilitate itself to some extent if human activities were reduced. The proposed mining areas are not adjacent to the HIP (all fall outside of a 5km buffer zone) which would not make the areas feasible to incorporate into the HIP. The Mine is currently looking at areas adjacent to the HIP as part of their biodiversity offset requirements.

C. Design or Layout:

The opencast design is determined by economics and safety considerations. The depth of the pit can only be as deep as economically feasible. The only possible alterations to the design will be the locality of the overburden rock dump. The option of placing overburden back into the voids was considered but would create safety issues in an operational pit. It is possible to place overburden back into the voids but not within the vicinity of active mining. To this extent, overburden rock that is possible to place within the mine voids will be done. Safety considerations have an influence on rollover mining and the placement of overburden material.

- D. Technology to be used:** Alternative technologies are continuously being researched by the Mine. These include using vertical impact rippers (VIR) instead of blasting. The policy of best available techniques not entailing excessive costs (BATNEEC) has been followed.

The use of rippers as an alternative to drill and blast is possible within the weathered zone (this is being considered within Emalahleni).

- E. Operational aspects:** The alternative to operational aspects could be underground mining as an alternative to opencast mining. As the resource is close to surface and due to challenging geological conditions, underground mining is not possible to implement.

F. No Go Alternative

This option assumes that the present form of land use continues undisturbed in the area. This land use is that of rural residential together with a limited amount of subsistence agriculture and stock raising. The No Go Alternative would result in no further mining operations at Somkhele which would have negative social-economic impacts.

6 DESCRIPTION OF THE BASELINE ENVIRONMENT

A number of environmental assessments have already been concluded during the initial application submitted in 2014 as well as additional assessments done subsequent to the application. A full list of specialist studies that are relevant to this project are presented in Table 6-1.

Table 6-1 List of Specialist Studies Concluded (Chronological order)

Specialist Study	Author	Report/Project Number	Date	Document Name
Hydrological Assessment	GCS	12-350	01 November 2013	Hydrological
Social Gap Analysis	GCS	12-350	08 November 2013	Social Gap Analysis
Visual Impact Assessment	GCS	12-350	06 December 2013	Somkhele Mine Expansion Visual Impact Assessment
Hydrogeological Assessment	GCS	12-350	31 January 2014	Geohydrological
Heritage Impact Assessment	Ethembeni Cultural Heritage		25 February 2014	Phase 1 Heritage Impact Assessment Report
Biodiversity Impact Assessment	Eco-Pulse	12-350	07 March 2014	Biodiversity Assessment Report
Aquatic Assessment Report	Eco-Pulse		07 March 2014	Aquatic Assessment Report
Wetland Impact Assessment	GCS	12-350	06 May 2014	Preliminary Wetland Impact Assessment
Preliminary haul road design report	Bosch Stemele	1398/7	02 December 2013	Tendele Mine Haul Roads Preliminary Design Report
Flood Line Analysis	GCS	17-0437	04 January 2018	Somkhele Mine, Kwazulu-Natal: Mahujini and Emalahleni Haul Road Flood Line Analysis
Geohydrological Model Update	GCS	17-0045	20 March 2018	Geohydrological Model Update for The Somkhele Anthracite Colliery
Wetland Assessment	GCS	18-1073	01 February 2019	Wetland Assessment for The Ophondweni Area – Somkhele Mine
Biomonitoring Assessment	GCS	18-1105	12 February 2019	Summer Aquatic Biomonitoring Report 2019
Hydropedological Assessment	GCS	17-1031	15 February 2019	Hydropedological Assessment for The Somkhele Anthracite Mine
Acid Mine Drainage Management Plan	GCS	18-0957	19 February 2019	Conceptual Acid Mine Drainage Management Plan (Camdmp) For the Somkhele Anthracite Mine
Follow-Up Hydrogeological Study	GCS	18-1058	04 March 2019	Follow-Up Hydrogeological Study for Somkhele Anthracite Mine - Mining Area 4 And 5
Floodline Analysis	GCS	19-0065	05 March 2019	Area 4 And 5 Floodline Analysis
Storm Water Management Plan	GCS	19-0006	06 March 2019	Area 4 And 5 (Ophondweni, Emalahleni and Mahujini) Storm Water Management Plan
Water Balance Update	GCS	18-0953	20 March 2019	Water Balance Update for The Somkhele Anthracite Mine - 2019
Vegetation	David Styles		24 October 2019	Specialist Vegetation Impact Assessment for Possible Future Mining Areas at Emalahleni, Mahujini and Ophondweni
Climate Impact Assessment	Climate Africa		01 November 2019	Corporate Climate Impact Assessment

Specialist Study	Author	Report/Project Number	Date	Document Name
Air Quality	WKC	J20023	11 November 2019	Air Quality Impact Assessment
Aquatic Rehabilitation Plan: Riparian And Instream Habitats	Eco-Pulse	Ep472-01	04 December 2019	Somkhele Mining Areas Expansion: Emalahleni, Mahujini & Ophondweni Aquatic Rehabilitation Plan: Riparian and Instream Habitats
Visual Impact Assessment	GCS	19-0945 (Via)	03 January 2020	Somkhele Anthracite Mine Area 4 And 5: Visual Impact Assessment
Noise Impact Assessment	WKC	J20023	17 January 2020	Noise Impact Assessment
Vibration Impact Assessment	WKC	J20023	17 January 2020	Vibration Impact Assessment
Heritage Impact Assessment	PGS Heritage	352 Hia	20 January 2020	The Somkhele Anthracite Mine Ophondweni and Emalahleni Pits Near Mtubatuba, Umkhanyakude District Municipality, Kwazulu Natal Province
Social Impact Assessment	Urban-Econ Development Economists Pty Ltd.		28 February 2020	A Social Impact Assessment for The Somkhele Mine
Health Impact Assessment	GCS	19-0945	20 March 2020	Somkhele Mine: Rapid Health Impact Assessment
Palaeontological Desktop Assessment	PGS Heritage	352 Hia	26 April 2020	Palaeontological Desktop Assessment for The Proposed Somkhele Anthracite Opencast Mining Pits Within the Umkhanyakude District Municipality and The Mtubatuba Local Municipality, Kwazulu Natal
Burial Grounds And Graves	PGS Heritage		28 April 2020	Survey Of Burial Grounds and Graves

Below follows a description of the baseline environment in terms of climate and weather, hydrogeological and geological data, flora, topography, soils, air quality, noise and vibration, social aspects (demographics), land-use and sensitive areas as per the studies conducted.

6.1 Climate and Weather

The closest main town to the Mine with weather data, is Mtubatuba which is located 23 km south-east of Somkhele. Mtubatuba receives approximately 388mm of rain on average per annum with most rainfall occurring during the spring and summer period. Mtubatuba historically received the lowest rainfall between April and August and peak rainfall in November.

The prevailing wind in the area is a northerly wind throughout the year with the wind speeds peaking in the August, September and October months to approximately 20 km/h on average. Figure 6-1 and Figure 6-2 present the average rainfall and temperature values and an average wind rose for Mtubatuba for the previous 30 years (Meteoblue, 2022).

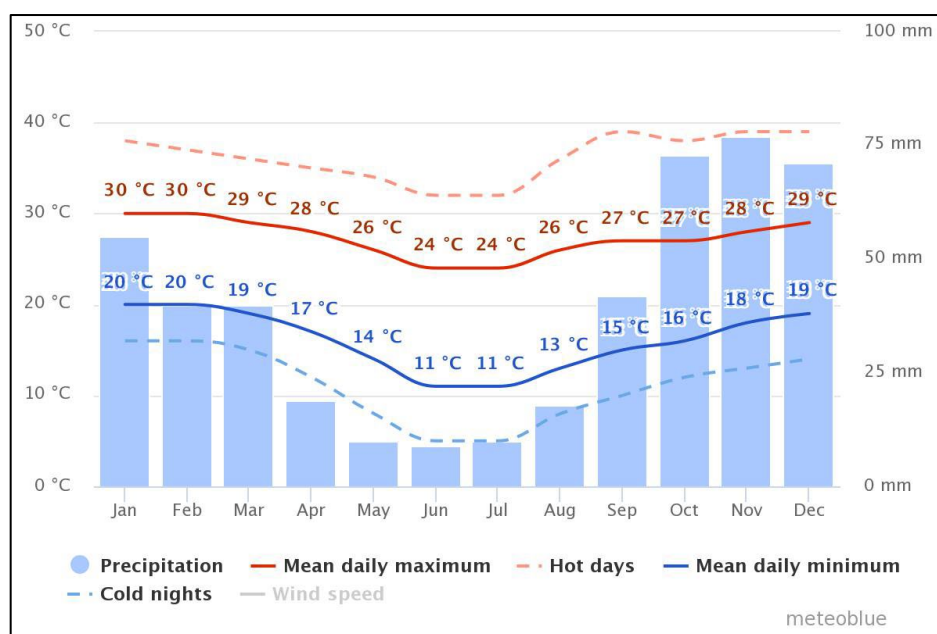


Figure 6-1 Somkhele Average temperature and precipitation

Generally, winds in the area blow at speeds between 1.6 to 3.5 m/s (33%) and 3.6 to 5.5 m/s (29%). Stronger winds, in excess of 8 m/s, are less common (6.2%) and are mostly likely to blow during September and October.

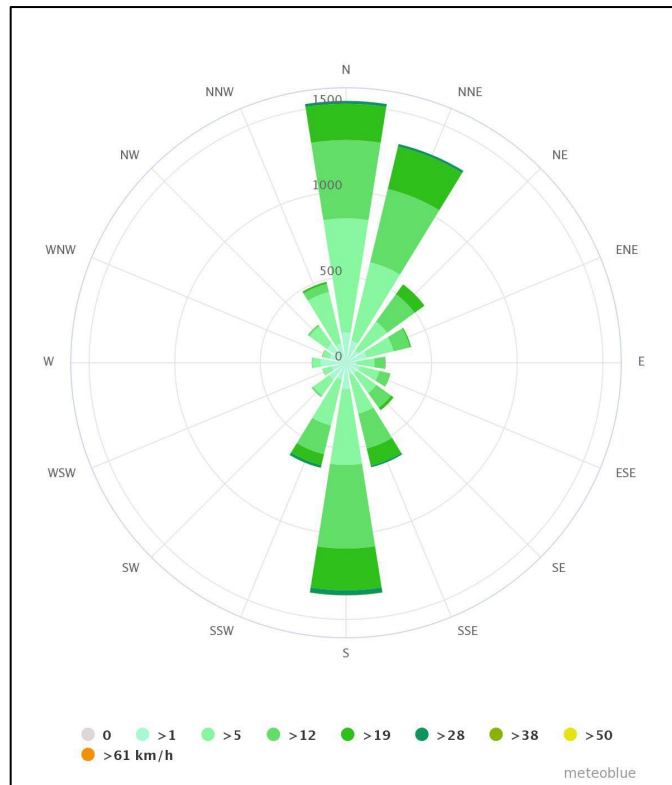


Figure 6-2 Wind Rose for Somkhele

6.2 Geohydrology and Geological

The following data was sourced from an updated Geohydrological report compiled by GCS in 2019 titled “Follow-Up Hydrogeological Study for Somkhele Anthracite Mine - Mining Area 4 And 5 Local aquifer characteristics”.

The following summarises the updated hydrogeological, and geological data for the project area:

Hydrogeological

- The Mahujini, Emalahleni and Ophondweni areas are underlain by sediments of the Emakwezeni Formation (lower Beaufort Group) of the Karoo Supergroup and numerous dolerite intrusive sills and dykes.
- The aquifer zones directly underlying the sites were identified as follows:
- Weathered to semi-confined aquifer zone; and
- Confined fractured aquifer zone:

- Boreholes drilled in the Somkhele region rarely exhibit a detectable blow yield. Literature suggests that the aquifer unit underlying the proposed Mahujini, Emalahleni and Ophondweni opencast areas can be considered a low-yielding aquifer which will yield in the order of 0.1 l/s to 0.5 l/s (King et al., 1998).
- A total of twenty-eight (28) boreholes were identified during the 2019 hydrocensus (within 1 to 2.5 km of each of the proposed pits):
- The majority of the boreholes discovered are exploration boreholes drilled by Somkhele; and the remainder are boreholes fitted with hand pumps. Limited groundwater supply boreholes were identified.
- From the hydrocensus conducted, it is clear that water for human consumption and agricultural purposes within the mining areas are either obtained from some of the ephemeral streams or other water supply systems (i.e. hand pumps, rain harvesting into tanks or municipal water trucks).

The groundwater levels observed are summarised as follows:

- Emalahleni: ranges from 11 to 32 mbgl;
- Ophondweni: ranges from 17 to 25 mbgl.
- Mahujini: ranges from 10 to 26 metres below ground level (mbgl) ;

The data suggest that the groundwater table mimics the topography, and that groundwater levels have not changed substantially since the original hydrocensus was carried out in 2013.

Saturated hydraulic transmissivities (T-values) for the aquifer range from 0.1 to 9 m²/day, geometric average 0.5 m²/day. The data suggests very slow groundwater movement.

Available borehole water level data suggest a good correlation ($\approx 85\%$) between surface and groundwater elevations. There is also a good correlation between 2013 and 2019 hydrocensus data.

According to Parsons (1995), the aquifer can be classified as a Minor Aquifer. This was further confirmed by literature and field tests.

Groundwater recharge, calculated using the chloride (Cl) method (calculated in 2019), gives rainfall recharge figures varying from as high as 3.6 % to as low as 2.2 %. Using a median value of 2.8 %, the groundwater recharge is estimated to be in the order of 23.3 mm/yr.

Geological setting

The regional geological map (2732 St. Lucia - 1:250 000 Geological Map Series) indicates that most of the Emalahleni, Ophondweni and Mahujini areas are underlain by sediments of the Emakwezeni Formation (lower Beaufort Group) of the Karoo Supergroup. Dolerite sill and dyke structures, fault zones and metamorphic contact zones are known to be associated with the area (refer to Figure 6-3).

Local stratigraphy and coal seams

From the drilling of boreholes in Area 4 and 5 (Somkhele exploration boreholes) and Area 2, 8 and 9, the local geology can be inferred. Lithology typically comprises dolerite sills, sandstone, siltstone, shale and occurrences of coal. Figure 6-4 shows the general lithology encountered in the Somkhele region.

Structural geology

Dolerite dykes within the area tend to follow pre-existing fault planes. These fault planes gave rise to vertical displacement of the coal seam. The spatial orientation of the dolerite intrusions is difficult to map due to the block faulting in the area. The strike of the dolerite dykes in this area are both parallel and perpendicular to the direction of groundwater flow and therefore act as no-flow and preferential flow boundaries.

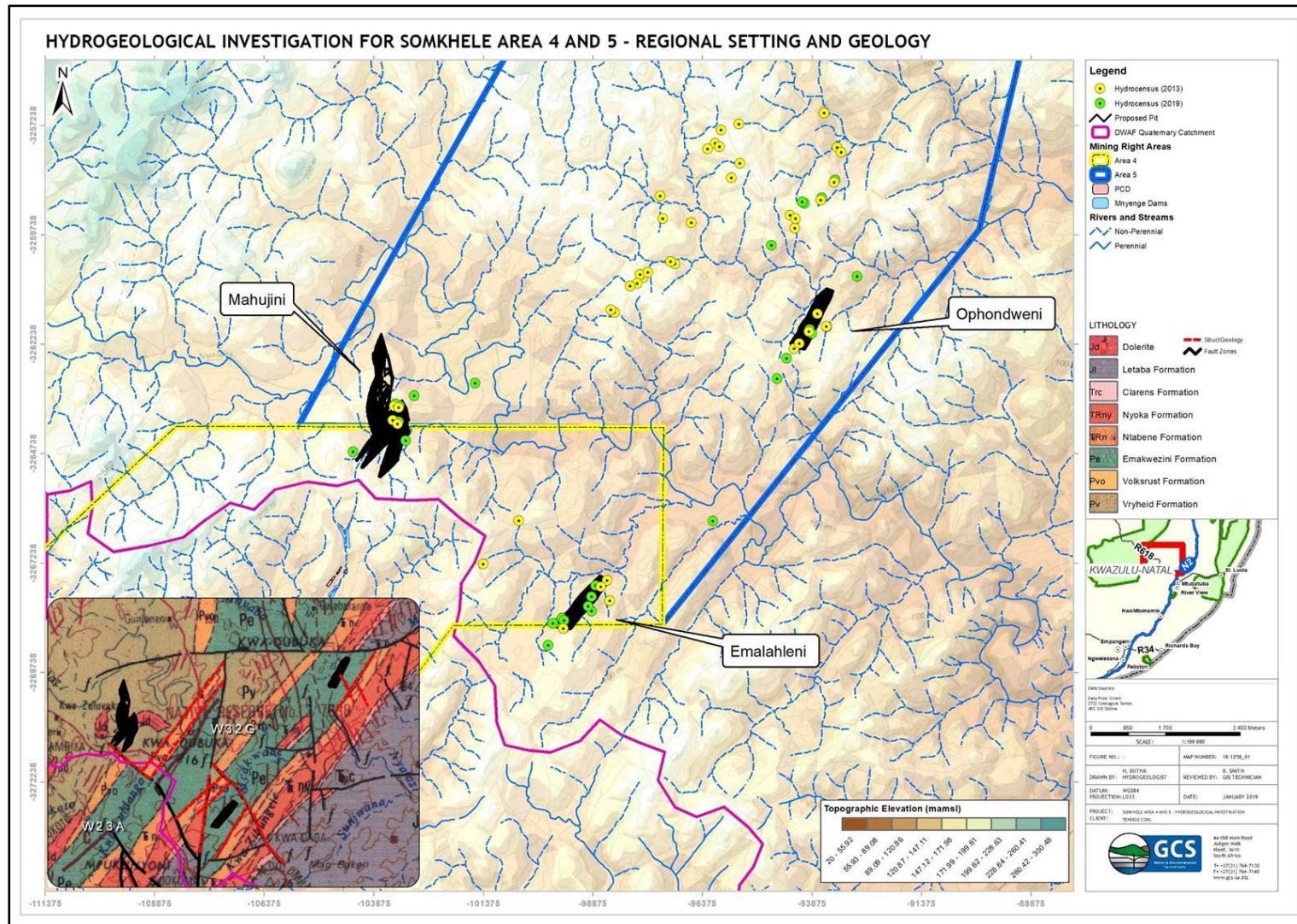


Figure 6-3 Geological Map Of Mahujini, Emalahleni and Ophondweni

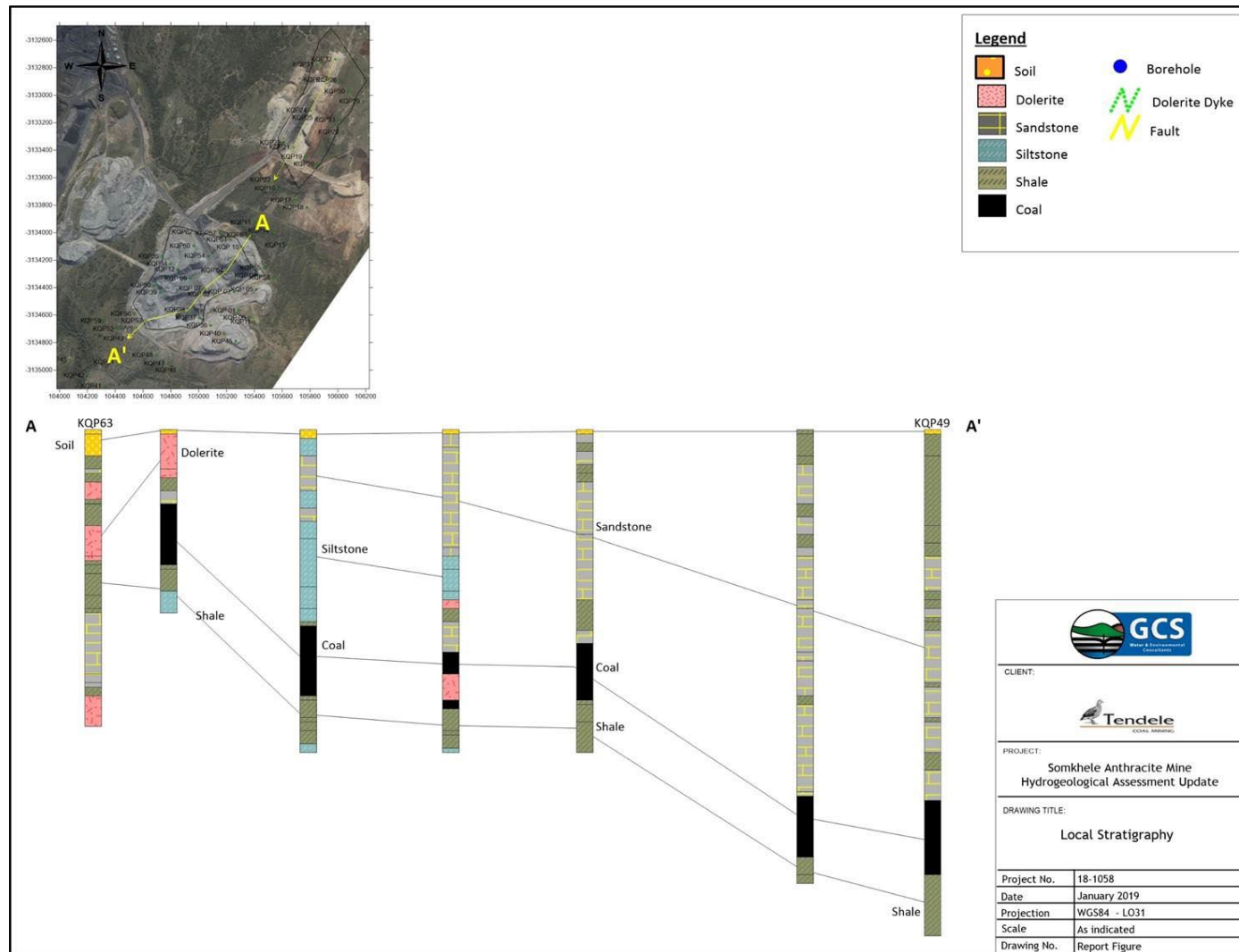


Figure 6-4 Typical local stratigraphy

6.3 Flora

A Flora assessment has been conducted by David Styles (October 2019). The following information has been sourced from his report, “Specialist Vegetation Impact Assessment for Possible Future Mining Areas at Emalahleni, Mahujini and Ophondweni”.

All of the proposed sites host much settlement of a historical nature and support large numbers of goats and some cattle. Parts of the sites were also evidently formerly settled or cultivated. Vegetation in these areas is degraded or secondary. There is only one vegetation type present on the sites in national vegetation mapping available from SANBI (2019) or revealed by surveying, namely Zululand Lowveld. This is a vulnerable type (Mucina & Rutherford 2006) and ecosystem (Government Gazette 34809, Government Notice 1002, 9 December 2011). There is a very small amount of riparian vegetation along seasonally dry drainage lines or small rivers.

Little of the Zululand Lowveld on the sites is assessed as being in very good condition. Most is in fair condition but comprised of only a small number of typical small trees or shrubs. It could recover if harvesting of poles and timber ended, and goats and cattle were removed, but even in the absence of mining such an outcome is probably unlikely. These core areas of better-quality Zululand Lowveld vegetation on the sites are mapped in Figure 6-5, Figure 6-6 and Figure 6-7, together with parts that are more degraded or transformed.

Although little of the Zululand Lowveld vegetation on the sites is in very good condition, large numbers of protected species occur. These fall into two categories: firstly, National Forest Act protected trees, which include *Sideroxylon inerme* (White Milkwood), with sparse occurrences, and *Sclerocarya birrea* subsp. *caffra* (Marula) which is more common, particularly on the Mahujini site. Secondly there are a range of smaller herbaceous or succulent species protected by the KwaZulu-Natal provincial conservation ordinance. These include species in the plant families Amaryllidaceae, Apocynaceae, Asphodelaceae, Passifloraceae, Hyacinthaceae and Iridaceae. Some of these, such as *Aloe* species, are very abundant.

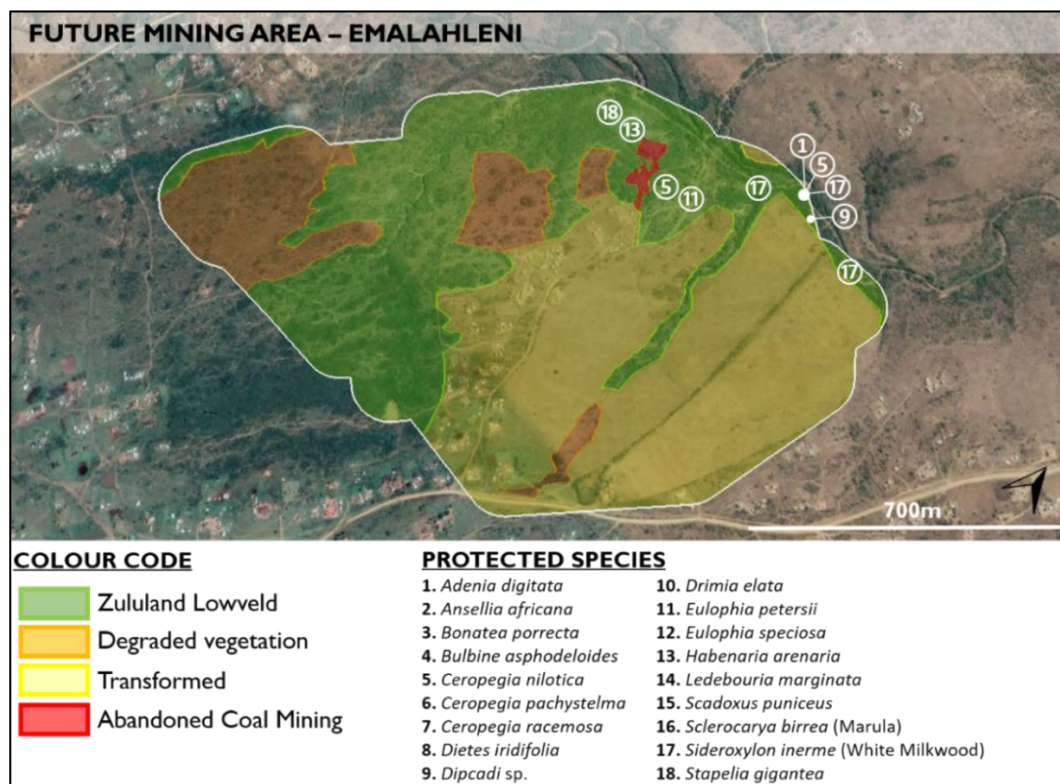


Figure 6-5 Emalahleni Vegetation

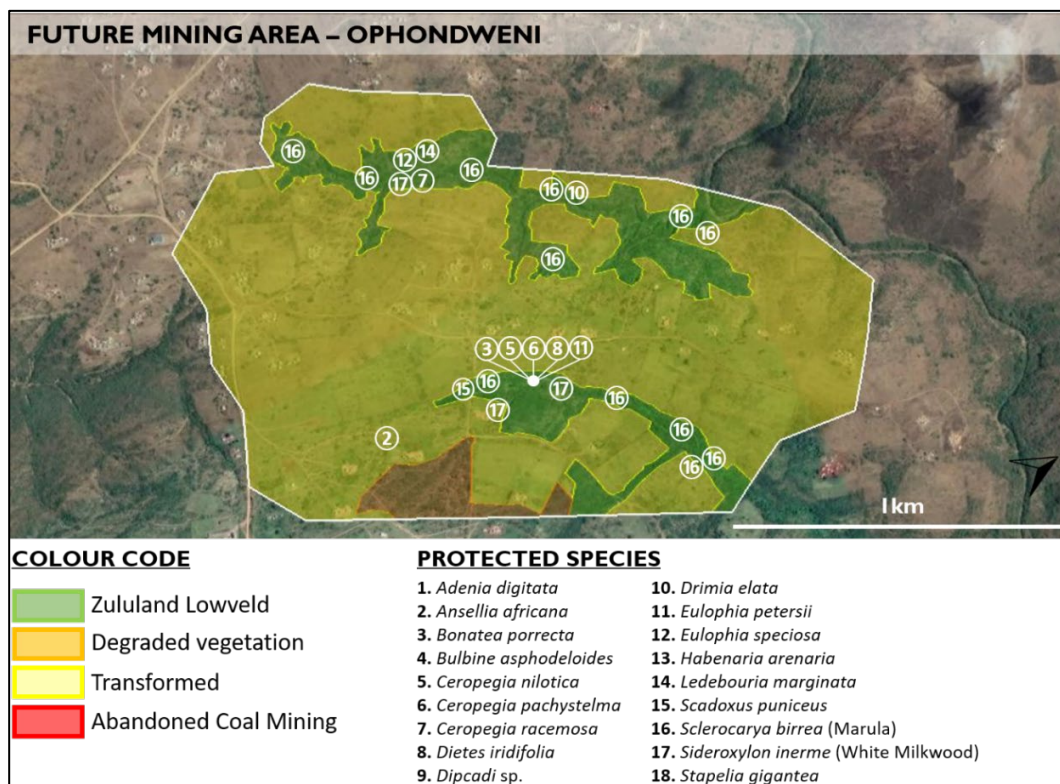


Figure 6-6 Ophondweni Vegetation

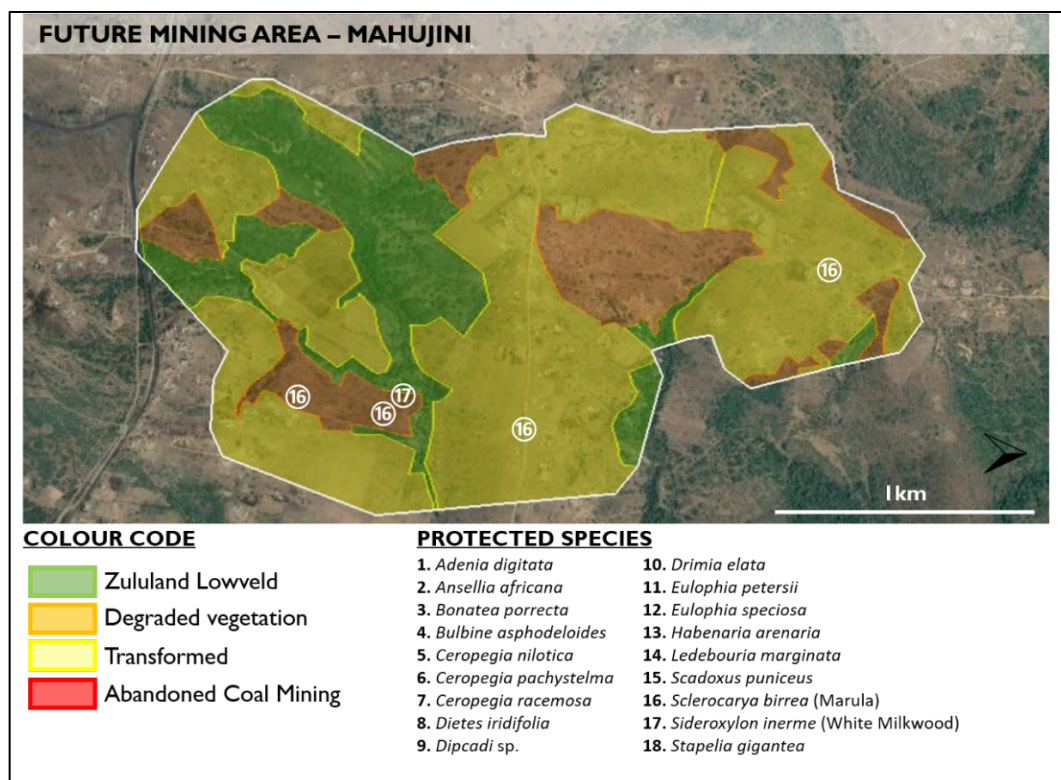


Figure 6-7 Mahujini Vegetation

6.4 Topography

The area is generally hilly with undulating topography. Somkhele lies in a part of Zululand where it is relatively flat with low rolling hills and complex assemblages of moderately steep- to steep-sided valleys interspersed between higher-lying ridges and koppies. The hills have typical elevations between 30 m and 260 metres above mean sea level (mamsl). There are several non-perennial (ephemeral) streams draining the proposed Emalahleni and Ophondweni mining areas.

6.5 Soils

A soil study formed part of a hydropedeological assessment that was conducted during the application for a water use licence. Licence No.: 11/W23A/ABCGIJ/9751 issued on 9 July 2020.

6.5.1 Hydrological soil types

Five Hydrological Soil Types (HST) were identified within the surveyed hillslopes at the Somkhele Anthracite Mine site and these include recharge soils, interflow (A/B) soils, interflow (soil/bedrock) soils, responsive (shallow) soils and responsive (saturated) soils.

Generally, the footslopes and channel valley bottoms of studied hillslopes are dominated by responsive (saturated) soils, which are typical hydromorphic soils characterised by saturation from above overland flow,. The channel valley bottom soils mainly comprise the Dundee, Katspruit and Willowbrook soil forms. The midslopes are characterised by interflow soils which are variably of the soil/bedrock interflow and A/B interflow types. The Clovelly and Bonheim forms promote A/B interflow while the Westleigh, Cartref, Fernwood, Dresden, Estcourt, Sterkspruit and Valsrivier soils promote soil/bedrock interflow within the midslope positions. The crests are dominated by recharge soils of the Hutton, Glenrosa and Mayo soil forms. In some parts, the crests also indicated the presence of responsive (shallow) soils of the Mispah and Milkwood forms, which promote overland flow due to their limited water storage capacity.

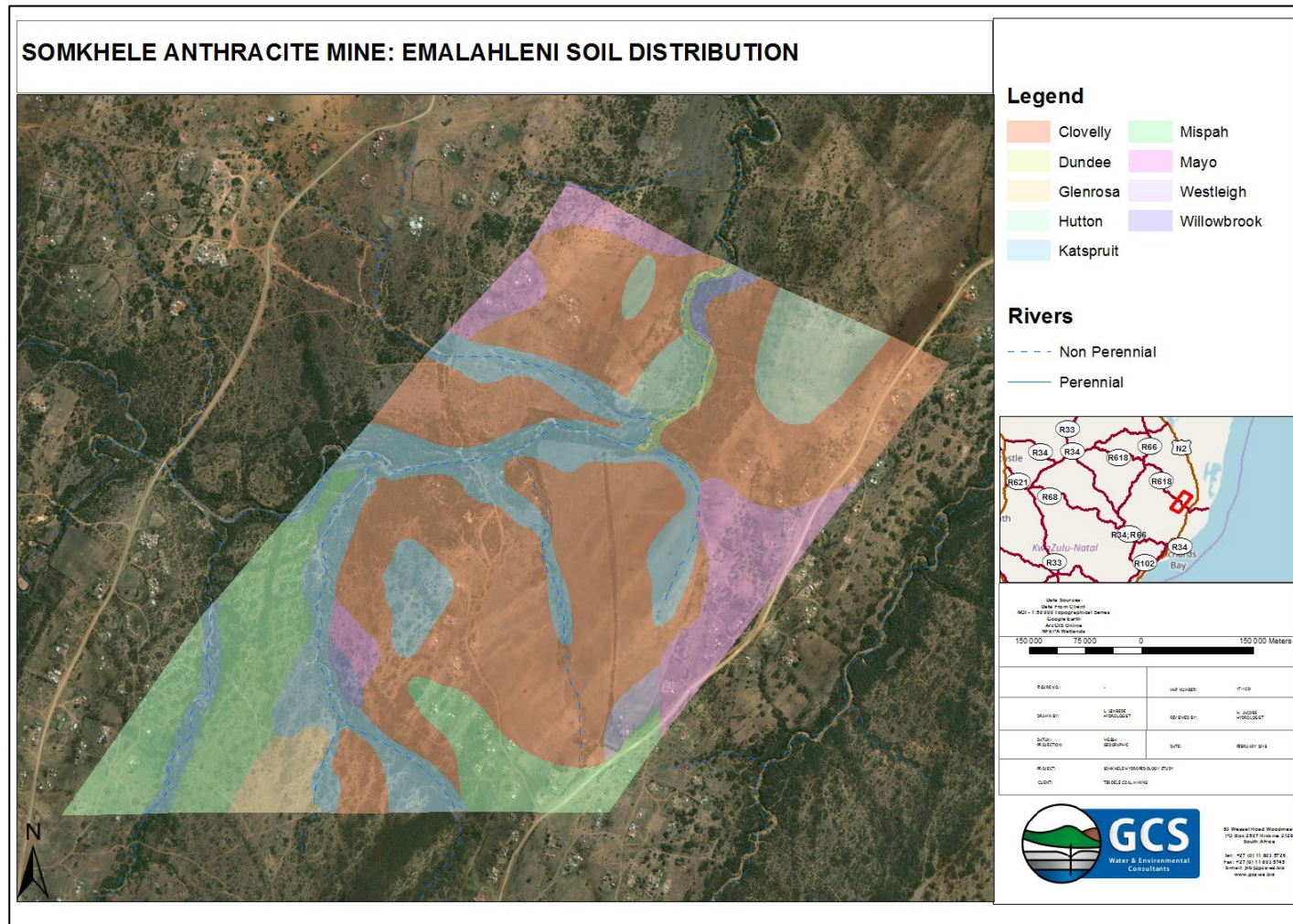


Figure 6-8 Emalahleni Soil Distribution

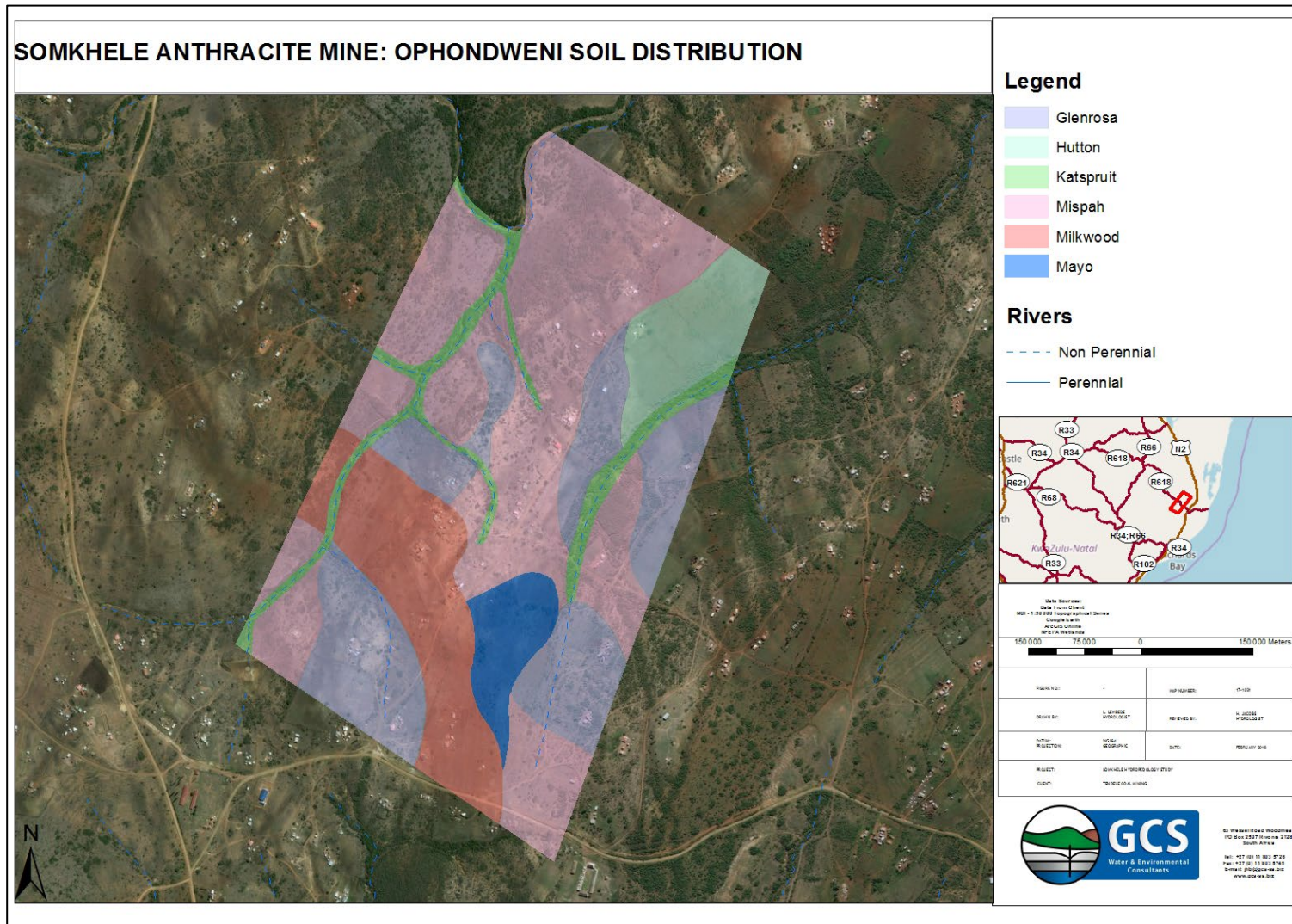


Figure 6-9 Ophondweni Soil Distribution

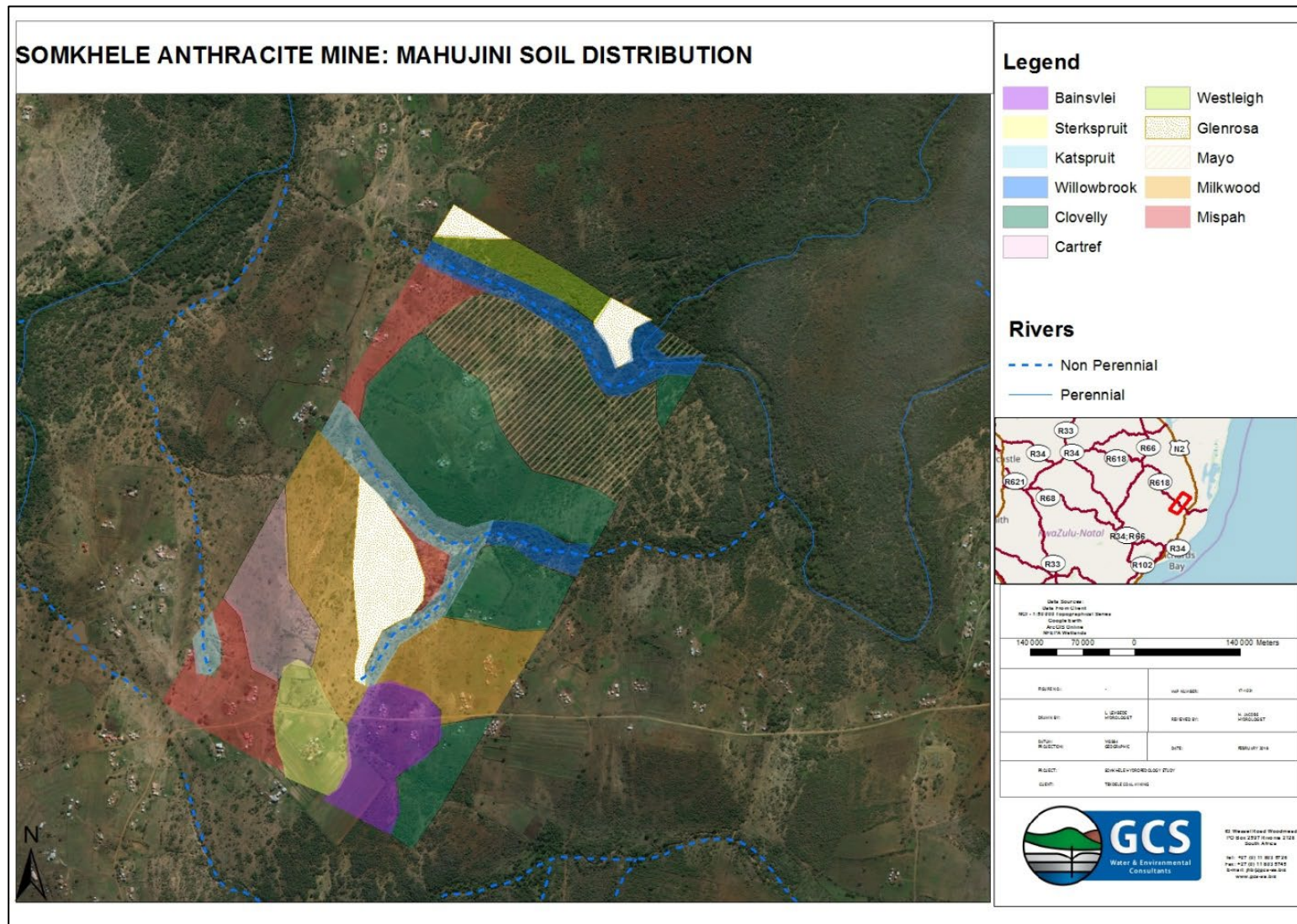


Figure 6-10 Mahujini Soil Distribution

6.6 Air Quality

In accordance with the Code of Practice, (Department of Environmental Affairs, "Regulations Regarding Air Dispersion Modelling (Code of Practice, National Environmental Management: Air Quality Act,"2014) background PM10 concentrations were obtained from long-term ambient monitoring at a different location that is considered adequately representative of the Project area. The nearest Richards Bay Clean Air Association / Department of Environmental Affairs (DEA) ambient air quality stations with representative data for a rural setting are located approximately 50km to 80 km from the Project site in Felixton, Esikhawini and Mtunzini. Based on the available data, the average annual PM10 background concentration has been estimated to be approximately 25 µg/m³. No PM2.5 data is available at the selected ambient air quality monitoring stations.

6.7 Noise and vibrations

Noise Baseline Monitoring was conducted in 2020 for the study areas by WKC consultants.

A baseline noise survey was undertaken in accordance with best practice and SANS 10103. The measurements were taken at a standard height of 1.5 metres and minimum of 3 metres away from any reflecting surfaces for a duration of 24 hours.

Table 6-2 Baseline noise in study areas

Site Description	Site Classification	Coordinates (m) East	Coordinates (m) South	Daytime Applicable Noise Limit (dB(A))	Night-time Applicable Noise Limit (dB(A))
Ophondweni	Rural	416906	6872863	45	35
Mahujini	Rural	410227	6870188	45	35
Emalahleni	Rural	413102	6867473	45	35

The main contributor to the noise and vibration would be blasting. Blast Analysis Africa (BAA) control the Seismograph monitoring stations at Somkhele. These monitor blast induced ground vibrations and the air blast.

The three seismograph stations are placed at numerous locations during blasting events. Generally, there are no more than 2 blasting events in a mining pit per week. Where possible, blasting Monday to Friday shall take place between 12h00 to 12h30 and 16h00 to 16h30.

Air Blast Limits

Based on work carried out by Siskind (1980), monitored air blast amplitudes up to 135 dB are safe, provided the monitoring instrument is sensitive to low frequencies (down to 1 Hz). Persson (1994) has published the following estimates of damage thresholds based on empirical data.

120 dB - Threshold of pain for continuous sound

>130 dB - Resonant response of large surfaces (roofs, ceilings). Complaints start.

134 db - United States Bureau of Mines (USBM) recommended limit for human irritation

150 dB - Some windows break

170 dB - Most windows break

180 dB - Structural Damage

6.8 Social

The following data has been sourced from Statistics South Africa (Stats SA).

Mtubatuba is one of the five municipalities within uMkhanyakude District Municipality in KwaZulu-Natal. Mtubatuba was named after the iNkosi Mtubatuba of the Mkhwanazi Clan. It is situated on the north-east coast of the province. The population of Mtubatuba was estimated to be 212 837 (Figure 6-11) in 2021. Covering an area of approximately 1970km² Mtubatuba Municipality was one of the most urbanised municipality within the district, with 15% of the municipality falling under urban (Figure 6-13).

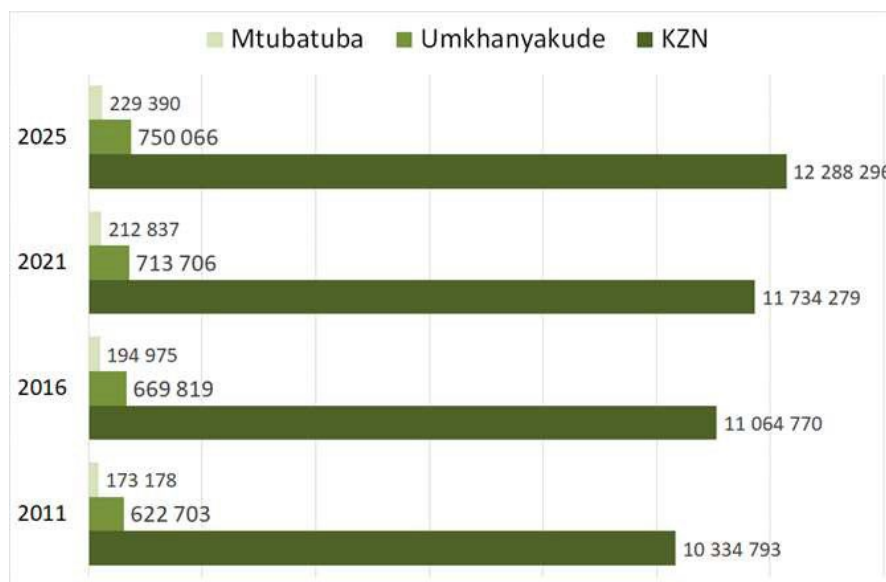


Figure 6-11 Population Data and projections (2011-2025)

Stats SA (2016) and Global Insight (2019) calculations by The Frontline Group

The two main town areas are Mtubatuba and St Lucia. The vast majority of the municipality was under traditional authority – almost 80% – indicating a high proportion of people residing in scattered, rural villages under the jurisdiction of traditional authorities. Mtubatuba municipality had 34 905 households with average household size of 5,6 people. The proportion of formal dwellings was 80,5% up from 59,9% in 2001. Just 17% of households had flushing toilets connected to sewage, and 22,1% of households had water inside the dwellings. 65,1% of the households used electricity for lighting (Figure 6-12).

For the past 15 years that the mine has been in operation, in addition to the direct and indirect employment created, a number of community projects have been implemented to transform the Mpukunyoni area.

The Mtubatuba Local Municipality's Integrated Development Plan ("IDP") for 2017/2018 - 2022 mentions in point 13.1 that "...mining is one of the major employment sectors in Mtubatuba Municipality through Somkhele Coal Mine...". Point 13.1. further goes on to state that "it is a well-known fact that the majority of people working within this mine [Somkhele] are locals (within the Mtubatuba Municipal area, Mpukunyoni Traditional Council in particular)".

It is further recognized in the IDP, inter alia, that "[T]he unemployment rate within Mtubatuba Municipality was at 59.7% in 2001, however in 2011 there [was] a significant improvement as it is estimated to be at 39%. This may be due to the coal mining operation taking place in the Mpukunyoni Traditional Council area, Somkhele Mine."

The IDP furthermore states that the Mtubatuba Municipality's economy is driven by the performance and structures of, inter alia, mining at Somkhele.

The above extracts from the IDP reiterates how important the Mine's contribution is within the community and thus the projects and training interventions identified by the Mine for its various Social and Labour Plans are guided by historical knowledge of the area (15 year's operation), as well as interactions and guidance from the Municipality and its IDP. At the time of this EIA the Mtubatuba updated 2018/2019 IDP was still in draft form and had not yet been finalized.

6.8.1 Poverty

Mtubatuba Municipality had a high dependency ratio of 78 with 47% of households headed by females.

A high dependency ratio indicates that the economically active population and the overall economy face a greater burden to support and provide the social services needed by children and by older persons who are often economically dependent. The majority of the population was young and dependent. 2% of the households were headed by children.

The largest employment sector as per statistics SA 2011 census is the agricultural sector. Another industry that provides employment opportunities is the eco-tourism sector. As of 2011 Unemployment rate stood at 42,8%. The data below has been derived from the Stats SA 2011 survey. Since 2011 Somkhele has become a major employer in the area. Somkhele Mine employs in excess of 1200 employees, and some 87% of these employees are from the Mpukunyoni Community, whilst approximately 600 employees are from the 8 mining areas where Somkhele is mining / have rights to mine. In addition, the Mine provides business opportunities to local business that employ approximately 400 local community members and the Mine has trained more than 6 000 community members over the last 15 years in various disciplines.

The Mtubatuba Integrated Development Plan 2018 summarised employment levels as follows. "The unemployment rate within Mtubatuba Municipality was at 59.7% in 2001, however in 2011 (Figure 6-16) there is a significant improvement as it is estimated to be at 39%. This may be due to the coal mining operation taking place in the Mpukunyoni Traditional Council area, Somkhele Mine".

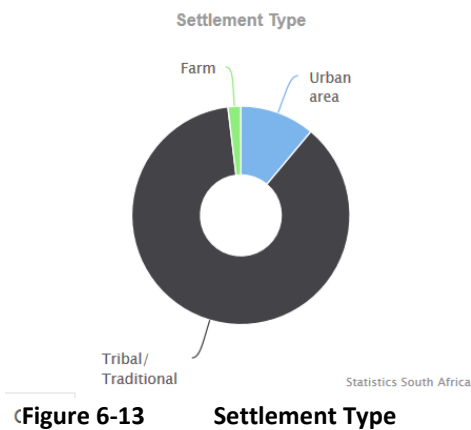


Figure 6-13

Settlement Type

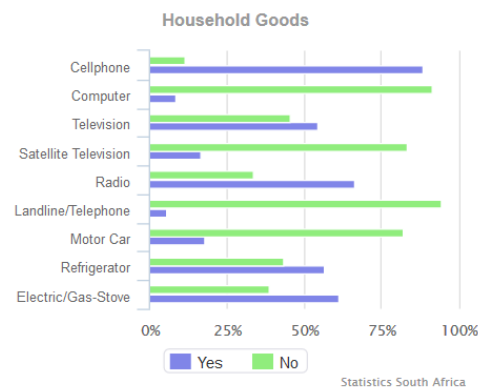


Figure 6-11

Household Goods

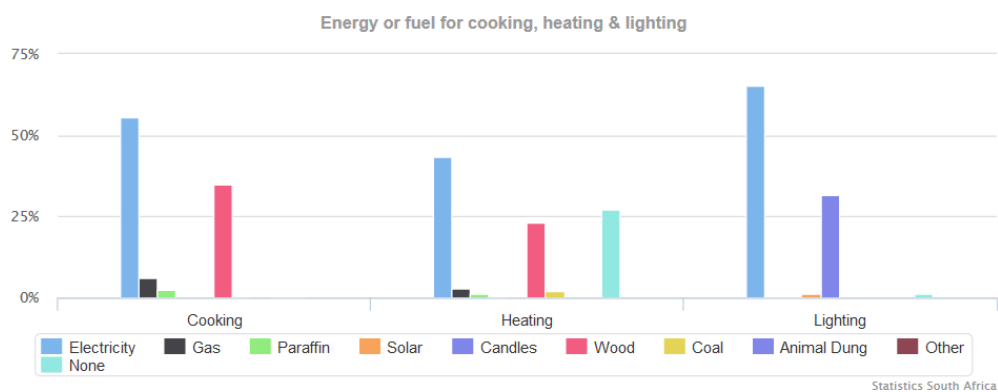


Figure 6-12

Energy Source

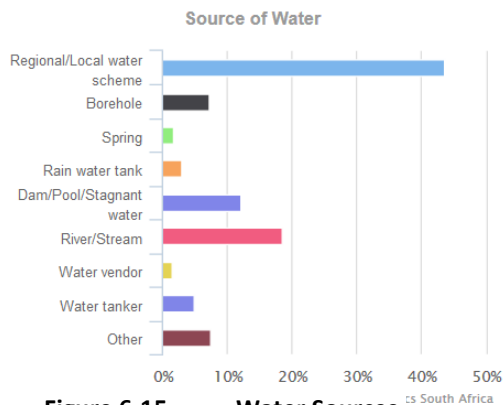


Figure 6-15

Water Sources

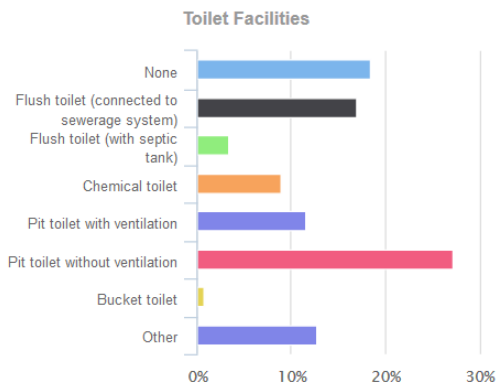


Figure 6-14

Sanitation

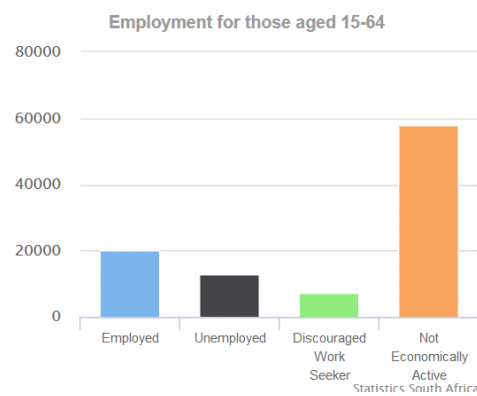


Figure 6-17

Employment levels

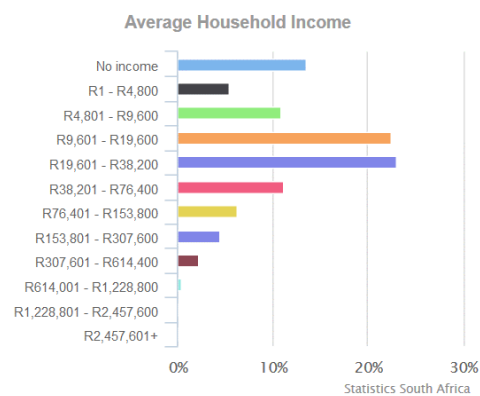


Figure 6-16

Household income

6.8.2 Communication

As per previous consultations on the original mining right application, communication within the community and following local customs has been a sensitive issue and remains as such.

Mpukunyoni Community Mining Forum (“MCMF”) is a structure established in the Mpukunyoni community at the recommendation of DMRE (KZN) in 2016 after a consultation workshop held with the Mine, which structure operates as a liaison between the management of Tendele Mine and Mpukunyoni community regarding the mining operations of Tendele Mine. MCMF is an inclusive democratic structure representing all members and organisations within the Mpukunyoni community (including, but not limited to, the royal family through Inkosi, traditional council, traditional authority, Izinduna from the affected mining areas of Tendele Mine, local municipality, trade unions (NUM, AMCU, Solidarity), ordinary members of the Mpukunyoni community who wish to participate in their individual capacity or through group representatives, full time shop stewards, local entrepreneurs, local church groups, local academic institutions, local NGOs and NPOs) on the one hand and Tendele Mine’s management on the other hand. The MCMF takes into account and follows all local customs and practices. Since 2016 extensive communication has occurred within the community which followed local customs between the Mine, TC, Izinduna and various committees and many public meetings were conducted.

6.8.3 Relocation

As per previous consultations on the original mining right application, relocation has been a sensitive issue and remains as such.

Since the issuance of the Original Mining right (10041MR) in 2016, relocation negotiations have been commissioned for the Areas of Ophondweni and Emalahleni. Mahujini was scheduled to be done in the near future. As per legislative requirements and as recorded in the EMPr of the MR, all households / structures within a 500m blast radius from the mining pits have to be relocated. Within the areas of Ophondweni and Emalahleni a total of 143 households are affected by relocation. To date 133 households have concluded relocation agreements with the Mine.

Since 2018 the Mine has been working with a Ministerial Task team to finalise the remaining 10 houses that need to be relocated as part of a section 54 process in terms of the MPRD Act. Engagements proceeded in September 2018 in accordance with the provisions of section 54 of the Mineral and Petroleum Resources Development Act, 28 of 2002, as amended (“MPRD Act”). Tendele has followed IFC Procedures for relocation and since 2017, has conducted many meetings with the Directly Affected Communities (DACs) (these are Community members living within 500 m of the Mine’s boundary) as part of a Section 54 Process as well as various other parties.

Mediation processes commenced after the S54 process was exhausted. These mediation processes occurred from February 2021 to June 2022. The mediation processes have now been exhausted and subsequently further actions are now underway as required by the S54 processes.

6.9 Landuse

Land administration in the Mpukunyoni Area is undertaken by the Mpukunyoni Traditional Council with the support of Ingonyama Trust. The Induna is responsible for the allocation of land for various uses such as grazing or farming. The role of the municipality is to provide services. Ingonyama Trust assists with the registration of lease agreements but requires consent from the council in this regard. Mpukunyoni area is further subdivided into Izigodi with each being under the leadership of an Induna who, among other functions, is also responsible for the allocation of land for different purposes. Figure 5-18 shows the land-use within the study areas. The majority of land-use is cultivated subsistence and open bush.

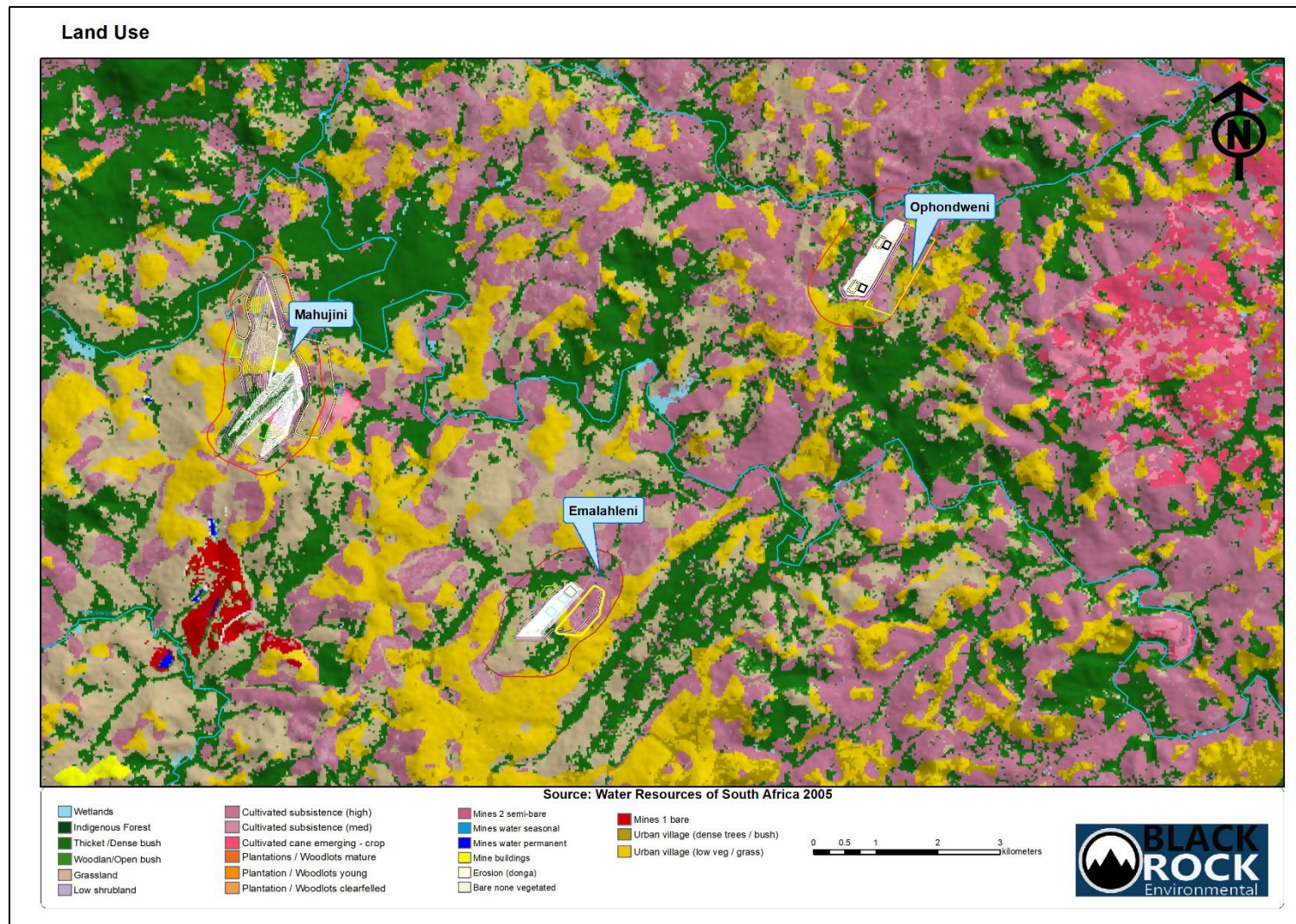


Figure 5-18 Land-use Map of Study Area

6.10 Sensitive Areas

Specialist reports must take cognisance of areas identified as being sensitive when assessing impacts from the proposed operations. The areas identified are:

- Hluhluwe-Mfolozi Game Reserve.
- Mbukwini Pan.
- Isimangaliso Wetland Park.

The location and distances from proposed mining operations are shown in Figure 6-19.

Hluhluwe-Mfolozi Game Park

Hluhluwe–Mfolozi Park is the oldest proclaimed natural park in Africa and lies 6.2km west of the closest mining area of Mahujini. It consists of 960 km² (96 000 ha) of hilly topography. The wilderness area within the park is extremely susceptible to any audible or visual intrusions from mining operations.

Mbukwini Pan

The Mbukwini Pan is a wetland that is diverse in fauna and avifauna. Siting of Nile Crocodiles which are a red data species have been identified in the past. The pan is also popular with birders and rare species of birds have been identified at the Pan such as the Lesser Moorhen *Gallinula angulata* (SA Rare Bird News Report, 1 June 2012). The intended mining areas all fall outside of the catchment to the Mbukwini Pan

Isimangaliso Wetland Park

The drainage lines and river systems flow towards the Isimangaliso Wetland Park. The Isimangaliso has been named as a World Heritage Site (date) and incorporates a variety of habitats including grasslands, forests, wetlands, mangroves and dunes. Four wetland sites within the park are Ramsar sites i(wetlands of international importance). Isimangaliso Wetlands Park protects rare swamp forests, Africa's largest estuary and some of the world's highest coastal vegetated dunes.



7 PLAN OF STUDY FOR THE ENVIRONMENTAL IMPACT ASSESSMENT

A full Scoping and EIA process will be conducted for the project. A Plan of Study (PoS) for the EIA is provided to give an indication of further studies and assessments that have been undertaken for the project and the impact assessment methodology that will be used to qualify and quantify the identified impacts. The scoping process is designed to identify impacts and determine if these impacts are sufficiently significant to warrant a specialist investigation in the EIA Phase. Issues requiring further investigation require a common set of assessment criteria against which the impacts can be described, evaluated and the significance determined.

7.1 Purpose of this Plan of Study

The purpose of the Scoping Phase of the EIA process is to identify potential environmental impacts and to discuss the alternatives considered. This PoS outlines the process to be followed during the course of the EIA and will be submitted to the DMRE for review and comment as part of the Draft Scoping Report. The Draft Scoping Report, with the PoS, will also be made available to all the stakeholders for review and comment. Comments received will be incorporated into the Final Scoping Report, which will be submitted to the DMRE for consideration. The purpose of the PoS is to layout an effective methodology to be followed during the assessment of impacts, should this be deemed necessary.

7.2 Purpose of the EIA/EMPr

The objectives of the EIA/EMPr will be to:

- Identify and assess the environmental (biophysical, socio-economic, and cultural) impacts of the construction, operation, decommissioning and post closure impacts of the project. The cumulative impacts of the project will also be identified and evaluated;
- Identify and evaluate management and mitigation measures that will reduce the negative impacts of the project and enhance the positive impacts;
- Confirm monitoring, management, mitigation and training needs in the EMPr; and
- Provide the Minister of the DMRE with sufficient and accurate information in order to determine the appeal. .

7.3 Methodology

This report presents the biophysical, socio-economic and cultural impacts that have been identified and assessed at a scoping level. A comprehensive and standardized methodology will be used to assess the environmental impacts during the EIA Phase of the project. A plan will be prepared to mitigate and manage these impacts. The existing EMPr will be reviewed in order to focus on the appropriate management of the impacts resulting from the construction, operation and decommissioning of the project.

7.4 Stakeholder Engagement Going Forward

The stakeholder engagement process conducted thus far is provided in Section 10 of this DSR. The PoS for the development should achieve the following:

- Describe the tasks that are undertaken as part of the EIA/EMPr process and the process followed;
- Describe the consultation process with various authorities and an indication when consultation will be conducted;
- Provide the assessment methodology used to assess the environmental impacts; and
- Provide an overview on the on-going I&AP consultation process.

7.5 Scoping Report

This DSR will be made available for comment. The commenting period will run from 15 July 2022 to 19 August 2022. The executive summary of the DSR will be translated into Zulu. I&AP's will be notified of the availability of the Draft Scoping Report (DSR) as well as the Final Scoping Report through email, fax, SMS and posted registered letters. The Final Scoping Report will be made available in hardcopy at public libraries and schools as well as electronic copies will be available for download on the Blackrock website (www.blackrock-env.co.za)

7.6 Environmental Management Programme

The revised EMPr will be compiled in accordance with Appendix 4 of GNR 982 of the EIA Regulations. This will provide effective management and mitigation measure pertaining to the project relating to the identified environmental impacts. The revised EMPr will take the existing EMPr for the mining area and update it where necessary, based on the findings of the specialist studies.

7.7 Authority Consultation

Ongoing consultation with the relevant authorities will be conducted during the course of the EIA process. Further consultations with the competent authority (the DMRE) will be conducted. Authority consultation is considered an on-going process until a decision is made on the appeal. Other authorities that will be included are the local and district municipalities, ward councillors, Ezemvelo KZN-Wildlife, the DFFE, DWS and COGTA (amongst others).

8 SPECIALIST STUDIES SCOPE OF WORK

Specialist studies have already been concluded as part of the initial MR application as well as studies subsequent to the granting of the MR.

Below is an outline of the scope of work concluded in the specialist studies.

8.1 Palaeontological Assessment

The objective of a Palaeontological Impact Assessment (PIA) is to determine the impact of the project on potential palaeontological material at the site.

According to the “SAHRA APM Guidelines: Minimum Standards for the Archaeological and Palaeontological Components of Impact Assessment Reports” the aims of the PIA are:

- 1) to identify the palaeontological status of the exposed as well as rock formations just below the surface in the development footprint;
- 2) to estimate the palaeontological importance of the formations;
- 3) to determine the impact on fossil heritage; and
- 4) to recommend how the developer ought to protect or mitigate damage to fossil heritage.

The terms of reference of a PIA are as follows:

General Requirements:

- Adherence to the content requirements for specialist reports in accordance with Appendix 6 of the EIA Regulations 2014, as amended;
- Adherence to all applicable best practice recommendations, appropriate legislation and authority requirements;
- Submit a comprehensive overview of all appropriate legislation, guidelines;
- Description of the project and provide information regarding the developer and consultant who commissioned the study,
- Description and location of the development and provide geological and topographical maps

- Provide Palaeontological and geological history of the affected area.
- Identification sensitive areas to be avoided (providing shapefiles/kml's) in the development;
- Evaluation of the significance of the planned development during the Pre-construction, Construction, Operation, Decommissioning Phases and Cumulative impacts. Potential impacts should be rated in terms of the direct, indirect and cumulative: Direct impacts are impacts that are caused directly by the activity and generally occur at the same time and at the place of the activity.

8.2 Geohydrology

A Geohydrology report has been compiled for the study area by GCS consultants (4 March 2019). A logical and holistic approach was adopted to investigate and update the groundwater model and hydrogeological conceptual model for Somkhele. The DWS Best Practice Guidelines for Impact Prediction (G4) was considered to re-define and understand the three basic components of hydrogeological risk:

- Source - The source of the risk;
- Pathway - The pathway along which the risk propagates; and
- Receptor - The target that experiences the risk.

Moreover, the Australian Groundwater Modelling Guidelines (Barnett et al., 2012) was considered to ensure that the numerical model adheres to international norms and standards. The approach was used to redefine and update:

1. The source term(s);
2. The hydrogeological and geochemical models;
3. The numerical flow and transport models;
4. The groundwater risk assessment (closure and post-closure); and
5. The groundwater management and mine drainage plans.

8.3 Hydrological Assessment

The Hydrological assessment considered the design requirements for effective stormwater management. This includes 1:50 and 1:100 floodline delineation as well as assessing potential changes to water quality and changes in catchment runoff characteristics.

8.4 Vegetation Assessment

The aims of the vegetation impact assessment was to:

- Identify and map the vegetation communities within the study area, according to type, quality and conservation importance.
- Determine the species composition of the communities.
- Identifying species in the study area which are protected, rare, Red Listed and/or are of conservation importance for other reasons.
- Based on information gathered, assess the overall conservation importance /sensitivity of the site.

The following high-level work will be done in order to establish broad vegetation types and conservation significance:

- Vegetation types: The national provincial mapping (Mucina and Rutherford 2006) and provincial vegetation mapping (Scott-Shaw & Escott 2011) were consulted.
- Conservation significance: Ezemvelo KwaZulu-Natal Wildlife's Systematic Conservation Plan (EKZNW 2010) was consulted.

8.5 Biodiversity Assessment

The primary objective of the biodiversity assessment is to provide information to guide mining activities with respect to the potential impact on biodiversity within the area of study, specifically related to:

- Ensuring that habitat connectivity is maintained as far as possible;
- Ensuring that natural habitat degradation is avoided as far as possible;
- To limit the impact to indigenous fauna and flora, particularly endangered/protected species of plants/animals; and
- To limit the risk of pollution of natural habitats during all phases of mining.

8.6 Heritage Impact Assessment

The heritage specialist undertook a Phase 1 Heritage Impact Assessment (HIA) which include a desktop assessment as well as a site inspection of the intended mining areas to establish if there are heritage resources, such as graves, protected structures (structures >60 years), archaeological sites, sites of importance to the community, etc., on the area of development. The specialist assessed the potential impact of the development on identified heritage sites according to the methodology provided by the EAP and provided mitigation measures to avoid or reduce the impact of the pit extension on heritage sites. The specialist has uploaded the heritage report onto the SAHRIS database. The KwaZulu-Natal provincial heritage authority, AMAFA has already provided comment on the project.

Due to the rural nature of the project area, it is likely that graves will be found close to homesteads, a practice which is still followed especially in rural areas. All graves and burial grounds are protected by section 35 of the KwaZulu-Natal Heritage Act (KZNHA) 2008 (Act No. 4 of 2008). No graves may be destroyed, damaged, altered, exhumed or removed without a permit from AMAFA and various other authorities.

8.7 Visual Impact Assessment

The VIA evaluated the impacts of the footprint areas, the inherent scenic value of the landscape first needs to be determined. The following method was used for the project:

- Site visit - one field survey was undertaken and the study area scrutinized to the extent that the receiving environment could be documented and adequately described.
- Project components - the physical characteristics of the project components were described and illustrated.
- Determine the setting, visual character and land use of the area surrounding the mining footprint areas, and the sense of place.
- Define the extent of the affected visual environment, the viewing distance and the critical views/visual receptors that may be affected by the project.
- Determine the Visual Absorption Potential (ability of the landscape to accommodate the proposed project from a visual perspective).
- The significance of the visual and landscape impacts is assessed.
- Rate the impact on the visual environment of the proposed mining operations.
- Suggest measures that could mitigate the negative impacts of the proposed surface infrastructure.

8.8 Wetland Assessment

A freshwater ecosystem delineation and importance assessment has been completed for the proposed mine extension. A detailed list of the specialist tasks is outlined in Table 8-1.

Table 8-1 Wetland Tasks and Methodology

Task	Methods
1. Desktop freshwater ecosystem contextualisation	Review of spatial data in GIS
2. Desktop mapping of watercourses within 500m	Mapping of watercourses using aerial photography in GIS
3. Desktop watercourse impact likelihood assessment (to confirm study area for field work)	Using a rating table developed by Eco-Pulse based on the intensity of activities and proximity to watercourses
4. Infield delineation of wetlands and riparian areas within study area (as defined in task above)	Delineation will be undertaken as per the manual 'A Practical Field Procedure for Identification and Delineation of Wetland and Riparian Areas' (DWAF, 2005).
5. Watercourse classification & description of biophysical characteristics	Classification will be according to the national wetland and aquatic ecosystem classification system (Ollis et al., 2013). All biophysical information recorded and sampled onsite (soils, vegetation, impacts, etc.) will be summarized.
6. Watercourse Present Ecological State (PES) Assessment	For wetlands, the Level 1 WET-Health assessment tool (Macfarlane et al., 2008) will be applied. For rivers the Q-IHI assessment tool (Kleynhans, 1996) will be applied.
7. Watercourses Functional / Ecosystem Services Assessment	For wetlands, the Level 2 WET-EcoServices assessment tool (Kotze et al., 2007) will be applied.
8. Watercourse Ecological / Biodiversity Importance & Sensitivity (EIS) Assessment	Wetland and river EIS tools developed by Eco-Pulse based on published tools (Duthie, 1999 & Kleynhans, 1999) will be applied.
9. Provision of planning and project design recommendations	Such measures will be based on the Eco-Pulse's experience and knowledge.
10. Identification, description and assessment of the potential impacts of the proposed activity on onsite and local freshwater ecosystems	Impact prediction and identification will be based on Eco-Pulse's experience and knowledge. Impact significance will be assessed using a tool developed by Eco-Pulse.
11. DWS risk matrix assessment	The DWS Risk Matrix tool developed by the DWS as part of the GA Notice for Section 21 (c) and (i) water uses will be applied.
12. Provision of construction and operational phase mitigation measures	

8.9 Health Impact Assessment

In accordance with the Environmental Health Impact Assessment (EHIA) Guidelines published by the National Department of Health (DoH), an EHIA assesses both positive and negative potential impacts of the mining areas, in order for mitigation measures to be implemented prior to it causing negative health impacts. It is a multidisciplinary activity, crossing the boundaries between the public health, healthcare, environment and social sciences. There are three types of EHIAs, namely, a Rapid Appraisal EHIA, an Intermediate EHIA and a Comprehensive EHIA.

For the purpose of this study, a Rapid Appraisal HIA involving the screening, scoping and risk assessment phases was undertaken for the area. Existing data was obtained and analysed. During the process of the study, it can also identify whether a comprehensive HIA is required.

The term “Rapid” only implies that no new field data collection was required, due to the significant literature that was considered, including Departmental health surveys and published literature. It does not minimise the level of analysis of the EHIA, it simply implies that no new field data collection was required.

This EHIA is further based on the principles of the International Finance Corporation’s Performance Standards as well as the EHIA Guidelines. The IFC has created a framework where various types of health impacts are defined and allows for the impacts to be clearly determined and analysed. The health assessment identifies the EHAs relevant to the proposed project, meaning the majority of relationships between the project activities and community health are identified and examined.

8.10 Social Impact Assessment

The research process for the Social Impact Assessment (SIA) study utilised both qualitative and quantitative data analysis techniques. The study employed both primary and secondary data sources to undertake this assessment. For these reasons, the socio-economic area of impact is defined to include the communities beyond a 500-metre radius from the Mine operations. The approach adopted was to interview and have discussions with stakeholders and community representatives that can provide a broader perspective of the impact of the Mine.

The stakeholders and affected communities so identified are:

- Mtubatuba Local Municipality.
- Hluhluwe iMfolozi Park.
- Mpukunyoni Traditional Council as members of the Mpukunyoni Community Mining Forum (MCMF).
- Current Mining Areas Committee:
- KwaMyeki area which includes Luhlanga, KwaQubuka and Emalahleni communities.
- Machibini community.
- Dubelenkunzi community.
- Esiyembeni community.
- Future Mining Areas Committee:
- Tholokuhle community.
- Ophondweni community.
- Mahujini community.
- Mvutshini community.

8.11 Climate Impact Assessment

The Climate assessment will follow the Green House Gas Protocol Corporate Accounting and Reporting Standard.

The report focussed on the emission profile for land clearance Estimate emissions for diesel and electricity.

8.12 Noise Impact Assessment

The key objectives of this study were to evaluate the significance of potential impacts of Project activities on the local environment and receptors through:

- The conducting of baseline noise measurements in the vicinity of the mine during the day and night;
- The modelling of noise emissions from the mine for the future mining areas, and;
- Determining the impacts that these noise emissions have on ambient noise levels in the vicinity of future mining areas.
- Potential noise impacts from the Project have been modelled using SoundPLAN© Version 8.1 and compared to the applicable standards.

8.13 Air Quality Impact Assessment

The key objective of this study was to evaluate the significance of potential impacts of Project activities on the local environment and receptors. This was achieved by:

- Undertaking a review of relevant national ambient air quality legislation and provide a summary of the minimum standards that will need to be achieved in ambient air; and,
- Undertaking a quantitative assessment of the operational phase activities with specific reference to the regulated criteria pollutants using the US EPA approved AERMOD regulatory model.

9 PROJECT MOTIVATION

9.1 Need and Desirability

Tendele has been operating since 2006 and operates in a poverty-stricken area within the Mtubatuba Municipality, KZN with approximately 212 000 people residing in the area.

Continued mining operations will secure 1 200 direct jobs and 400 indirect jobs for 10 years.

The Mine produces anthracite, an extremely important reductant mix for the South African Ferrochrome Industry and the Somkhele Mine's ability to supply anthracite will have a material influence on the Ferrochrome Industry's ability to compete internationally.

If Tendele does not survive, it will create a material problem for the ferrochrome industry that employs, over 99 000 ("Mining Weekly South Africa, 13 April 2021") and creates over 200 000 indirect jobs in the industry (Meraferesources).

Benefits to the Mpukunyoni Community, should Tendele continue to operate for 10 years, are estimated at R 3.6 billion (R 4.7 billion after adjusting for an average inflation of 5.8% per annum for the life of mine). This will flow to the community surrounding the Mine and benefit an estimated 20 000 people, assisting with the economic development of the area.

The estimated PAYE, normal tax, and royalties to be paid over the next 10 years is estimated to be R2.477 billion.

Some \$637 million in export revenue will be earned for South Africa. It is estimated that the economic activity, attributable to the Mine, over the next 10 years amounts to R15,98bn, and at an exchange rate of R14.30/USD, which amounts to an investment of \$1,12bn in the area. Thus, this poverty-stricken area can contribute more than 1% of the \$ 100 billion required as part of the President's initiative to bring investment to South Africa.

10 MOTIVATION FOR THE PREFERRED SITE, ACTIVITY AND TECHNOLOGY ALTERNATIVE

10.1 Preferred Site

The site is dependent on where the prospecting determined the anthracite can be located. The only site assessed, is the site applied for. Technological alternatives include underground mining, which is not practical due to geological and safety conditions. Technical methods of mining have been investigated. The potential use of rippers instead of blasting will reduce the impacts related to blasting.

10.2 No Go Option

The No go Option would result in the closure of the Mine and the loss of employment opportunities.

There are approximately 1200 people employed at Somkhele when the Mine is in full operation, in addition with 400 employment opportunities from local entrepreneurs. Benefits to the Community should Tendele continue to operate in the 3 areas for a period of 10 years, are estimated at R 3.6 billion.

11 PUBLIC PARTICIPATION

To fulfil the necessary public participation required as part of the SEIR Process, the following methods of stakeholder engagement were and are in the process of being conducted by the EAP, as outlined below.

I&APs have been notified of the project and opportunities for interaction by means of:

- Placement of notices on-site;
- E-Mail and sms invitations to identified I&APs;
- Radio adverts;
- Newspaper adverts;
- Distribution of BIDs to identified I&APs. The BID document has been distributed by E-Mail and/or registered mail as well as hand-delivered.
- Placement of electronic documentation on the Blackrock Website.

11.1 Newspaper Advertisement.

Adverts to register as an I&AP were placed in three regional papers. These being the Isolezwe 4 July and 12 July 2022, the Mercury 4 July and 11 July 2022 and the Zululand Observer 4 July and 11 July 2022. Proof of adverts are included in Appendix B.

11.2 Background Information Document

A BID was made available to I&APs on 1 July 2022. The BID document was made available in English and Zulu. Copies of the BID document is presented in **Appendix C**. BIDs were hand delivered to everyone within a 1km radius of the project sites and within the three mining areas. BIDs were also made available at the Traditional Council (Mgeza) and at Somkhele Mine's Reception, notification of the placement was made via sms's and email.

11.3 Site Notice Boards

Site notices were placed in various public areas, at access points to the mine and around the development areas.

These included:

- Taxi Ranks;
- Clinics;
- The offices of the Mpukunyoni Traditional Authority;
- Major intersections; and
- Schools.

11.4 Notification to authorities

Copies of the DSR will be sent to:

- Department of Forestry, Fisheries and the Environment (DFFE)
- Cooperative Governance and Traditional Affairs (COGTA)
- Ezemvelo KZN Wildlife
- Mtubatuba Local Municipality
- uMkhanyakude District Municipality
- DWS
- DMRE

11.5 Draft Scoping Report

The DSR will be available in English and Zulu and will be available for public review at the following locations / persons:

- Mgeza Traditional Council offices
- Induna Justice Gumede of Emalahleni
- Mtubatuba Municipal Offices
- Induna LX Mkhwanazi of Ophondweni
- Somkhele Mine Security Offices
- Induna M.Z. Mkhwanazi at Mahujini
- Induna B.D. Mthethwa at Machibini

And at the following schools:

- MsiziwamaKrestu Primary School

- Gxaba High School
- Machwetshana Primary School
- Bhekumusa Primary School
- Somkhele Clinic
- Zamokwakhe Store
- Kwa-Ndlovu Tuckshop
- Gwebu Creche
- Mthulasizwe High School

Hard Copies will be made available on request.

The DSR will be available for public comment from 15 July 2022 to 19 August 2022.

11.6 Radio Adverts

Adverts were played on Ukozi FM and Rise FM, advising the public of the appeal and inviting people to register as I&APs. Both radio stations are airing the adverts for a two week period. Copy of the advert can be viewed in Appendix B.

11.7 Public Meeting

Initial Public meetings to discuss the DSR have been scheduled for:

- 23 July 2022 at Ophondweni hall at 9:00am
- 24 July 2022 in Emalahleni at Msiziwamakrestu Primary School at 9:00am;
- 06 August 2022 in Mahujini at Induna's Place at 09:00am; and
- 09 August 2022 in Amajonjoni at the Amajonjoni Sports Ground at 09:00am.

The outcome of the meetings, all comments raised during the meetings, attendance registers and minutes of the meetings will be included in the Final Scoping report.

Additional stakeholder engagement meetings in respect of the DSR can be arranged.

11.8 Handwritten notices

All persons that reside within the 3 mining areas have been provided the opportunity to receive the background information documents as well as invitations to public meetings. In addition, a 1km zone of influence was established around the 3 mining areas. This zone of influence was informed by the specialist studies, more specifically the Air quality Impact Assessment and the Blasting Study. The zones of influence as well as the mining areas (where written notices notifying and informing the community of the project were delivered by hand) are shown in the figures below. Along with the hand-held adverts, BIDs were hand delivered (in Zulu and / or English as requested). They were delivered to the respective Indunas and the Induna's Council for distribution as per customary protocol. Registers will be submitted to DMRE as part of the final Scoping Report for their consideration.

Copies of the English and Zulu adverts notifying the community of the project can be viewed in Appendix B

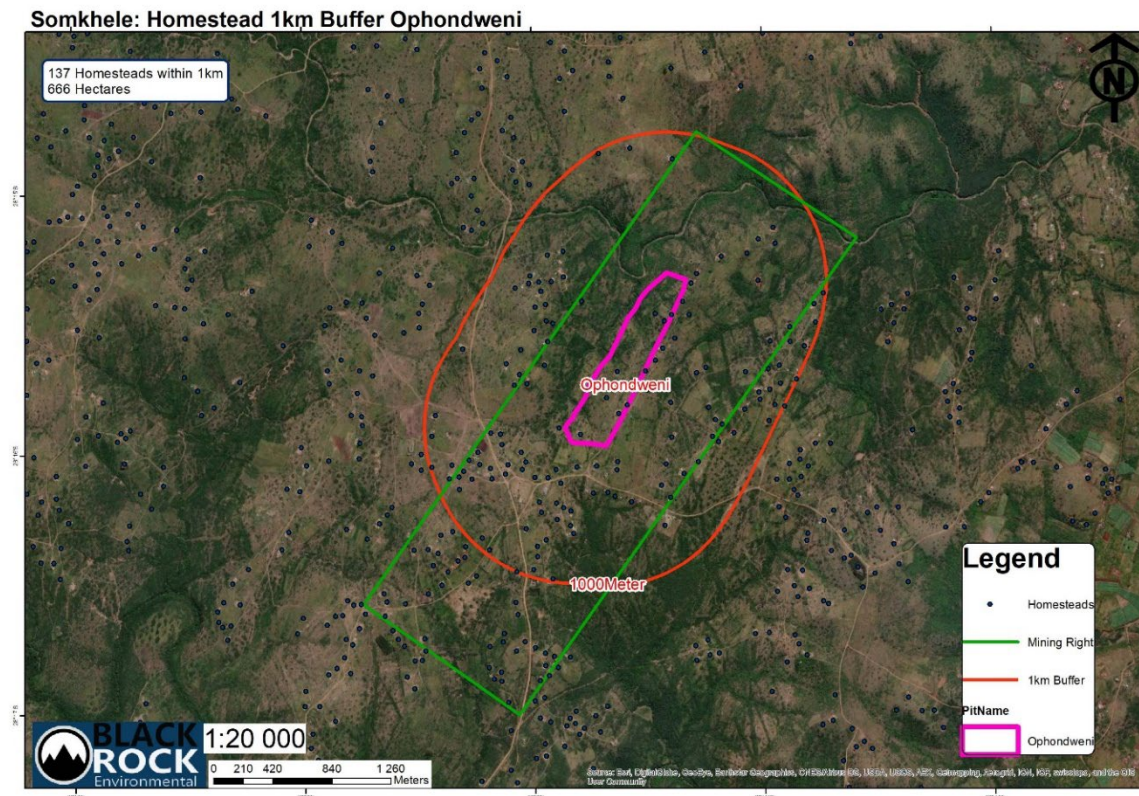
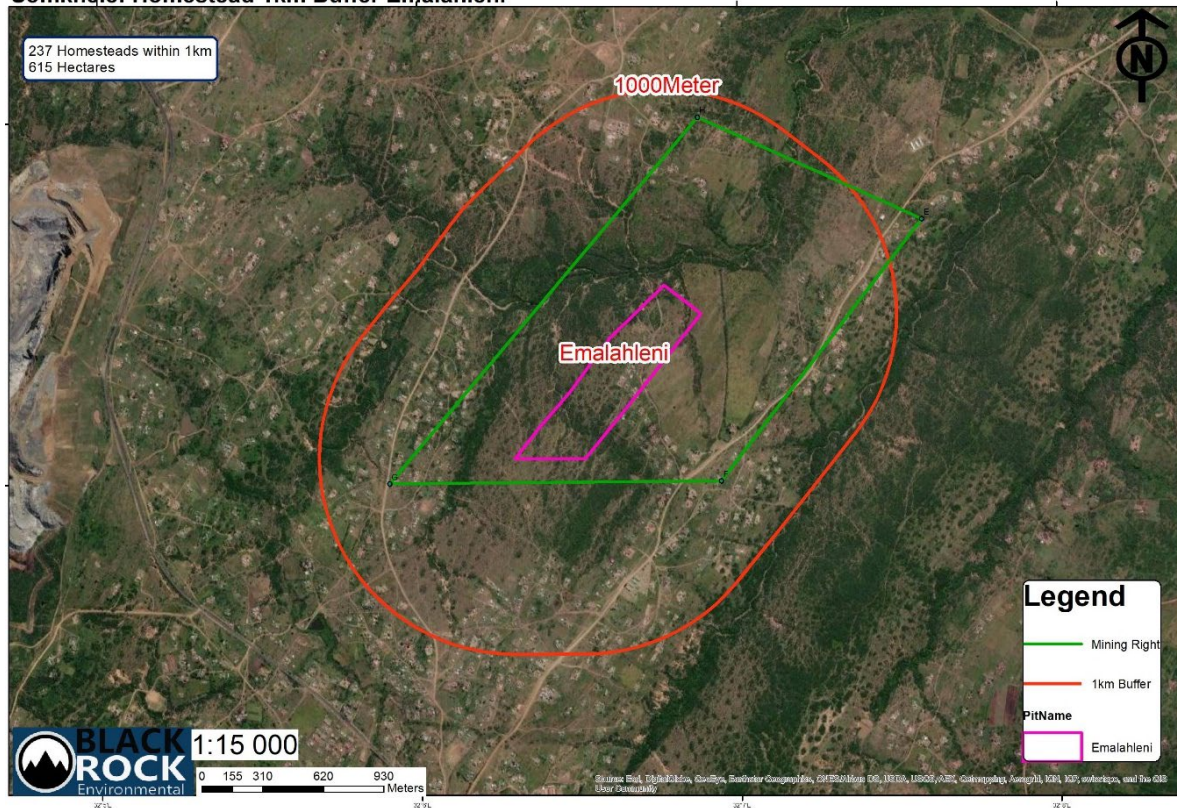
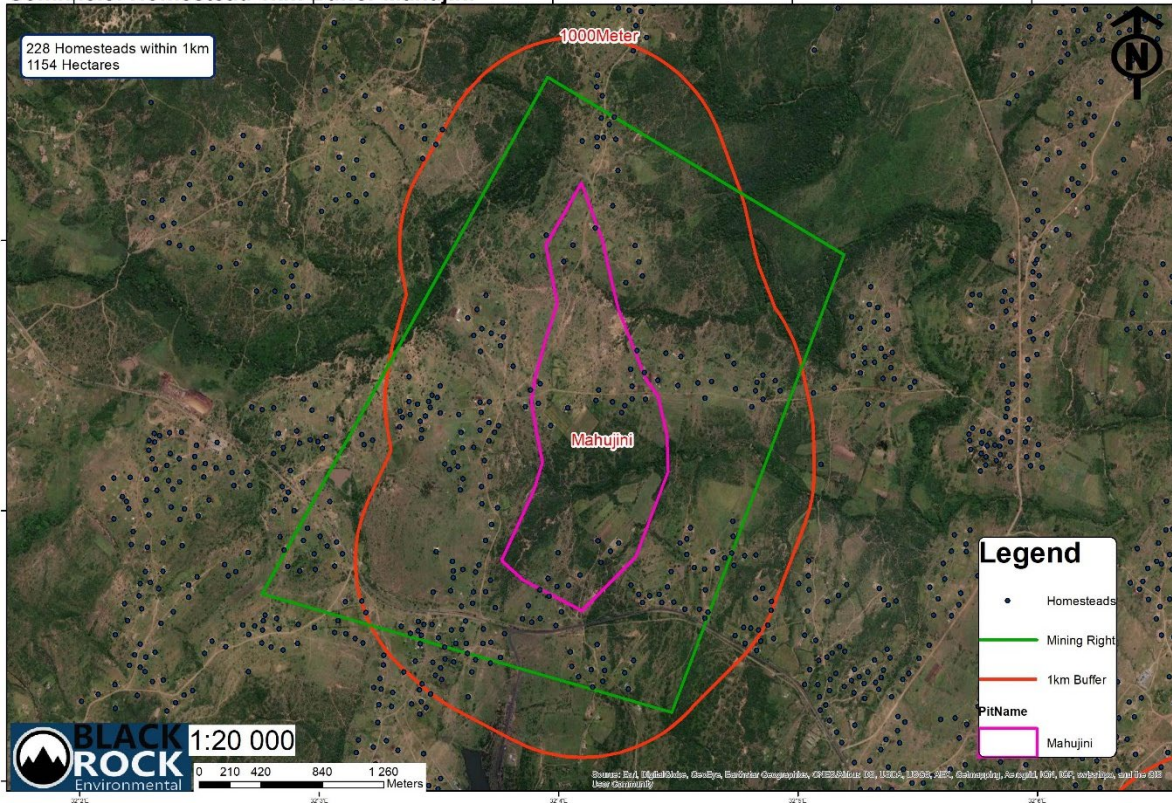


Figure 11-1 **1km Boundary and Mining Right Area Ophondweni**

Somkhele: Homestead 1km Buffer Emalahleni**Figure 11-2 1Km Buffer and Mining Right Area Emalahleni****Somkhele: Homestead 1km Buffer Mahujini****Figure 11-3 1Km Buffer and Mining Right Boundary Mahujini**

11.9 Email and Sms notifications

Emails and Sms's were sent on 1 July 2022 to all previously identified I&AP's from the following data bases –

- 2014 EMPr data base (2014)
- Somkhele Waste Management Licence (2021)
- Luhlanga Box Cut Zero Project (2017)
- Somkhele Water Use Licence Application (2018)
- Employees of Somkhele Mine as 87% are from the local community

12 IMPACT ASSESSMENT AND MITIGATION MEASURES

12.1 Impact Assessment Methodology

The EIA Regulations (2014, as amended), prescribe requirements to be adhered to and objectives to be reached when undertaking Impact Assessments. These are noted in the following sections contained within the EIA Regulations (2014, as amended).

In terms of these Regulations, a description and assessment of the significance of any environmental impact should be considered when undertaking an impact assessment. This includes the following:

- Cumulative impacts that may occur as a result of the undertaking of the activity during the project life cycle;
- Nature of the impact;
- Extent and duration of the impact;
- The probability of the impact occurring;
- The degree to which the impact can be reversed;
- The degree to which the impact may cause irreplaceable loss of resources; and
- The degree to which the impact can be mitigated.

The overall significance of an impact / effect has been ascertained by attributing numerical ratings to each identified impact. The numerical scores obtained for each identified impact have been multiplied by the probability of the impact occurring before and after mitigation. High values suggest that a predicted impact / effect is more significant, whilst low values suggest that a predicted impact / effect is less significant.

Status of Impact +: Positive (A benefit to the receiving environment) N: Neutral (No cost or benefit to the receiving environment) -: Negative (A cost to the receiving environment)	
Magnitude:=M 10: Very high/don't know 8: High 6: Moderate 4: Low 2: Minor 0: Not applicable/none/negligible	Duration:=D 5: Permanent 4: Long-term (ceases with the operational life) 3: Medium-term (5-15 years) 2: Short-term (0-5 years) 1: Immediate 0: Not applicable/none/negligible
Scale:=S 5: International 4: National 3: Regional 2: Local 1: Site only 0: Not applicable/none/negligible	Probability:=P 5: Definite/don't know 4: Highly probable 3: Medium probability 2: Low probability 1: Improbable 0: Not applicable/none/negligible

For the purpose of this assessment, the impact significance for each identified impact was evaluated according to the following key criteria outlined in the sub-sections below. The maximum value that can be achieved is 100 Significance Points (SP).

(Magnitude + Duration + Scale) X Probability

Significance	Environmental Significance Points	Colour Code
High (positive)	>60	H
Medium (positive)	30 to 60	M
Low (positive)	<30	L
Neutral	0	N
Low (negative)	>-30	L
Medium (negative)	-30 to -60	M
High (negative)	<-60	H

The significance rating of each identified impact / effect was further reviewed by the EAP.

12.2 Mitigation

In terms of the assessment process, the potential to mitigate the negative impacts is determined and rated for each identified impact and mitigation objectives that would result in a measurable reduction, or enhancement of the impact, are taken into account. The significance of environmental impacts has therefore been assessed,

taking into account any proposed mitigation measures. The significance of the impact “without mitigation” is therefore the prime determinant of the nature and degree of mitigation required.

12.3 Outline of Mining Phases

12.3.1 Construction phase

The construction phase includes:

- Removal of vegetation;
- Construction of berms and cut-off trenches;
- Soil and overburden stripping;
- Stockpiling of topsoil and overburden;
- Dust suppression; and
- Engineered storm water management.

12.3.2 Operational Phase

The operational phase comprises of the following activities:

- Open cast mining;
- Drilling and blasting;
- Contribution of coal stockpiles;
- Contribution of topsoil stockpiles;
- Transportation of raw product to the processing plant;
- Dust suppression;
- Dewatering of pit;
- Storm water management; and
- Water Quality monitoring.

12.3.3 Decommissioning and Closure Phases

The decommissioning phase will comprise of:

- Topsoil and subsoil replacement;
- Final contouring of the land;
- Revegetation;
- Removal of all infrastructure (pipelines, powerlines); and
- Rehabilitation of all roads no longer required.

12.4 Impacts Identified

From the EIA conducted as part of the original MR 10041 as well as from the additional specialist studies, the following potential impacts and mitigation measures have been identified:

Impact	Description	Mitigation	Risk rating before mitigation	Risk rating after mitigation
Soil	Change in soil properties. The handling, stripping and stockpiling of soils will result in compaction, clodding, loss of structure or leaching of nutrients.	All soils should be stripped in a dry or near-dry state as possible, no soil stripping after or during rainfall events. All soils will be stripped and stockpiled for use in rehabilitation of the site. Soils should be stockpiled as close to harvested area as possible.	Medium (-)	Low (-)
	Soil Contamination The soils in immediate vicinity of the mine and associated infrastructure may become contaminated with coal fines.	Dust suppression that is currently being implemented at Somkhele must be extended to extension area.	Medium (-)	Low (-)
	Soil Erosion & Loss of topsoil. The results of soil stripping and stockpiling and disturbance of vegetation could result in soil erosion and loss of viable material.	Soil should not be handled during high wind conditions. Stockpiles should be kept away from watercourses or areas that are prone to erosion. Long-term stockpiling (> 6 months) must be revegetated by sowing with suitable grass/legume mix. No soil stockpiles must be placed within 1:100-year flood lines.	Medium (-)	Low (-)
Air Quality	Increased dust levels: Dust will be generated both by the vehicular and plant machinery movement. Surfaces will be exposed, particularly during windy periods.	Somkhele Mine uses water bowsers for dust suppression. Continue with existing dust suppression mitigation measures currently utilized by the mine.	Medium to Low (-)	Low (-)
Blasting and Vibration	Cracking of buildings and blasting impacts	Review blasting management plan/SOP. Third party monitoring of blasts, select charge weights for optimal efficiency and ensure they are not higher than necessary. Only day time blasts, control quantity and quality of stemming and use modern blasting techniques	Medium (-)	Low (-)

Impact	Description	Mitigation	Risk rating before mitigation	Risk rating after mitigation
Biodiversity	Loss of Vegetation	The footprint of disturbed area must be kept to a minimum. Protected species should be relocated or kept in a holding nursery to be used during the rehabilitation process.	High to Medium (-)	Medium to low (-)
	Reduced Diversity.	The footprint of disturbed area must be kept to a minimum. Protected species should be relocated or kept in a holding nursery to be used during the rehabilitation process.	High to Medium (-)	Medium to low (-)
	Impacts on Mammals, Birds and Terrestrial Insects - related to the loss of habitat and to increased levels of human presence and activity.	Reduce the fragmentation of faunal habitat by confining the area of disturbance. This particularly applies to the riverine vegetation.	High to Medium (-)	Medium to low (-)
	Invasion of Weeds and Alien Plants	The weed eradication plan that is active at Somkhele must include areas disturbed by pit extension.	Medium (-)	Low (-)
Surface Water	Surface Water Volume: Fractional decline in runoff in the catchment.	Implement Storm Water Management Plan (SWMP), avoid buffer zones to sensitive riparian areas where possible	High to Medium (-)	Medium to low (-)
	Surface water quality: contaminated runoff from the active mining areas entering the local streams.	Diverting all clean water away from contaminated mining areas using diversion berms and drains. Capturing all contaminated runoff and using the water at the plant as part of an ongoing water recycling plan.	Medium (-)	Medium to low (-)
Groundwater	Groundwater quality reduction	The mine annually updates groundwater models. The models together with quarterly monitoring show any potential pollution.	Medium (-)	Medium to Low (-)
	Groundwater: Impact on groundwater users	A hydrocensus conducted during previous studies showed no immediate groundwater users.	Medium (-)	Low (-)

Impact	Description	Mitigation	Risk rating before mitigation	Risk rating after mitigation
Noise	Increased Ambient Noise Levels	Use existing management measures which includes ensuring vehicles are in good working condition.	Medium (-)	Medium (-)
Heritage & Palaeontology	Impact on graves and items of cultural significance	The Somkhele heritage management plan must be adhered to. No mining within 100metres of Graves. Compliance with (Mine Health and Safety Act) (MHSA) and AMAFA.	High (-)	Medium (-)
Local Employment / Socio-economic	The project will ensure the employment of members from the local community.	This is a positive impact with no mitigation	High (+)	High (+)
	Relocation of residence within a 500m radius of the blast sites	Relocation consultation as has commenced in 2017 and has been based on Local and International best practise providing fair and mutually agreed upon compensation.	High (-)	Medium (-)
Health	Increase in infections, diseases, STDs, accidents/incidents and exposure to hazardous materials	Dust suppression, speed limits, dust monitoring, support HIV&TB educational programs, support local health facilities, water monitoring, correct disposal, storage and handling of waste	Medium (-)	Low (-)
Visual	Change in visual character	Visual screens along perimeter fence, topsoil stockpiles to a minimum height of 4 metres, suitable lighting, dust suppression, speed limits	Medium (-)	Medium to Low (-)
Climate Impact assessment	Increase in carbon footprint	Annual review of carbon footprint	Low (-)	Low (-)

13 ENVIRONMENTAL STATEMENT

Potential impacts that need to or have already been assessed are extensive. It is expected that all impacts relating to both social and biological will be included in the EIA report. The information gaps highlighted in the initial Mining right application have been filled with the additional specialist studies already been completed. The specialist studies have not identified any fatal flaws in their assessments.

The magnitude of the impacts will be discussed in greater details during the EIA phase of the project.

The aspect which will be interrogated during the ongoing public consultation will be the social impact the mine will have on the various communities. The concerns raised during the initial EIA still have relevance. These include:

Relocation:

- Concerned that people are being forced to relocate.
- Questions over what areas will people be relocated to.
- Relocation policies and procedures.
- Relocation considering Polygamist marriages.
- Timing of relocation.
- Loss of access to fields.
- Loss of income.
- Separation of the community and community structures.

Rehabilitation:

- How will the mine be rehabilitated?
- The grazing potential on rehabilitated land.
- The guarantees rehabilitation will be conducted.
- The nature and success of current rehabilitation activities.

Employment:

- The Process of applying for jobs.
- Employment opportunities.
- Business opportunities.
- Employment policies.
- Current employment numbers and employment numbers of people in local areas.

Education and Training:

- The training benefits for the community.
- The incorporation of additional programs into SLP.

Health and Environment:

- Access to water and the pollution of rainwater/groundwater.
- Increase of dust and health related issues from excessive dust.
- Lack of environmental monitoring.
- Concerns over blasting and noise.
- Climate change and the mine contribution.
- Impact from lighting at operations.
- Loss of wilderness potential.

Communication, Community Engagement:

- The mine conniving with the royal house.
- The relationship bias developing within the Tribal Council.
- More feedback, feedback from meetings.
- Utilization of existing representative structures.

Social and Heritage:

- Loss of land.
- Nepotism of committees and benefits.
- Concerns about grave relocation.
- Grave relocation procedures.
- Migration of foreigners and employment of foreigners.

14 REFERENCES

GCS, (04 January 2018) Somkhele Mine, KwaZulu-Natal: Mahujini and Emalahleni Haul Road Flood Line Analysis

GCS (20 March 2018) Geohydrological Model Update for the Somkhele Anthracite Colliery

GCS (01 February 2019) Wetland Assessment for the Ophondweni Area – Somkhele Mine

GCS (15 February 2019) Hydropedological Assessment for the Somkhele Anthracite Mine

GCS (19 February 2019) Conceptual Acid Mine Drainage Management Plan (CAMDMP) for the Somkhele Anthracite Mine

GCS (04 March 2019) Follow-Up Hydrogeological Study for Somkhele Anthracite Mine - Mining Area 4 and 5

GCS (05 March 2019) Area 4 and 5 Floodline Analysis

GCS (06 March 2019) Area 4 and 5 (Ophondweni, Emalahleni and Mahujini) Storm Water Management Plan

GCS (20 March 2019) Water Balance Update for the Somkhele Anthracite Mine - 2019

David Styles (24 October 2019) "Specialist Vegetation Impact Assessment for Possible Future Mining Areas at Emalahleni, Mahujini and Ophondweni"

Climate Africa (01 November 2019) Corporate Climate Impact Assessment

GCS (05 November 2019) Desktop Watercourse and Fauna Assessment for the Fuleni Offset, KwaZulu-Natal

WKC (11 November 2019) Air Quality Impact Assessment

Eco-pulse (04 December 2019) "Somkhele Mining Areas Expansion: Emalahleni, Mahujini & Ophondweni Aquatic Rehabilitation Plan: Riparian And Instream Habitats"

GCS (03 January 2020) "Somkhele Anthracite Mine Area 4 and 5: Visual Impact Assessment"

WKC (17 January 2020) Noise Impact Assessment

WKC (17 January 2020) Vibration Impact Assessment

PGS Heritage (20 January 2020) The Somkhele Anthracite Mine Ophondweni And Emalahleni Pits Near Mtubatuba, Umkhanyakude District Municipality, Kwazulu Natal Province.

Urban-Econ Development Economists Pty Ltd. (28 February 2020) "A Social Impact Assessment For The Somkhele Mine"

GCS (20 March 2020) Somkhele Mine: Rapid Health Impact Assessment

PGS Heritage (26 April 2020) Palaeontological Desktop Assessment for The Proposed Somkhele Anthracite Opencast Mining Pits Within the Umkhanyakude District Municipality and The Mtubatuba Local Municipality, Kwazulu Natal

PGS Heritage (28 April 2020) Survey of Burial Grounds And Graves

GCS (12 February 2019) Summer Aquatic Biomonitoring Report 2019

Mtubatuba Municipality (March 2020) Mtubatuba Draft IDP 2020-2021-

15 UNDERTAKING OF OATH BY THE EAP

Section 16 (1) (b) (iv), and Appendix 3 Section 2 (j) of the EIA Regulations, 2014 (promulgated in terms of the NEMA, require an undertaking under oath or affirmation by the EAP in relation to:

- The correctness of the information provided in the report;
- The inclusion of comments and inputs from stakeholders and I&AP's;
- Any information provided by the EAP to I&AP's and any responses by the EAP to comments or inputs made by I&AP's; and
- The level of agreement between the EAP and I&AP's on the Plan of Study for undertaking the EIA.

The EAP managing this project hereby affirm that:

To the best of my knowledge the information provided in the report is correct, and no attempt has been made to manipulate information to achieve a particular outcome. Some information was provided by the applicant and/or their subcontractors. To the best of my knowledge all comments and inputs from stakeholders and I&AP's have been captured in the report and no attempt has been made to manipulate such comment or input to achieve a particular outcome. Written submissions are appended to the report while other comments are recorded within the report.

Information and responses provided by the EAP to I&AP's are clearly presented in the report. Where responses are provided by the applicant (not the EAP), these are clearly indicated. With respect to EIA Reports, I&AP's comments will be taken into account during the EIA/EMPr process

16 CONCLUSIONS AND RECOMMENDATIONS

The specialist studies already conducted are deemed sufficient in determining the potential impacts mining might have within the proposed mining areas of Emalahleni, Ophondweni and Mahujini. It is recommended that all the specialist reports are summarised into a single report to ensure that all impacts can be discussed during the EIA phase. The consultation phase will ensure that no information gaps in terms of specialist studies are evident.

APPENDIX A: CURRICULUM VITAE OF THE PROJECT TEAM



CHRISTOPHER WRIGHT ENVIRONMENTAL SCIENTIST –

CORE SKILLS

- Closure Cost Assessments
- Environmental Management Plans
- Water Use Licensing
- Environmental Performance Assessments
- Environmental Applications

Details

Qualifications

2000 B.Soc.Sc. (Geography):
University of Natal, Pietermaritzburg

2006 Arcview: ESRI online campus

2007 AutoCAD: Institute of Advanced
Technology, Durban South Africa

2007 Waste Management: Institute of
Waste Management of Southern Africa

Memberships

International Association for Impact
Assessors South Africa (IAIA)

Coast Watch (Chairman)

Languages

English – fluent

Afrikaans – Speak/Read

French – Basic

Zulu - Basic

Contact Details

E-Mail: chris@blackrock-env.co.za

Mobile: 083 500 0205

PROFILE

Christopher is an Environmental Scientist is the owner of Black Rock Environmental. He has over 15 years' experience in the Environmental sector primarily focussing on the mining sector.

Specialist skills

Christopher is an Environmental Scientist with 15 years' experience. Christopher has drafted numerous Environmental Management Plans, Environmental Impact Assessment and has conducted various Environmental audits. He has been responsible for applications for mining rights for large mining houses. Christopher has conducted numerous Social Assessments and is well well-versed to IFC and World Bank standards. Christopher has also developed Environmental Management Systems and understands ISO systems. Christopher has conducted closure assessment for various mining houses and is experienced in the environmental aspects of mine closure.

Professional Experience

2007-2013: Environmental Consultant GCS(PTY)Ltd
2013-2016: Senior Environmental Consultant GCS (PTY)Ltd
2016-Current: Owner Black Rock Environmental

Additional Experience

Shipbroker Clarksons South Africa: 2004-2006 (Charter party negotiations)

Driving Licence: Valid Code EB

Skippers Licence: Cat C surf launches.

Key project experience

PROFESSIONAL EXPERIENCE: -

- Phase 1 Site Assessment 1 on Sheffield (2022)
- UCOSP Quarry EMP assessment (2021)
- UCOSP Quarry sand mining application (2021)
- UCOSP Quarry Closure and rehab Assessment (2021)
- Mbila Closure and Rehab Assessment (2021)
- Somkhele IWWMP revision (2021)
- Somkhele offset plan (2020)
- Somkhele Closure Cost and Rehabilitation (2020)
- Somkhele Waste Licence Application (2020)
- Somkhele Boxcut Zero Scoping and EIA Assessment (2019)
- Somkhele Closure Cost and Rehabilitation (2019)
- Somkhele Closure Cost and rehabilitation (2018)
- Forbes Closure Cost Assessment (2017)
- Somkhele Mine Closure Cost Assessment (2017)
- Somkhele Mine Closure Cost Assessment (2016)
- Forbes Mine Closure Cost Assessments (2016)
- KZN Department of Environment KZN Coal Discard Assessment (2015)
- Estima Relocation Action Plan (Mozambique) (2014-2015)
- Somkhele IWULA Audit (2015)
- Estima Social Survey (Mozambique) (2014)
- Somkhele Closure Cost Assessment (2014)
- Somkhele EMP Performance Assessment (2014)
- Somkhele Closure Cost Assessment (2013)
- Somkhele EMP Performance Assessment (2013)
- Somkhele NEMA Applications (2012)
- Somkhele EMP performance Assessment (2012)
- Somkhele Water Use License Application (2012)
- Somkhele Closure Cost Assessment (2012)
- Forbes Coalfields Environmental Management Plan (2012)
- Matla Mine Social Impact Assessment (2011)
- Xolobeni prospecting right renewal (2011)
- Ntibane bulk water supply Basic assessment (2011)
- Zinoju Mining EMP performance assessment. (2011)
- Zululand Anthracite Mine Environmental Legal Audit (2011)
- Somkhele Anthracite Mine EMP amendment (2010)
- Somkhele Anthracite Mine EMP performance assessment (2010)
- Somkhele Anthracite Mine Environmental Legal Audit (2010)
- Total Coal Forzando Social Impact Assessment (2010)
- Total Coal Dorsfontein Development of Dust Monitoring Programme (2010)
- Mining Permit Application and EMP for Wilbat cc (2010)
- Somkhele Anthracite Mine EMP Performance Assessment (2009)
- ECO Monitoring Umlazi Road Servitude Construction –Iliso Consulting (2009)
- Hermansburg Tourist Impact Assessment Client Kangra Group (2009)
- Golden Falls Social and Labour Plan Client ElandSlaagte Diamond Mine (2009)
- Maquasa West Open Cast Mine (Piet Retief, Mpumalanga), Client: Kangra Group (2008)
- Alkantstrand Deck and Recreational Area (Richards Bay) – Basic Assessment Report client: uMhlathuze Municipality (2008)
- Somkhele Anthracite Mine Social Assessment, Tende Coal (2007-2009)
- Somkhele Anthracite Mine compilation of Environmental Management Programme, Tende Coal (2007)
- Somkhele Anthracite Mine, Mining right conversion Tende Coal (2007)

- Ntuzuma G low cost development – Durban Metro. (2008)
- Freddie's 9 shaft environmental assessment, (2008) Stone & Allied

APPENDIX B: ADVERTS AND SITE NOTICES

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Reference: KZN30/5/1/2/2/10041MR

Isaziso sikhishwa ngokweMihlahlandlela Yokubambiqhaza Komphakathi eshicilelwe ngokoMthetho Kazwelonke Wokuphatha Kwemvelo, ka1998 kanye neSahluko 6 seMithethonqubo Yokuhlola Umthelela Wezemvelo, ka2014 njengoba ishicilelwe kuGazethi Kahulumeni No 38282 GNR 982 yamhlaka 4 Disemba 2014 ukuze umphakathi uphawule ngengqubo yokubuyekenza kwesicelo ehlobene nelungelo lokumayina/lokumba (MR) laseTendele.

Kusukela ngo 2007 i-Tendele Coal Mining (Pty) Ltd inemayini esebenzayo ebizwa ngokuthi yiSomkhele Mine, esendaweni ecishe ibe ngama-23 km NW eMtubatuba, esendaweni engu-Reserve No 3 ka-15822. iTendele yafaka isicelo sokuthola ilungelo lokumayina (MR) ngo-2014, elabe selitholakala ngo-Oktobha 2016 (nenombolo yereferensi: KZN30/5/1/2/2/10041MR). Ukunikezwa kwelungelo lokumayina (MR) kanye nokugunyazwa kombiko wohlelo lwayo lokuphatha kwemvelo (EMPr) kwaphonselwa inselelo ngenqubo yokubuyekenza kwesicelo ngokwesigaba sama-96 soMthetho Wokuthuthukiswa Kwezinsiza Zezimbiwa kanye Nophethiloli (MPRDA), wama-28 wezi-2002 kanye nangezinqubo zasenkantolo ezalandelwayo. Mhlaka 4 Meyi 2022, iNkantolo ePhakeme yasePitoli yakhipha isinqumo (Umyalelo Wenkantolo) esiphathelene nelungelo lokumayina (MR) kanye nombiko wohlelo lokuphatha kwemvelo (EMPr) ephethwe yi-Tendele; Inombolo Yecala Lenkantolo: 82865/2018.

ILungelo Lokumayina (MR) kanye noMbiko wohlelo lokuphatha kwemvelo (EMPr) akuzange kubekwe eceleni yiNkantolo kodwa isikhalazo sokubuyekenza kwesicelo sabuyiselwa kuNgqongqoshe Wezimbiwa Namandla (i-DMRE) ukuze asicubungule kabusha. Ekucubunguleni kabusha isikhalo, iJaji liyalele uNgqongqoshe ukuthi acubungule nanoma yiluphi ulwazi lmayini efisa ukululeza phambi kwakhe kanye nanoma yiluphi ulwazi kanye nokuphawula kwaMaqembu Anentshisekelo Nabathintekayo (I&APs).

Ukwengeza, iJaji liyalele iMayini ukuthi yazise amaqembu anentshisekelo nabathintekayo (I&APs) mayelana nelungelo lawo lokubamba iqhaza ohlelweni lokubuyekenza kwesicelo.

ILungelo lokumayina (MR 10041) elanikezwa iTendele ngo-2016, lalithatha indawo engu-222km²; i-Tendele isidelele u-92% wendawo kulelilungelo (MR). Izindawo okuhloswe ukumayinwa kuzo manje sezicishe zibe ngama-27km². Izindawo ezigciniwe yiseMalahlani, Ophondweni naseMahujini ezitholakala kwaMpukunyoni, eMtubatuba, KwaZulu-Natal.

Selokhu iTendele yathola ilungelo lokumayina (MR), iMayini iye yabonisa kabanzi namalungu omphakathi athinteka ngqo kanye nabaholi bendawo futhi yaphothula izifundo ezengeziwe zochwepheshe mayelana nezindawo ezigciniwe. Ngokusekelwe kulo myalelo wenkantolo ongenhla, kubaluleke kakhulu ukuthi amaqembu anentshisekelo nabathintekayo (I&APs) aziswe ngelungelo lawo lokubamba iqhaza ohlelweni lokubuyekenza kwesicelo futhi anikezwe ithuba lokubeka imibono ngolwazi olwengeziwe oselukhona kusukela ekufakweni kwesicelo sokuqala ngo-2014.

I-Black Rock Environmental iqokwe yi-Tendele njengomsebenzi wokuhlola imvelo (EAP) kulo msebenzi. I-Black Rock Environmental iphothule Umqulu Wolwazi Lomlando (BID) ozosathalaliswa kumaqembu anentshisekelo nabathintekayo (I&APs). I-Black Rock Environmental ihlose ukusabalalisa uMbiko Wokuhlola Osalungiswa (Draft Scoping Report) ukuze umphakathi uphawule futhi ubuyekeze lombiko kusukela mhlaka 15 Julayi 2022 besekuba nemihlangano yokuqala yomphakathi ezobanjwa mhlaka 23 Julayi 2022 Ophondweni Hall ngo 9:00 ekuseni; kanye nangomhlaka 24 Julayi 2022 Emalahleni eMsiziwamaKrestu Primary School ngo 9:00 ekuseni; kanye nangomhlaka 6 Agasti 2022 eMahujini/Majonijoni. Indawo nesikhathi somhlangano waseMahujini/Majonijoni kusazoqinisekiswa. UMbiko Wokuhlola Osalungiswa, umbiko wokuhlola komthelela kwezemvelo kanye noMbiko wohlelo lokuphatha kwemvelo (EMPr) uzonikezwa amaqembu anentshisekelo nabathintekayo (I&APs) ukaze aphawule.

Umpahakathi uyamanywa ukuthi ubhalise njengamalungu anentshisekelo nabathintekayo (I&APs) futhi uphawule ngalo msebenzi. Amaqembu anentshisekelo nabathintekayo (I&APs) anikezwa ithuba lokuqonda izici ezibonakalayo nezenhlalo ezilobene nomsebenzi ukuze akwazi ukubamba iqhaza ngendlela efanele enqubweni yokubuyekenza kwesicelo.

Uma udinga ulwazi olwengeziwe noma unokuphawula mayelana nentuthuko sicela uthinte uChristopher Wright waseBlack Rock Environmental ku:

Tel: 083-500-0205
Fax: 086-413-1169
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BRANDEN Grace carded a final-round 65 to finish two strokes ahead of Carlos Ortiz on Saturday. | AFP

GOLF

Grace heats up late to win Portland LIV Golf Invitational

BRANDEN Grace grabbed five of his eight birdies on the back nine on Saturday to pull away for a two-shot win in the Portland LIV Golf Invitational and capture the \$4million first prize.

The 34-year-old ranked 128th in the world pulled level with Carlos Ortiz with a birdie at the 13th, then birdied the 15th, 16th and 17th to secure the win in the second event of the controversial Saudi-funded series, which has raised the hackles of the established US PGA Tour and DP World Tour and sparked criticism over Saudi Arabia's human rights record.

But controversy appeared far from Grace's mind as the celebratory champagne was sprayed on the 18th green at Pumpkin Ridge outside Portland, Oregon.

"This new format, everything is amazing and everybody is having a blast," Grace said after the win in the 54-hole event in which there is no cut and all 48 entrants earn some piece of a purse of more than \$20m.

Grace carded a final-round 65 and finished two strokes in front of Mexico's Ortiz, who closed with a 3-under par 69.

Two-time major-winner Dustin Johnson, at 17th in the world the highest-ranked player so far to bolt for the new series, started the day tied for the lead with Ortiz but finished tied for third with compatriot Patrick Reed on nine-under.

Johnson carded a 1-under par 71, while former Masters champion Reed moved up with a 5-under 67 that included a chip-in eagle at the 17th.

Hours before the event teed off on Thursday, family members of people killed in the September 11, 2001 attacks held a press conference near Pumpkin Ridge to voice their outrage.

Insisting that Saudi Arabia should be held accountable in the attacks - in which 15 of the 19 hijackers were Saudi nationals - they joined with human rights groups who say the lucrative series is an attempt to boost the kingdom's image through sport.

The series' Saudi ties also hit close to home in Oregon, where in 2016 15-year-old Fallon Smart was killed in a hit-and-run traffic accident in which Saudi college student Brahmanda Ameer Norah faced a first-degree murder charge.

He removed his monitoring device before his trial and US authorities said they believed the Saudi government had helped him leave the country.

Nevertheless, the golf event drew enthusiastic crowds, organisers saying Pumpkin Ridge was sold out on Saturday without offering an attendance figure.

Grace had taken the outright lead with his birdie at 15 when his tee shot at 16 skipped through the fairway into a strip of rough alongside a cart path.

His second shot went through the green, but he strengthened his grip on the lead by chipping in for birdie.

The team title went to the All-American quartet of Johnson, Reed, Tolar Gooch and Pat Perez, each pocketing \$750 000 in addition to their individual earnings.

The third LIV Golf event is scheduled for July 29-31 at Trump National Golf Club Bedminster in New Jersey.

England's Paul Casey, ranked 26th in the world, revealed on Saturday he had signed up to make his LIV Golf debut there, but the turmoil sparked by the rebel series promises to continue. | AFP

FORMULA 1



ALFA Romeo's Zhou Guanyu skids across the track after a massive shunt involving Mercedes' George Russell at the start of the British Grand Prix at Silverstone yesterday. | AFP

It's a very special day for Sainz at Silverstone

FERRARI'S Carlos Sainz claimed his first Formula One victory yesterday in a thrilling British Grand Prix halted by a first-lap crash and with the added mayhem of a track invasion by protesters.

Red Bull's Mexican Sergio Perez was runner-up, 3.779 seconds behind the Spaniard, with seven-time world champion Lewis Hamilton third for Mercedes in his home race and taking fastest lap for a bonus point.

"Yes! We did it! Vamos," exclaimed a delighted Sainz over the radio after a win that had looked unlikely at one point despite him lining up on pole position for the first time, in his 150th race start.

"I don't know what to say, it's amazing.

"First race win, 150 races later, with Ferrari in Silverstone. I cannot ask for more.

"It's a very special day, a day that I will never forget, a very special weekend in general."

The last nine laps were frantic, full of overtaking as the safety car came in and

Perez, Ferrari's Charles Leclerc and Hamilton battled for second.

At one point, eight-time British GP winner Hamilton passed both his rivals in one move and then went from second to fourth and back to third.

Championship leader Max Verstappen finished seventh for Red Bull with a damaged car, his lead over Perez cut from 46 to 34 points after 10 of 22 races.

Leclerc, who had led with 12 laps to go, finished an unhappy fourth after a strategy call that cost him victory.

The Monegasque stayed out during a late safety car deployment and then had to defend against rivals with fresher tyres.

Spain's double world champion Fernando Alonso was fifth for Alpine with McLaren's Lando Norris sixth.

Germany's Mick Schumacher, son of Ferrari great and seven-time world champion Michael, scored his first points in F1 with eighth for Haas who also had Kevin Magnussen finish 10th.

Four-time world champion Sebastian

WIMBLEDON

Mommy Maria rallies to stun Ostapenko

GERMANY'S Tatjana Maria continued her dream Wimbledon run when she fought from a set down and saved two match points to beat former French Open champion Jelena Ostapenko 5-7 7-5 7-5 yesterday and reach the quarter-finals of a grand slam for the first time.

It was the biggest career victory for the mother of two who returned to action from maternity leave just under a year ago and she will play Jule Nemeier in the last eight after the German beat Briton Heather Watson 6-2 6-4.

TOUR DE FRANCE

Groenewegen triumphs as Tour bids adieu to Denmark

DUTCH sprinter Dylan Groenewegen snatched victory in the third stage of the Tour de France yesterday, edging Wout van Aert on the line although the Belgian retained the overall race leader's yellow jersey.

Bike Exchange rider Groenewegen ensured Jumbo's Van Aert finished second for the third time after the 182km stage, the last in Denmark before the race returns to France, with large crowds lining the route in the Jutland region.

Van Aert leads Yves Lampaert atop the overall standings by seven seconds with Tadej Pogacar in third at 14 seconds. The yellow jersey holder is also top of the sprint points rankings for the green jersey.

"I'm looking forwards to the next week in France," said Van Aert, who could end up in yellow for a while. "The team have let me go for this, Primoz (Roglic) has his ambitions too and he's looking great.

"I always dreamed of wearing the yellow,

Maria, who was ranked outside the top 250 in March, said the victory was especially sweet given her breaks from the game.

"It makes me so proud to be a mum, that's the best feeling in the world," she said in an on-court interview.

"I love my two kids ... to be able to do this together ...

"It makes it really special."

Maria made a solid start as the 25-year-old Ostapenko, who reached the semi-finals at the grasscourt major a year after her maiden grand slam title at Roland Garros in 2017, surrendered her serve early to trail 1-3.

But the Latvian immediately regained her composure to level the scores before switching gears to go ahead 6-5 and take the first set after world number 103 Maria made unforced errors on crucial points.

Maria, at 34 the oldest player left in the women's draw, had impressed in her

DYLAN Groenewegen is overcome with emotion after winning yesterday's third stage. | AFP

but I wasn't expecting these Danish stages to suit me."

Groenewegen was banned for nine months after causing the crash that almost killed Saturday's winner Fabio Jakobsen, who spoke emotionally about his long struggle back to fitness after his rookie Tour de France win.

"I'm very happy for Fabio after everything that happened," said a contrite Groenewegen about the crash at the 2020 Tour of Poland.

"He won yesterday, but today was my day."

Jakobsen said yesterday morning he was still waiting for congratulations from his Quick-Step teammate Mark Cavendish, after

Vettel went from 18th to ninth for Aston Martin on his 35th birthday in a race full of action and suspense, but with only 14 finishers.

The race was red-flagged and halted for an hour after Chinese driver Guanyu Zhou's Alfa Romeo became wedged on its side between the tyre wall and catch fence on lap one.

He was later given the medical all-clear.

The car skidded at speed upside down along the track before being catapulted over the barrier following a multi-car collision.

Williams' Alex Albon and Mercedes' George Russell, who had previously finished every race in the top five, were also caught in the first-lap mayhem and played no further part in the afternoon.

Albon was later flown to hospital for checks.

While the red flags were still being waved, and cars slowed and returned to the pits, a group of protesters ran on to the track to boos from the crowd before being wrestled away. | Reuters

stunning straight sets-victory over fifth seed Maria Sakkari in the previous round and she hit back from 1-4 down in the next set before forcing a decider.

Having saved two match points in the second set at 4-5 and with the crowd firmly behind her, Maria capitalised on a mistake from 12th seed Ostapenko to go up 6-5 in a see-saw third set before sealing the match on serve.

Maria said the boisterous support on Court One gave her the belief she needed towards the end of the contest.

"Oh my God, there are no words for this amazing crowd.

"Even when I was 4-5 down in the third set they were behind me," she added.

"I said, 'Okay they believe in me so I believe in me.'"

Meanwhile, Nemeier apologised for disappointing the crowd by beating a home favourite. | Reuters

the 25-year-old was selected ahead of the Manxman.

Defending champion Pogacar of UAE Team Emirates retained the white jersey as best under-26-year-old, a day after being involved in a mass crash where he somehow managed to stay on his bike.

"The end was a tough finish, I'm satisfied with my ride. My hand is a bit painful after hitting the barriers, but there's no stress," said the Slovenian who admitted that he had no idea about the details of his team transfer back to France.

Magnus Cort Nielsen played the local hero when the 29-year-old from the island of Bornholm made an early solo break and rode 130km out front with a permanent smile as he lapped up a wave of fervent applause, with enthusiastic youngsters running alongside him.

"It was euphoric, an amazing day," said the EF rider after pulling on the polka dot jersey again having won on all six hills so far.

"The crowds helped me along, I gave it everything, I surpassed myself and so did they."

After a wall of sound reverberated around Copenhagen on Saturday's time-trial, vast crowds accompanied the Tour on its following two stages around the rest of the nation of 5.8 million, who took cycling's showpiece to their hearts and turned out in droves.

Stage four is a 171km flat run from Dunkirk to Calais in the north of France before the race heads through the Alps and Pyrenees and heads back to Paris for its Champs-Elysees finale July 24. | AFP

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NOTIFICATION FOR THE APPEAL PROCESS IN RESPECT OF TENDELE MINING'S MINING RIGHT

Reference: KZN30/5/1/2/2/10041MR

Notice is hereby given in terms of the Public Participation Guidelines published in terms of the National Environmental Management Act, 1998 and Chapter 6 of the Environmental Impact Assessment Regulations, 2014 as published in the Government Gazette No 38282 GNR 982 of 4 December 2014 for the public to comment on the appeal process related to Tendele's Mining Right (MR).

Since 2007 Tendele Mining (Pty) Ltd ("Tendele") has been operating the Somkhlele Mine, located approximately 23 km NW of Mtubatuba, located on Reserve No 3 of No 15822. Tendele applied for a MR in 2014 and the Mining Right was subsequently issued in October 2016 (with reference number: KZN30/5/1/2/2/10041MR). The granting of the MR and the approval of its associated environmental management programme (EMPr) were challenged through an appeal process in terms of section 96 of the Mineral and Petroleum Resources Development Act, 28 of 2002 (MPRDA) and through subsequent court proceedings. On 4 May 2022, the Pretoria High Court handed down a judgment (Court Order) relating to the MR and the EMPr held by Tendele; Court Case No: 82865/2018.

The MR and its EMPr were not set aside by the Court but the appeal was sent back to the Minister of Mineral Resources and Energy (DMRE) for reconsideration. In reconsidering the appeal, the Judge has directed the Minister to consider any information that the Mine wishes to place before him as well as any information and comments from Interest and Affected Parties (I&APs)

In addition, the Judge has directed the Mine to notify I&APs of their entitlement to participate in the appeal process.

The 10041 MR granted to Tendele in 2016 covered an area of 222km². Tendele has since abandoned 92% of the area covered by this MR. The intended mining areas are now approximately 27km². The retained areas are in Emalahleni, Ophondweni and Mahujini, which are located in MpuKunyoni, Mtubatuba, KwaZulu-Natal.

Since the issuance of Tendele's MR the Mine has undergone extensive consultation with directly affected community members and with local leaders as well as completed additional specialist studies in respect of the retained areas. Based on the above court order, it is paramount that I&APs are notified of their entitlement to participate in the appeal process and are afforded the opportunity to provide comments on the additional information that has become available since the original application in 2014.

Black Rock Environmental has been appointed by Tendele as the Environmental Assessment Practitioner (EAP) for this project. Black Rock Environmental has finalised the Basic Information Document (BID) which will be circulated to I&APs upon registration. Black Rock Environmental intends on availing the Draft Scoping Report for public comment and review from 15 July 2022 and initial public meetings to be hosted on 23 July 2022 at Ophondweni Hall at 09:00am, 24 July 2022 in Emalahleni at MsiziwamaKrestu Primary School at 09:00am and on 6 August in Mahujini/Majonjoni venue and time to be confirmed. The Scoping Report, an environmental impact assessment report and EMPr will be provided to I&APs for comment.

The public are invited to register as I&APs and give comment on the project. I&APs are afforded the opportunity to understand the physical and social factors associated with the project so that they can meaningfully participate in the appeal process.

Should you require any additional information or have comments about the development please contact Christopher Wright from Black Rock Environmental at:

Tel: 083-500-0205
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Call for Proposals -eDumbe in Zululand District

The Children in Distress Network (CINDI) is calling for funding applications from interested Non-Governmental Organisations working in eDumbe in Zululand District for the Preventing HIV/AIDS in Vulnerable Populations (OV&Y) Program in South Africa (May/Khethlele Program). Successful organisations will be expected to provide comprehensive, evidence based interventions to children, youth and their caregivers to improve access to health services (HIV/AIDS); child protection (Gender Based Violence); linkage to social protection as well as school retention and progression. Organisations wanting to apply must first read the Terms of Reference and complete a prescribed Application Form. All potential applicants must attend the Grant Solicitation Workshop/ Grant Briefing on 14 July 2022 for SRVPs must reach CINDI by 05 July 2022. Terms of Reference and the Application Form can be found on the CINDI website via the CINDI website at www.cindi.org.za

Closing Date: 27 July 2022 on or before 16:00

RSVP for the Grant Solicitation Workshop: programmedirector@cindi.org.za

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NOTICE TO DISPLAY INTENTION TO APPLY FOR LIQUOR LICENCE IN TERMS OF SECTION (42)(1)(b)(i) OF ACT

(Act No. 6 of 2010)

KZNMLA 3

Name and surname of the applicant:	VICTOR SITHEMBISO KHUZWAYO
Category of licence applied for: (on/off-consumption/micro-manufacturer/special event):	ON-CONSUMPTION
Type of premises for which licence is applied for:	RESTAURANT
Trading name of the premises:	NGOBIES CORNER
Address of the premises:	R66 NCINIVANE BUS STOP MABHOKWEN RESERVE GINGINDLOVU, 3800
Date of display:	04 JULY 2022
Expiry date of display:	01 AUGUST 2022

NB: Objections should be lodged with the local committee in the King Cetshwayo district from where the application emanates within 21 (working) days from the date of the display. Address: 1st floor SEDA BLD, Lot 61137, Via Verbeena, Vredenvlei, Richards Bay, 3900. TEL: 035 750 5667. Email: ntando.ndlovu@kznla.co.za

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• PUBLIC / LEGAL NOTICES •

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Reference: KZN30/5/12/21/0041MR

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Should you require any additional information or have comments about the development please contact Christopher Wright from Black Rock Environmental at:

Tel: 083-500-0205
Fax: 086-413-1169
Email: Chris@blackrock-env.co.za



• PUBLIC / LEGAL NOTICES •

PUBLIC NOTICE
BIG 5 HLABISA LOCAL MUNICIPALITY

Notice is hereby given that an application has been made to the Municipality, in terms of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) read with the Big 5 Hlabisa Spatial Planning and Land Use Management By-law No. 1797 gazetted 9 March 2017 for:

Property Description: Erf 831 Hlabisa, KwaZulu-Natal

Street Address: Located in the centre of Hlabisa on the corner of Saunders Street (R618) and Sylvan Avenue (D 1907).

Scope of Application:

Subdivision of Erf 831 Hlabisa into 1 Portion and a Remainder. The proposed subdivision being Portion 1 of Erf 831 Hlabisa and the Remainder of Erf 831 Hlabisa. The proposed subdivision is required to formalise the entities that form part of the existing shopping centre currently located on Erf 831 Hlabisa. The subdivision of this has come about due to an increased demand for commercial facilities within the Hlabisa area. This also shows the potential for growth and expansion in and around Hlabisa.

A copy of the application and its accompanying documents will be open for inspection by interested members of the public between the office hours of 08h00 to 13h00 and 13h30 to 15h30 Mondays to Fridays (excluding public holidays) at Hluhluwe Office: Development Planning Section, No. 163 Zebra Street, Big 5 Hlabisa Municipal Offices, Hluhluwe. The application will lie for inspection from the **4 July 2022**.

Any person having sufficient interest in the proposal is invited to lodge written comments by hand and addressed to the Big 5 Hlabisa Municipality Municipal Manager at Lot 808 off Masson Street, or by registered post and addressed to the Municipal Manager to P. O. Box 87, Hlabisa, 3937, or by e-mail to rm@big5hlabisa.gov.za by no later than the **3 August 2022**. A person who fails to lodge or forward comments by the said date, in response to this notice, will be disqualified from further participation in the process.

Dr. V.J Mthembu
Municipal Manager
Big 5 Hlabisa Municipality
Municipal Offices
808 off Masson Street

#0022866.27.22@

ISASIZO SENCUBO YOKUBUYEKEZWA KWESICELO MAYELANA NELUNGELO LOKUMAYINA LASETENDELE

Reference: KZN30/5/12/21/0041MR

Isasizo sikhishwa ngokweMhlabandla Yokubambiqhaza Komphakathi eshicilelwe ngokomthetho kazwelonke Wokuphatha Kwemvelo, ka1998 kanye neSahluko 6 semithethongqoshe Yokuhlola Umthetho Wezemvelo, ka2014 njengoba ishicilelwe kuGazethi Kanhlumeni No 38282 GNR 982 yamhlaka 4 Disemba 2014 ukuze umphakathi uphawule ngenqubo yokubuyekeza kwesicelo ehlobene nelungelo lokumayina/lokumba (MR) laseTendele.

Kusukela ngo 2007 i-Tendele Coal Mining (Pty) Ltd inemayini esebenzayo ebizwa ngokuthi yiSontkhele Mine, esendaweni ecishe ibe ngama-23 km NW eMtubatuba, esendaweni engu-Reserve No 3 ka-15822. iTendele yafaka isicelo sokuthola ilungelo lokumayina (MR) ngo-2014, alabe selitholakala ngo-Oktobha 2016 (nenombolo yeretferensi: KZN30/5/12/21/0041MR). Ukunikezwa kwelungelo lokumayina (MR) kanye nokunguyazwa kombiko wohlelo lwayo lokuphatha kwemvelo (EMPr) kwaphonselwa inseliso ngenqubo yokubuyekeza kwesicelo ngokwesigaba sama-96 somthetho Wokuthuthukiswa Kwezinsiza Zezimbwa kanye Nophetholi (MPRDA), wama-28 wezi-2002 kanye nangezinqubo zasenkantololo ezalandelayo. Mhlaka 4 Meyi 2022, iNkantolo ePhakeme yasePitoli yakhipha isinqumo (Umyalelo Wenkantolo) esiphathelene nelungelo lokumayina (MR) kanye nombiko wohlelo lokuphatha kwemvelo (EMPr) ephethe yi-Tendele; Inombolo Yecala Lenkantolo: 82865/2018.

Ilungelo lokumayina (MR) kanye nombiko wohlelo lokuphatha kwemvelo (EMPr) akuzange kubekwe eceleni yiNkantolo kodwa isikhatalo sokubuyekeza kwesicelo sabuyiselwa kunqongqoshe Wezimbiwa Namandla (-i-DMRE) ukuze asicubungule kabusha. Ekucubunguleni kabusha isikhatalo, ilaji liyalelele ubugqongqoshe ukuthi acubungule nanoma yiluphi ulwazi lmayini efisa ukuliveza phambi kwakhe kanye nanoma yiluphi ulwazi kanye nokuphawula kwaMagambu Anentshisekelo Nabathintekayo (I&APs).

Ukwengeza, ilaji liyalelele iMayini ukuthi yazise amagambu anentshisekelo nabathintekayo (I&APs) mayelana nelungelo lawo lokubamba iqhaza ohlelweni lokubuyekeza kwesicelo.

Ilungelo lokumayina (MR 10041) elanikezwa iTendele ngo-2016, laithatha indawo engu-222km². iTendele isiddelele u-92% wendawo kulilungelo (MR). Izindawo okhulose ukumayina kuzo manje seziciste zibe ngama-27km². Izindawo ezigcinwe yiSeMalahleni, Ophondweni naseMahujini ezitholakala kwaMpukunyoni, eMtubatuba, KwaZulu-Natal.

Seloku iTendele yathola ilungelo lokumayina (MR), iMayini iye yabonisa kananzi namalungu omphakathi athinteka ngqo kanye nabaholi bendawo futhi yaphothula izifundo ezengezive zochwepheshe mayelana nezindawo ezigcinwe. Ngokusekwe kulo myalelo wenkantolo ongenhla, kubaluleke kakhulu ukuthi amagambu anentshisekelo nabathintekayo (I&APs) azise ngelungelo lawo lokubamba iqhaza ohlelweni lokubuyekeza kwesicelo futhi anikezwe ithuba lokubeka imibono ngolwazi olwengezive oselukhona kusukela ekufakweni kwesicelo sokugala ngo-2014.

I-Black Rock Environmental ipokwe yi-Tendele njengomsebenzi wokuhlola imvelo (EAP) kulo msebenzi. I-Black Rock Environmental iphothule Umqulu Wolwazi Lomlando (BID) ozosathaliswa kumagambu anentshisekelo nabathintekayo (I&APs). I-Black Rock Environmental ithose ukusabalalisa umbiko Wokuhlola Osalungiswa (Draft Scoping Report) ukuze umphakathi uphawule futhi ubuyekeze lombiko kusukela mhlaka 15 Julayi 2022 besekuba nemihlangano yokugala yomphakathi ezobanjwa mhlaka 23 Julayi 2022 Ophondweni Hall ngo 9:00 ekuseni, kanye nangomhlaka 24 Julayi 2022 Emalahleni eMsiwamakrestu Primary School ngo 9:00 ekuseni, kanye nangomhlaka 6 Agasti 2022 eMahujini/Majonjoni. Indawo nesikhathi somhlangano waselMahujini/Majonjoni kusazozinqisikiswa. Umbiko Wokuhlola Osalungiswa, umbiko wokuhlola komthetho kwezemvelo kanye nombiko wohlelo lokuphatha kwemvelo (EMPr) uzonikezwa amagambu anentshisekelo nabathintekayo (I&APs) ukuze aphaawule.

Umpakathi uyamanywa ukuthi ubhalise njengamalungu anentshisekelo nabathintekayo (I&APs) futhi uphawule ngalo msebenzi. Amagambu anentshisekelo nabathintekayo (I&APs) anikezwa ithuba lokugonda izici ezibonakalayo nezenhlo ezihlobene nomsebenzi ukuze akwazi ukubamba iqhaza ngendlela efanele enqubweni yokubuyekeza kwesicelo.

Uma udinga ulwazi olwengezive noma unokuphawula mayelana nentuthuko sicele utshinte uChristopher Wright waseBlack Rock Environmental ku:

Tel: 083-500-0205
Fax: 086-413-1169
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LIQUOR ACT

714

PUBLIC NOTICES

NOTICE

Is hereby given informing the public of the intention to erect a private health facility at 33 Waterfall Road, Bonela, Durban, 4091. An application for 20 sub-acute beds, 10 physical rehabilitation beds, 10 psychiatry beds, 20 day beds, 2 theatres and 1 Procedure room will be submitted to the KZN Department of Health. Written objections or comments should be submitted within 30 days of this notice. Email: fikile.ndumo@kznhealth.gov.za / EAsmal@aakh.co.za

710

LIQUOR ACT

ANNEXURE D

NOTICE TO DISPLAY INTENTION TO APPLY FOR LIQUOR LICENCE IN TERMS OF SECTION (42) (1) (B) (III) OF ACT KWAZULU-NATAL LIQUOR LICENSING ACT, 2010 (ACT NO. 6 OF 2010) KZNLA 3

Name and surname of the applicant: FUNANI LEGACY (PTY) LTD

Category of licence applied for: (on-/off-consumption/micro- manufacturer/special event): ON-CONSUMPTION

Type of premises for which licence is applied for: (type of licence) RESTAURANT LICENCE

Trading name of the premises: WIMPY UMLAZI MEGA CITY

Address of the premises: SHOP NO. OM7 AND OM8, UMLAZI MEGA CITY, ERF 1354, 50 GRIFFITHS MXENGE HIGHWAY UMLAZI, DURBAN, 4066

Date of display: 12 JULY 2022

Expiry date of display: 10 AUGUST 2022

NB: Objections should be lodged with the local committee in the Ethekwini District from where the application emanates, within 21 (working) days from the date of the display of this Notice at the address below.

Address: KZN Liquor Authority 1 st Floor, The Marine Building 22 Dorothy Nyembe Street, Durban, 4001 Tel: 031- 302 0600

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PUBLIC NOTICES

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PUBLIC NOTICES

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TENDERS

EXTENSION OF CONTRACT PERIOD FOR CONTRACT MN NO: 117/2018



EXTENSION OF CONTRACT PERIOD FOR CONTRACT MN NO. 117/2018: CALL FOR PROPOSALS: PROVISION OF RISK ASSESSMENT DURING STAFF RECRUITMENT AND SELECTION PROCESS FOR A PERIOD OF THREE MONTHS

THIS NOTICE SERVES TO INFORM THE PUBLIC OF THE EXTENSION OF CONTRACT PERIOD FOR MN NO. 117/2018: CALL FOR PROPOSALS: PROVISION OF RISK ASSESSMENT DURING STAFF RECRUITMENT AND SELECTION PROCESS FOR A PERIOD OF THREE MONTHS

The purpose of the publication is to enable the municipality to comply with Municipal Finance Management Act 116 (3), members of the public are hereby called to submit representation to the municipality by no later than 12h00 pm on the 29 July 2022. The extension is for a period of 3 months ending 11 October 2022

Enquiries and submissions must be addressed to:

Ms Nokuthula Bhengu at 032 437 5153 or Mr. MW Ngcamu on 032-4375148.

Email: nokuthulab@kwadukuza.gov.za or mandlan@kwadukuza.gov.za

Issued by The Municipal Manager, Mr NJ Mdakane| 14 Chief Albert Luthuli Street, KwaDukuza, 4450 | Tel: 032 437 5000

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TENDERS

ISAZISO SENQUBO YOKUBUYEKEZWA KWESICELO MAYELANA NELUNGELO LOKUMAYINA LASETENDELE

Reference: KZN30/5/1/2/2/10041MR

Isaziso sikhishwa ngokweMihlahlandlela Yokubambiqhaza Komphakathi eshicilelwe ngokoMthetho Kazwelonke Wokuphathwa Kwemvelo, ka1998 kanye neSahluko 6 seMithethonqubo Yokuhlola Umthelela Wezemvelo, ka2014 njengoba ishicilelwe kuGazethi Kahulumeni No 38282 GNR 982 yamhlaka 4 Disemba 2014 ukuze umphakathi uphawule ngenqubo yokubuyekezwa kwesicelo ehlobene nelungelo lokumayina/lokumba (MR) laseTendele.

Kusukela ngo 2007 i-Tendele Coal Mining (Pty) Ltd inemayini esebenzayo ebizwa ngokuthi yiSomkhele Mine, esendaweni ecishe ibe ngama-23 km NW eMtubatuba, esendaweni engu-Reserve No 3 ka-15822. iTendele yafaka isicelo sokuthola ilungelo lokumayina (MR) ngo-2014, elabe selitholakala ngo-Okthoba 2016 (nenombolo yereferensi: KZN30/5/1/2/2/10041MR). Ukunikezwa kwelungelo lokumayina (MR) kanye nokugunyazwa kombiko wohlelo lwayo lokuphathwa kwemvelo (EMPr) kwaphonselwa inselelo ngenqubo yokubuyekezwa kwesicelo ngokwesigaba sama-96 soMthetho Wokuthuthukiswa Kwezinsiza Zezimbiwa kanye Nophethiloli (MPRDA), wama-28 wezi-2002 kanye nangezinqubo zasenkantolo ezalandelwayo. Mhlaka 4 Meyi 2022, iNkantolo ePhakeme yasePitoli yakhipha isinqumo (Umyalelo Wenkantolo) esiphathelene nelungelo lokumayina (MR) kanye nombiko wohlelo lokuphathwa kwemvelo (EMPr) ephethwe yi-Tendele; Inombolo Yecala Lenkantolo: 82865/2018.

ILungelo Lokumayina (MR) kanye noMbiko wohlelo lokuphathwa kwemvelo (EMPr) akuzange kubekwe eceleni yiNkantolo kodwa isikhalazo sokubuyekezwa kwesicelo sabuyiselwa kuNgqongqoshe Wezimbiwa Namandla (i-DMRE) ukuze asicubungule kabusha. Ekucubunguleni kabusha isikhalo, iJaji liyalele uNgqongqoshe ukuthi acubungule nanoma yiluphi ulwazi imayini efisa ukuluveza phambi kwakhe kanye nanoma yiluphi ulwazi kanye nokuphawula kwaMaqembu Anentshisekelo Nabathintekayo (I&APs).

Ukwengeza, iJaji liyalele iMayini ukuthi yazise amaqembu anentshisekelo nabathintekayo (I&APs) mayelana nelungelo lawo lokubamba iqhaza oehlweni lokubuyekezwa kwesicelo.

ILungelo lokumayina (MR 10041) elanikezwa iTendele ngo-2016, lalithatha indawo engu-222km²; i-Tendele isidedele u-92% wendawo kulililungelo (MR). Izindawo okuhloswe ukumayina kuzo manje sezicishe zibe ngama-27km2. Izindawo ezigcinwe yiseMalahleni, Ophondweni naseMahujini ezitholakala kwaMpukunyoni, eMtubatuba, KwaZulu-Natal.


Selokhu iTendele yathola ilungelo lokumayina (MR), iMayini iye yabonisana kabanzi namalungu omphakathi athinteka ngoko kanye nabaholi bendawo futhi yaphothula izifundo ezenzeziwe zochwepheshe mayelana nezindawo ezigcinwe. Ngokusekelwe kulo myalelo wenkantolo ongenhla, kubaluleke kakhulu ukuthi amaqembu anentshisekelo nabathintekayo (I&APs) aziswe ngelungelo lawo lokubamba iqhaza oehlweni lokubuyekezwa kwesicelo futhi anikezwe ithuba lokubeka imibono ngolwazi olwengeziwe oselukhona kusukela ekufakweni kwesicelo sokuqala ngo-2014.

I-Black Rock Environmental iqokwe yi-Tendele njengomsebenzi wokuhlola imvelo (EAP) kulo msebenzi. I-Black Rock Environmental iphothule Umqulu Wolwazi Lomlando (BID) ozosatshalaliswa kumaqembu anentshisekelo nabathintekayo (I&APs). I-Black Rock Environmental ihlose ukusabalalisa uMbiko Wokuhlola Osalungiswa (Draft Scoping Report) ukuze umphakathi uphawule futhi ubuyekeze lombiko kusukela mhlaka 15 Julayi 2022 besekuba nemihlangano yokuqala yomphakathi ezobanjwa mhlaka 23 Julayi 2022 Ophondweni Hall ngo 9:00 ekuseni; kanye nangomhlaka 24 Julayi 2022 Emalahleni eMsiziwamaKrestu Primary School ngo 9:00 ekuseni; kanye nangomhlaka 6 Agasti 2022 eMahujini/Majonijoni. Indawo nesikhathi somhlangano waseMahujini/Majonijoni kusazoginisekiswa. Umbiko Wokuhlola Osalungiswa, umbiko wokuhlola komthelela kwezemvelo kanye noMbiko wohlelo lokuphathwa kwemvelo (EMPr) uzonikezwa amaqembu anentshisekelo nabathintekayo (I&APs) ukuze aphawule.

Umpahakathi uyamenywa ukuthi ubhalise njengamalungu anentshisekelo nabathintekayo (I&APs) futhi uphawule ngalo msebenzi. Amaqembu anentshisekelo nabathintekayo (I&APs) anikezwa ithuba lokuqonda iziceli ezibonakalayo nezenhla ezihlobene nomsebenzi ukuze akwazi ukubamba iqhaza ngendlela engqibisekileyo yokubuyekezwa kwesicelo.

Uma udinga ulwazi olwengeziwe noma unokuphawula mayelana nentuthuko sicela uthinte uChristopher Wright waseBlack Rock Environmental ku:

Tel: 083-500-0205
Fax: 086-413-1169
Email: Chris@blackrock-env.co.za





NDWEDWE LOCAL MUNICIPALITY UMASIPALA WASE - NDWEDWE

NOTICE FOR CANCELLATION OF INTENTION TO AWARD

PROPOSALS FOR THE LONG-TERM LEASE AND DEVELOPMENT

PROPOSAL NO: NDWP 47/21/22

Notice is hereby given to the prospective service providers who have responded to the above-mentioned bid, that the bid has been cancelled.

Reason for Cancellation: Cancelled due to expired tender validity period, and it will be re-advertised in due course.

Ndwedwe Local Municipality would like to apologies for any inconvenience caused.

Enquiries in respect of the bid cancellation can be directed to Mrs. M Shangase during office hours on (032) 532 5021.

MR DSG KHUZWAYO
ACTING MUNICIPAL MANAGER

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Lapha kunikezwa isaziso ngokweSahluko 4, iSigaba 46 soMthetho i-uMlalazi Local Municipality Spatial Planning and Land Use Management By-law ngesicelo esifakwe i-Rabie Architect and Civil Consultant egameni lamaklayenti u-Nkosingiphile N Khuluse, semvume yekhansela eyisipesheli sokwakha bavule i-Bed and Breakfast kanye ne Granny Flat esizeni-606 Mtunzini, 103 Siyayi Drive. Nanoma yimuphi umuntu onesifiso sokuhlola ikhophi yalesi sicelo engakwazi ukukwenza lokhu ngokwenza ukwenza iphoyintimenti, kuMnyango Wokuhlola Nokuthuthukisa ehovisini likwa Town Planning eMtunzini, ngesikhathi samahora ebhizinisi (08:00 kuya ku-15:00 ngoMsombuluko kuya kuLwesihlanu) , komele uxhumane no Mnz Mtokozisi Ngubane ku 0834426031 Nanoma yimuphi umuntu noma inhlango eMnyango ukuphikisa lesi sicelo, noma efuna ukwenza isiphakamiso, noma ukwenza iphoyintimenti yokuhlola ikhophi yalesi sicelo kufanele yenze njalo ngokubhalela u-Municipal Manager, uMlalazi Municipality bese uthumela kule email MM@umlalazi.gov.za Mthokozisi@umlalazi.gov.za enze iduplikhethi ngaphambi kokuvula kwebhizinisi mhlaz zingu 26 kuNcwaba2022.

Ukuhluleka kwanoma yimuphi umuntu noma yinhlangano ukufaka noma ukudlulisa ukuphikisa noma ukuphawula ngesikhathi njengoba sibekwe ngenhla kuzobavimbela ekuqhubekeni nokuhlanganyela kulolu hlelo, noma ekuthatheni ezinye izinyathelo maqondana nalezi sicelo. Ngeminye iminingwane ungaxhumana no Senior Town Planner : Mnz Mthokozisi Ngubane okanye ku MthokozisiN@umlalazi.org.za ngesikhathi samahora ebhizinisi.

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• PUBLIC / LEGAL NOTICE •

NOTIFICATION FOR THE APPEAL PROCESS IN RESPECT OF TENDELE MINING'S MINING

Reference: KZN30/5/1/2/2/10041MR

Notice is hereby given in terms of the Public Participation Guidelines published in terms of the National Environmental Management Act, 1998 and Chapter 6 of the Environmental Impact Assessment Regulations, 2014 as published in the Government Gazette No 38282 GNR 982 of 4 December 2014 that the public is invited to comment on the appeal process related to Tendele's Mining Right (MR).

Since 2007 Tendele Mining (Pty) Ltd ("Tendele") has been operating the Somkhele Mine, located approximately 23 km NW of Mthababisa, located on Reserve No 3 of No 15822. Tendele applied for the MR in 2014 and the Mining Right was subsequently issued in October 2016 (with reference number MMR30/5/11/2/2/10041MR). The granting of the MR and the approval of its associated environmental management programme (EMPr) were challenged through an appeal process in terms of section 96 of the Mineral and Petroleum Resources Development Act, 28 of 2002 (MPRDA) and through subsequent court proceedings. On 4 May 2022, the Pretoria High Court handed down a judgment (Court Order relating to the MR and the EMPr held by Tendele; Court Case No. 82865/2018).

The MR and its EMPr were not set aside by the Court but the appeal was sent back to the Minister of Mineral Resources and Energy (DMRE) for reconsideration. In reconsidering the appeal, the Judge had directed the Minister to consider any information that the Mine wishes to place before him as well as a full and complete disclosure of all relevant information and comments from Interested and Affected Parties (I&APs).

The 10041 MR granted to Tendele in 2016 covered an area of 222km². Tendele has since abandoned 92% of the area covered by this MR. The intended mining areas are now approximately 27km². The retained areas are in Emalahleni, Ophondweni and Matlujini, which are located in Mpumkomo, Muthatuba, Kwazulu-Natal.

Since the issuance of Tendele's MR the Mine has undergone extensive consultation with directly affected community members and with local leaders as well as completed additional specialist studies in respect of the retained areas. Based on the above court order, it is paramount that I&APs are notified of the additional information that has become available since the original application in 2014.

Black Rock Environmental has been appointed by Tendale as the Environmental Assessment Practitioner (EAP) for this project. Black Rock Environmental has finalised the Basic Information Document (BID) which will be circulated to I&APs upon registration. Black Rock Environmental intends on availing the Draft Scoping Report for public comment and review from 15 July 2022 and initial public meetings to be hosted on 23 July 2022 at Ophondweni Hall at 09:00am, 24 July 2022 in Emalaheni at Mtsizwamakhe Primary School at 09:00am and on 6 August in Mahujini/Malajonjoni venue and time to be confirmed. The Scoping Report, an environmental impact assessment report and EMPr will be provided to I&APs for comment.

The public are invited to register as I&APs and give comment on the project. Kindly register before July 2022. I&APs are afforded the opportunity to understand the physical and social factors associated with the project so that they can meaningfully participate in the appeal process.

Should you require any additional information or have comments about the development please contact **Christopher Wright from Black Rock Environmental** at:



**0910
PUBLIC/LEGAL
NOTICES**

**APPLICATION FOR
ATMOSPHERIC
EMISSION LICENCE
(AEL) FOR
RECTIFICATION OF
UNLAWFUL CONDUCT
OF LISTED ACTIVITIES**

Uniazi Local Municipality (Applicant) is applying for the relevant environmental legislative permits and authorisations required to operate the Zululand Crematorium, on Ert 1495, Ntuneni Road in Eshowe, lawfully.

Umlalazi Local Municipality (Applicant) is applying for the relevant environmental legislative permits and authorisations required to create the Zululand Crematorium, on Erf 1495, Nutumei Road in Eshowe, lawfully.

Environmental
Authorisation Process
Exigent Engineering Consultants cc (Exigent) has been appointed by the Applicant, as the Assessment Practitioner (EAP) to undertake the specification process of the unlawful commencement of the listed activities in terms of the Section 24G, as well as the IWULA and the IMAEL, including the related Public Participation Processes. Notice is hereby given of the EIA application to be submitted to the Department of Economic Development, Tourism and Environmental Affairs (DEDETA) in terms of the section 24G, in contravention of Section 10, R. 698 of 20 July 2017 (Government Notice (GN) 107 of 1999), as amended. Notice is hereby given of the IWULA to the Applicant, submitted to the Department of Water and Sanitation (DWS) under the National Water Act (NWA), (Act 36 of 1998) listed water uses in terms of Section 21 and an Application in terms of section 22A of the National Environmental Management Act (NEMA) (Act No. 107 of 1998), as amended. Notice is hereby given of the IWULA to the Department of Water and Sanitation (DWS) under the National Water Act (NWA), (Act 36 of 1998) listed water uses in terms of Section 21 and an Application in terms of section 22A of the National Environmental Management Act (NEMA) (Act No. 107 of 1998), as amended. Air Quality (NEMA:QA) (Act No. 603 of 2004) for listed Sub-category 8.2, GN 693 of 2013, as amended, to be submitted to the Umlalazi Local Municipality (Applicant).

Application to participate
register as an
interested and/or Affected
Party and to obtain further
information related to the
proposed project, please
contact Exigent
Engineering Consultants
1 August 2022.

Engineering Consultants

Mr Joubert
Box 9514
Eunice Bay, 3900
Tel : (076) 444 0487
Fax : (086) 614 7327
Email: crematorium@jigent.co.za

7-2022

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To register as an Interested and or Affected Party and to obtain further information related to the proposed project, please contact Exigent Engineering Consultants by 11 August 2022.

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Duly authorized hereto by
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ISAZISO SENQUBO Y LASETENDELE	
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ISAZISO SENQUBO Y
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phakathi uyamenywa uk

udinga ulwazi olwengezi
ht waseBlack Rock Env
 083-500-0205
 086-413-1169
 il: Chris@blackrock-env.co

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**ISAZISO SENQUBO YOKUBUYEKEZWA KWESICelo MAYELANA NELUNGELO LOKUMAYINA
LASETENDELE**

Reference: KZN30/5/1/2/2/10041MR

Njengengxenywe yesicelo sokubuyekezwa esiphikisana nelungelo Lokumayina le-Tendele Mining lika-2016 kanye noHlelo Lokuphathwa Kwemvelo, umyalelo wenkantolo ePhakeme wathi Ilungelo Lokumayina kanye nombiko wohlelo lokuphathwa kwemvelo akubekelwanga eceleni, kodwa isicelo sokubuyekezwa sabuyiselwa kuNgqongqoshe we-DMRE ukuze asibhekisise. Ngenxa yalokho iTendele kufanele yenze kabusha inqubo yokubonisana nomphakathi.

UMqulu woMbiko wolwazi lomlando (BID) usuyatholakala, kanti Umbiko Wokuhlola Osalungiswa (Draft Scoping Report) uzotholakala ksukela mhlaka 15 Julayi 2022. Imihlangano yomphakathi yokuqala izosingathwa ngomhlaka 23 Julayi 2022 Ophondweni Hall ngo-9:00 ekuseni kanye nomhlaka 24 Julayi 2022 Emalahleni eMsiziwamaKrestu Primary School ngo-9:00 ekuseni, nangomhlaka 6 kuAgasti 2022 eMahujini/Majonijoni. Isikhathi nendawo somhlangano waseMahujini/Majonijoni kusazoqinisekiswa.

Ukuze uthole ulwazi olwengeziwe uyamenywa ukuba ubhalise njengomuntu onentshisekelo noma othintekayo, ngokuhambisana nomthetho we-NEMA kwaBlack Rock Environmental ku-0835000205 noma uthumele i-imeyili kuChris@blackrock-env.co.za.

NOTIFICATION FOR THE APPEAL PROCESS IN RESPECT OF TENDELE MINING'S MINING RIGHT

ISAZISO SENQUBO YOKUBUYEKEZWA KWESICELO MAYELANA NELUNGELO LOKUMAYINA LASETENDELE

Reference: KZN30/5/1/2/2/10041MR

Notice is hereby given in terms of the Public Participation Guidelines published in terms of the National Environmental Management Act, 1998 and Chapter 6 of the Environmental Impact Assessment Regulations, 2014 as published in the Government Gazette No 38282 GNR 982 of 4 December 2014 for the public to comment on the appeal process related to Tendele's Mining Right (MR).

Isaziso sikhishwa ngokweMihlahlandlela Yokubambiqhaza Komphakathi eshicilelwe ngokoMthetho Kazwelonke Wokuphathwa Kwemvelo, ka1998 kanye neSahluko 6 seMithethonqubo Yokuhlola Umthelela Wezemvelo, ka2014 njengoba ishicilelwe kuGazethi Kahulumeni No 38282 GNR 982 yamhla ka 4 kuDisemba 2014 ukuze umphakathi uphawule ngenqubo yokubuyezwa kwesicelo ehlobene nelungelo lokumayina/lokumba (MR) laseTendele.

Since 2007 Tendele Mining (Pty) Ltd ("Tendele") has been operating the Somkhele Mine, located approximately 23 km NW of Mtubatuba, located on Reserve No 3 of No 15822. Tendele applied for a MR in 2014 and the Mining Right was subsequently issued in October 2016 (with reference number: KZN30/5/1/2/2/10041MR). The granting of the MR and the approval of its associated environmental management programme (EMPr) were challenged through an appeal process in terms of section 96 of the Mineral and Petroleum Resources Development Act, 28 of 2002 (MPRDA) and through subsequent court proceedings. On 4 May 2022, the Pretoria High Court handed down a judgment (Court Order) relating to the MR and the EMPr held by Tendele; Court Case No: 82865/2018.

Kusukela ngo 2007 i-Tendele Coal Mining (Pty) Ltd inemayini esebenzayo ebizwa ngokuthi yiSomkhele Mine, esendaweni ecishe ibe ngama-23 km entshonalanga esenyakatho eMtubatuba, esendaweni engu-Reserve No 3 ka-15822. ITendele yafaka isicelo sokuthola ilungelo lokumayina (MR) ngo-2014, elabe selitholakala ngo-Okthoba 2016 (nenombolo yereferensi: KZN30/5/1/2/2/10041MR). Ukunikezwa kwelungelo lokumayina (MR) kanye nokugunyazwa kombiko wohlelo lwayo lokuphathwa kwemvelo (EMPr) kwaphonselwa inselelo ngenqubo yokubuyezwa kwesicelo ngokwesigaba sama-96 soMthetho Wokuthuthukiswa Kwezinsiza Zezimbiwa kanye Nophethiloli (MPRDA), no. 28 ka2002 kanye nangezinqubo zasenkantolo ezalandelwayo. Mhlaka 4 Meyi 2022, iNkantolo ePhakeme yasePitoli yakhipha isinqumo (Umyalelo Wenkantolo) esiphathelene nelungelo lokumayina (MR) kanye nombiko wohlelo lokuphathwa kwemvelo (EMPr) ephethwe yi-Tendele; Inombolo Yecala Lenkantolo: 82865/2018.

The MR and its EMPr were not set aside by the Court but the appeal was sent back to the Minister of Mineral Resources and Energy (DMRE) for reconsideration. In reconsidering the appeal, the Judge has directed the Minister to consider any information that the Mine wishes to place before him as well as any information and comments from Interest and Affected Parties (I&APs)

ILungelo Lokumayina (MR) kanye noMbiko wohlelo lokuphathwa kwemvelo (EMPr) akuzange kubekwe eceleni yiNkantolo kodwa isikhalazo sokubuyezwa kwesicelo sabuyiselwa kuNgqongqoshe Wezimbiwa Namandla (i-DMRE) ukuze asicubungule kabusha. Ekucubunguleni kabusha isikhalazo sokubuyezwa kwesicelo, iJaji liyalele uNgqongqoshe ukuthi acubungule nanoma yiluphi ulwazi Imayini efisa ukuluveza phambi kwakhe kanye nanoma yiluphi ulwazi kanye nokuphawula kwaMaqembu Anentshisekelo Nabathintekayo (I&APs).

In addition, the Judge has directed the Mine to notify I&APs of their entitlement to participate in the appeal process. Ukwengeza, iJaji liyalele iMayini ukuthi yazise amaqembu anentshisekelo nabathintekayo (I&APs) mayelana nelungelo lawo lokubamba iqhaza ohlelweni lokubuyezwa kwesicelo.

The 10041 MR granted to Tendele in 2016 covered an area of 222km². Tendele has since abandoned 92% of the area covered by this MR. The intended mining areas are now approximately 27km². The retained areas are in Emalahleni, Ophondweni and Mahujini, which are located in Mpukunyoni, Mtubatuba, KwaZulu-Natal.

ILungelo lokumayina (MR 10041) elanikezwa iTendele ngo-2016, lalithatha indawo engu-222km²; I-Tendele isidedele u-92% wendawo kulelilungelo (MR). Izindawo okuhloswe ukumayinwa kuzo manje sezicishe zibe ngama-27km². Izindawo ezigciniwe yiseMalahleni, Ophondweni naseMahujini ezitholakala kwaMpukunyoni, eMtubatuba, KwaZulu-Natal.

Since the issuance of Tendele's MR the Mine has undergone extensive consultation with directly affected community members and with local leaders as well as completed additional specialist studies in respect of the retained areas. Based on the above court order, it is paramount that I&APs are notified of their entitlement to participate in the appeal process and are afforded the opportunity to provide comments on the additional information that has become available since the original application in 2014.

Selokhu iTendele yathola ilungelo lokumayina (MR), iMayini iye yabonisana kabanzi namalungu omphakathi athinteka ngqo kanye nabaholi bendawo futhi yaphothula izifundo ezengeziwe zochwepheshe mayelana nezindawo ezigciniwe. Ngokusekelwe kulo myalelo wenkantolo ongenhla, kubaluleke kakhulu ukuthi amaqembu anentshisekelo nabathintekayo (I&APs) aziswe ngelungelo lawo lokubamba iqhaza ohlelweni lokubuyekiswa kwesicelo futhi anikezwe ithuba lokubeka imibono ngolwazi olwengeziwe oselukhona kusukela ekufakweni kwesicelo sokuqala ngo-2014.

Black Rock Environmental has been appointed by Tendele as the Environmental Assessment Practitioner (EAP) for this project. Black Rock Environmental has finalised the Basic Information Document (BID) which is attached to this advert for I&APs consideration.

I-Black Rock Environmental iqokwe yi-Tendele njengomsebenzi wokuhlola imvelo ogunyaziwe (EAP) kulo msebenzi. I-Black Rock Environmental iphothule Umqulu Wolwazi Lomlando (BID) onamathiselwe kulesi sikhangisi ukuze umphakathi uwucubungule.

Black Rock Environmental intends on availing the Draft Scoping Report for public comment and review from 15 July 2022 with copies will be available for the public from the following locations / persons:

I-Black Rock Environmental ihlose ukuletha uMbiko Wokuhlola Osalungiswa ukuze umphakathi uphawule ngawo futhi ubuyekizwe kusukela mhlaka 15 Julayi 2022 namakhophi azotholakala emphakathini kulezi zindawo/abantu abalandelayo:

- | | |
|-------------------------------------|-------------------------|
| • Mgeza Traditional Council offices | • Induna Justice Gumede |
| • Mtubatuba Municipal Offices | • Induna LX Mkhwanazi |
| • Somkhele Mine Security Offices | • Induna Mahujini |
| | • Induna Machibini |

The following Schools: **Izikole ezilandelayo**

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| • MsiziwamaKrestu Primary School | • Gwebu Creche |
| • Mthulasizwe High School | • Gxaba High School |
| • Machwetshana Primary School | • Bhekumusa Primary School |
| • Somkhele Clinic | • Zamokwakhe Store |
| • Kwa-Ndlovu Tuckshop | |

Initial public meetings to discuss the project will be hosted on 23 July 2022 at the Ophondweni Hall at 9:00am, 24 July 2022 in Emalahleni at Msiziwamakrestu Primary School, 6 August 2022 in Mahujini at the Induna's premises at 9:00am and on 9 August 2022 at Majonijoni Sport ground at 9:00 am.

Imihlangano yokuqala yomphakathi yokudingida lolu hlelo izoba mhlaka 23 Julayi 2022 Ophondweni Hall ngo-9:00 ekuseni, mhlaka 24 Julayi 2022 Emalahleni eMsiziwamaKrestu Primary School ngo-9:00 ekuseni, mhlaka 6 Agasti 2022 eMahujini Enduneni ngo 9:00 ekuseni, nangomhlaka 9 Agasti 2022 eMajonijoni egroundini laseMajonijoni ngo 9:00 ekuseni.

Following the Scoping Report, an environmental impact assessment report and EMPr will be provided to I&APs for comment.

Ukulandela uMbiko wokuhlola, amalungu anentshisekelo nathintekayo azonikezwa umbiko wokuhlola umthelela kwezemvelo kanye nombiko wohlelo lokuphathwa kwemvelo (EMPr) ukuze aphawule.

The public are invited to register as I&APs and give comment on the project. I&APs are afforded the opportunity to understand the physical and social factors associated with the project so that they can meaningfully participate in the appeal process.

Umphakathi uyamenywa ukuthi ubhalise njengamalungu anentshisekelo nathintekayo (I&APs) futhi uphawule ngalo msebenzi. Amaqembu anentshisekelo nabathintekayo (I&APs) anikezwa ithuba lokuqonda izici ezibonakalayo nezenhlalo ezihlobene nomsebenzi ukuze akwazi ukubamba iqhaza ngendlela efanele enqubweni yokubuyezwa kwesicelo.

The last pages of the Background Information Document provide for registration forms to be completed should you as an Interested and Affected Party wish to register, these forms can be handed in at either the Indunas mentioned above, at Mgeza or at the Mine offices should a person not be in a position to email to the EAP.

Amakhasi okugcina oMqulu Wolwazi Lomlando (BID) ahlinzekela ngamafomu okumele agcwaliswe uma ufisa ukubhalisa, lawa mafomu angalethwa eziNduneni ezibalulwe ngenhla, eMgeza noma emahhovisi asemayini uma umuntu engeke akwazi ukuthumela i-imeyili ku-EAP.

Should you require any additional information or have comments about the development please contact **Christopher Wright from Black Rock Environmental** at:

Uma udinga ulwazi olwengeziwe noma unokuphawula mayelana nentuthuko sicela uthinte **uChristopher Wright waseBlack Rock Environmental** ku: Tel: 083-500-0205



Fax: 086-413-1169

Email: Chris@blackrock-env.co.za

NOTIFICATION FOR THE APPEAL PROCESS IN RESPECT OF TENDELE MINE'S MINING RIGHT

Reference: KZN30/5/1/2/2/10041MR

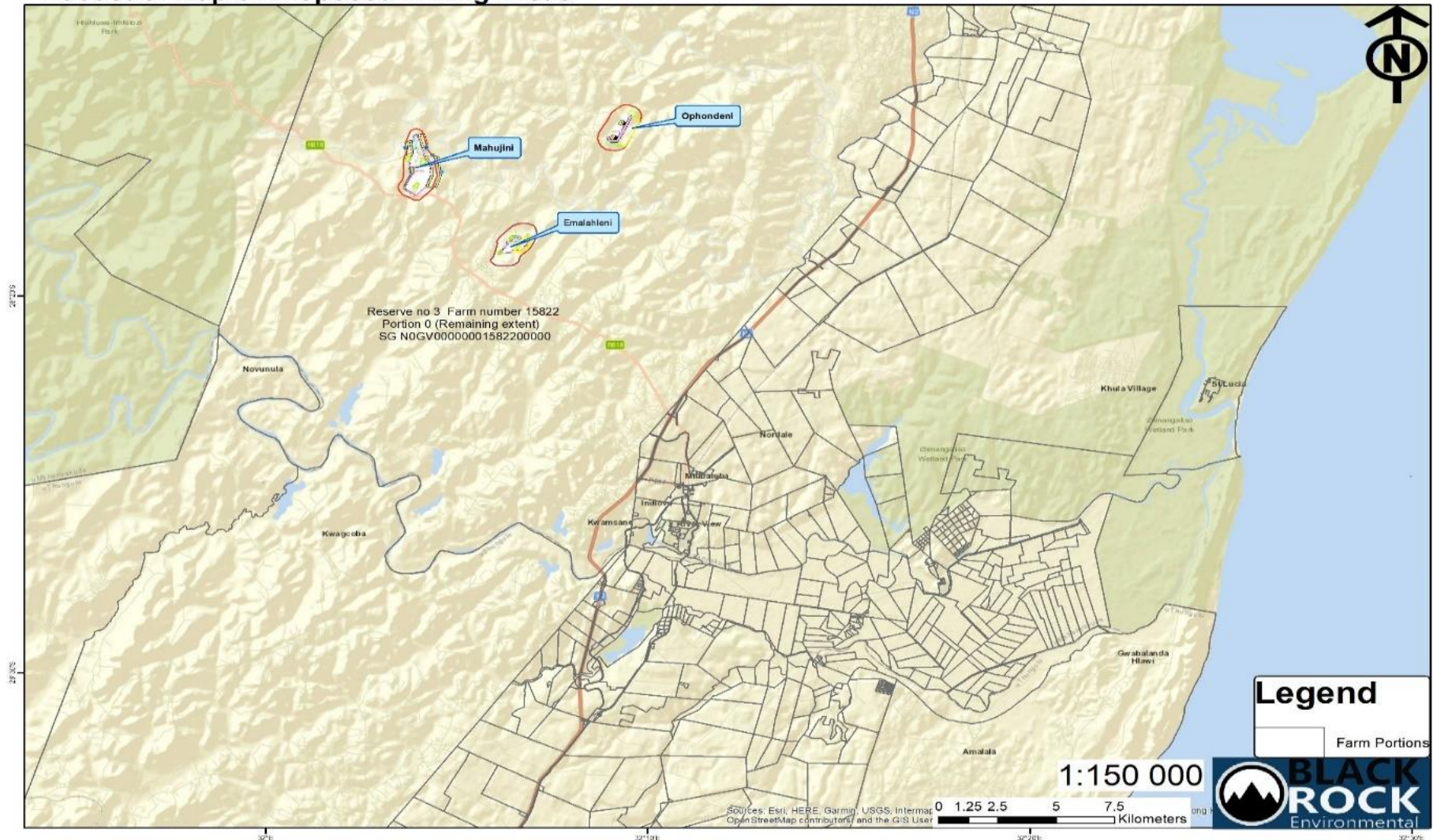
Tendele mining that operate Somkhele Anthracite Mine are inviting all interested persons to participate in Public Participation for mining right application that forms part of the appealed of a Mining Right granted in 2016.

Tendele Mining (Pty) Ltd applied for a Mining Right (MR) in 2014 and was subsequently issued in October 2016 (KZN30/5/1/2/2/10041MR). The mining right covered an area of 222km²; The granting of the MR and the approval of its associated EMPr were challenged through an appeal process in terms of Section 96 of the Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA) and through subsequent court proceedings. On 4 May 2022, the Pretoria High Court handed down a judgment (Court Order) relating to the MR and the EMPr held by Tendele; Court Case No: 82865/2018.

The appeal has been remitted back to the Minister of the DMRE for reconsideration. Tendele has been directed to notify interested and affected parties of their entitlement to participate in the appeal process.

Tendele has abandoned 92% of the area covered by said MR. The intended mining areas are now approximately 27km². The retained areas are Emalahleni, Ophondweni and Mahujini which is located in Mpukunyoni, Mtubatuba, KwaZulu-Natal.

Cadastral Map of Proposed Mining Areas



Black Rock Environmental has been appointed by Tendele as the EAP for this project. The intent is to resubmit all the documents back to the Minister for reconsideration following Chapter 6 of the Environmental Impact Assessment Regulations, 2014 as Published in Government Gazette No38282 GNR 982 of 4 December 2014. This involves both a scoping report and EIA report

Black Rock Environmental intends to have the Draft Scoping Report available for public comment and review from 15 July 2022 and hosting public meetings, on 23 July 2022 at Ophondweni hall at 09:00, 24 July 2022 in Emalahleni at Msiziwamakrestu Primary school and 6 August 2022 in Mahujini at 9:00am at the Induna's premises and 09 August 2022 at sports ground at 9:00am.

The public is invited to register as an I&AP and give comment on the proposed project.

Should you require any additional information or have comments about the proposed development please contact **Christopher Wright from Blackrock Environmental** at:

Tel: 0835000205

Fax: 0864131169

Email: chris@blackrock-env.co.za



ISAZISO SENQUBO YOKUBUYEKEZWA KWESICELO MAYELANA NELUNGELO LOKUMAYINA LASETENDELE

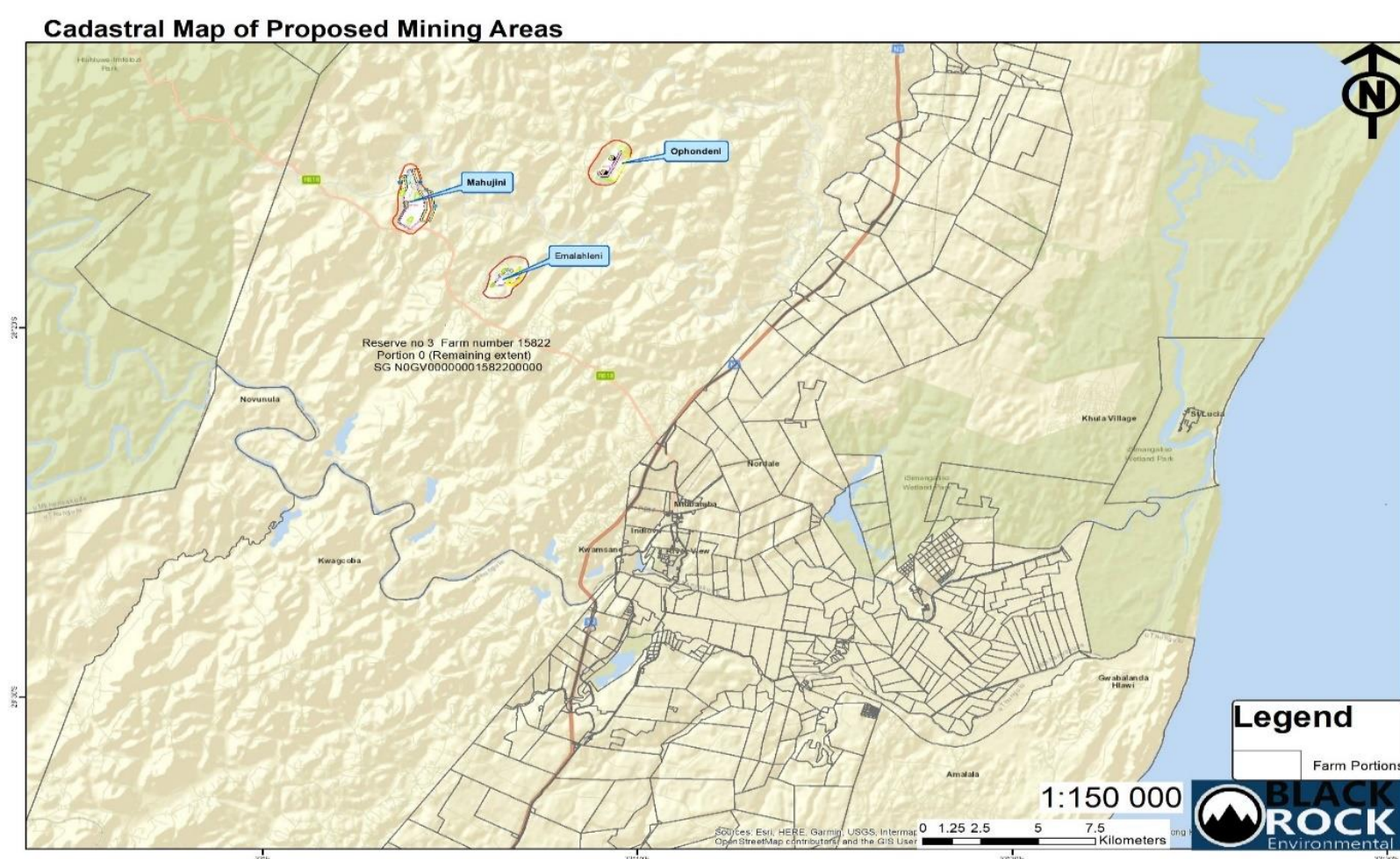
Reference: KZN30/5/1/2/2/10041MR

ITendele Mining ephethe i-Somkhele Anthracite imema bonke abantu abanentshisekelo ukuba bazibandakanye ekubambeni iqhaza komphakathi ngesikhathi senqubo yokufaka isicelo selungelo lokumayina okuyingxanye yokubuyekezwa kwesicelo selungelo Lokumayina elanikezwa ngo-2016.

ITendele Mining (Pty) Ltd yafaka isicelo sokuthola ilungelo lokumayina (MR) ngo-2014, elabe selitholakala ngo-Okthoba 2016 (KZN30/5/1/2/2/10041MR). Lelilungelo lokumayina lalithatha indawo engu-222km² Ukunikezwa kwelungelo lokumayina (MR) kanye nokugunyazwa kombiko wohlelo lwayo lokuphathwa kwemvelo (EMPr) kwaphonselwa inselelo ngenqubo yokubuyekezwa kwesicelo ngokwesigaba 96 soMthetho Wokuthuthukiswa Kwezinsiza Zezimbiwa kanye Nophethiloli (MPRDA), no. 28 ka-2002 kanye nangezinqubo zasenkantolo ezalandelwayo. Mhlaka 4 Meyi 2022, iNkantolo ePhakeme yasePitoli yakhipha isinqumo (Umyalelo Wenkantolo) esiphathelene nelungelo lokumayina (MR) kanye nombiko wohlelo lokuphathwa kwemvelo (EMPr) kwaseTendele; Inombolo Yecala Lenkantolo: 82865/2018.

Isicelo sokubuyekezwa kwelungelo lokumayina sibuyiselwe kuNgqongqoshe we-DMRE ukuze asicubungule kabusha. ITendele iyalelwe ukuba yazise izinhlangothi ezinentshisekelo nezithintekayo mayelana negunya labo lokubamba iqhaza ohlelweni lokubuyekezwa kwesicelo.

Tendele isidedele u-92% wendawo kulelilungelo (MR). Izindawo okuhloswe ukumayinwa kuzo manje sezicishe zibe ngama-27km². Izindawo ezigciniwe yiseMalahleni, Ophondweni naseMahujini ezitholakala kwaMpukunyoni, eMtubatuba, KwaZulu-Natal.



I-Black Rock Environmental iqokwe yi-Tendele njengomhloli wemvelo ogunyaziwe (EAP) walo msebenzi. Inhloso ukubuyisela kabusha yonke imibhalo kuNgqongqoshe ukuze ayicubungule kabusha ngokulandela iSahluko 6 seMithethonqubo Yokuhlola Umthelela Wezemvelo, ka-2014 njengoba Ishicilelwe kuGazethi Kahulumeni No38282 GNR 982 yangomhlaka 4 Disemba 2014. Lokhu kubandakanya yomibili imibiko; Umbiko wokuhlola kanye noMbiko wokuhlola umthelela kwezemvelo (EIA).

I-Black Rock Environmental ihlose ukuba uMbiko Wokuhlola Osalungiswa utholakale emphakathini ukuze umphakathi uphawule ngawo futhi uwubuyekeze kusukela mhlaka 15 Julayi 2022 iphinde isingathe imihlangano yomphakathi, mhlaka 23 Julayi 2022 Ophondweni Hall ngo-9:00 ekuseni, mhlaka 24 Julayi 2022 Emalahleni eMsiziwamaKrestu Primary School ngo-9:00 ekuseni, mhlaka 6 Agasti 2022 eMahujini eNduneni ngo 9:00 ekuseni, nangomhlaka 9 Agasti 2022 eMajonijoni egroundini laseMajonijoni ngo 9:00 ekuseni.

Uma udinga ulwazi olwengeziwe noma unokuphawula mayelana nentuthuko ehlongozwayo sicela uthinte uChristopher Wright waseBlackrock Environmental ku:

Tel: 0835000205

Fax: 0864131169

Email: chris@blackrock-env.co.za



APPENDIX C: BACKGROUND INFORMATION DOCUMENT

Background Information Document

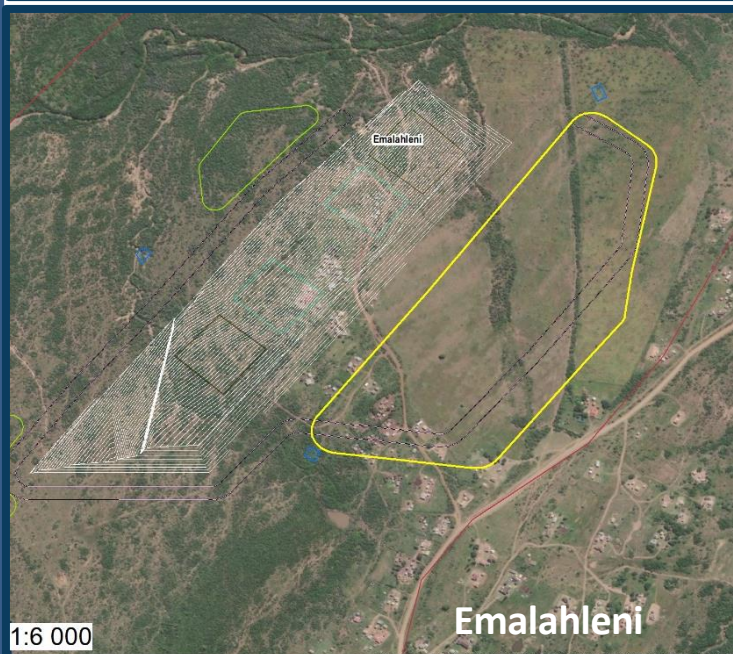
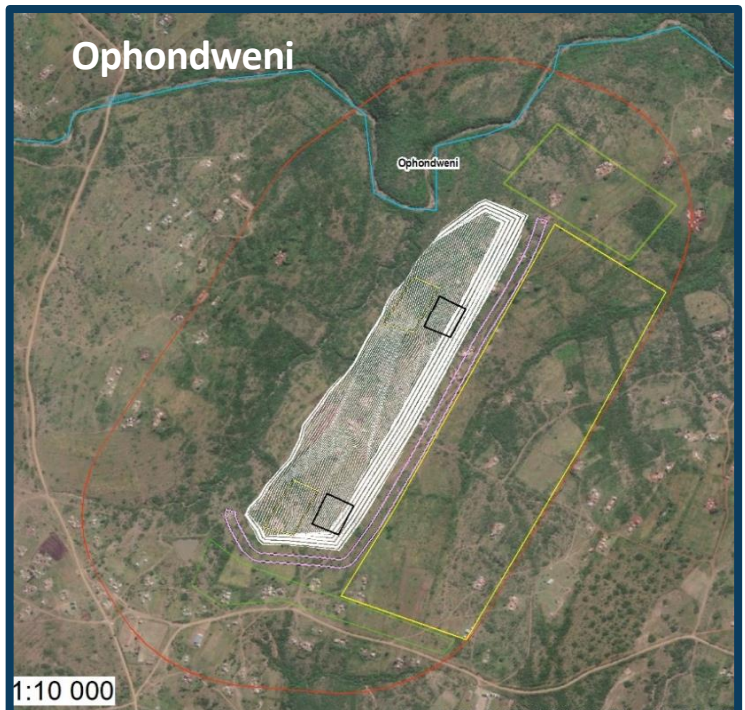
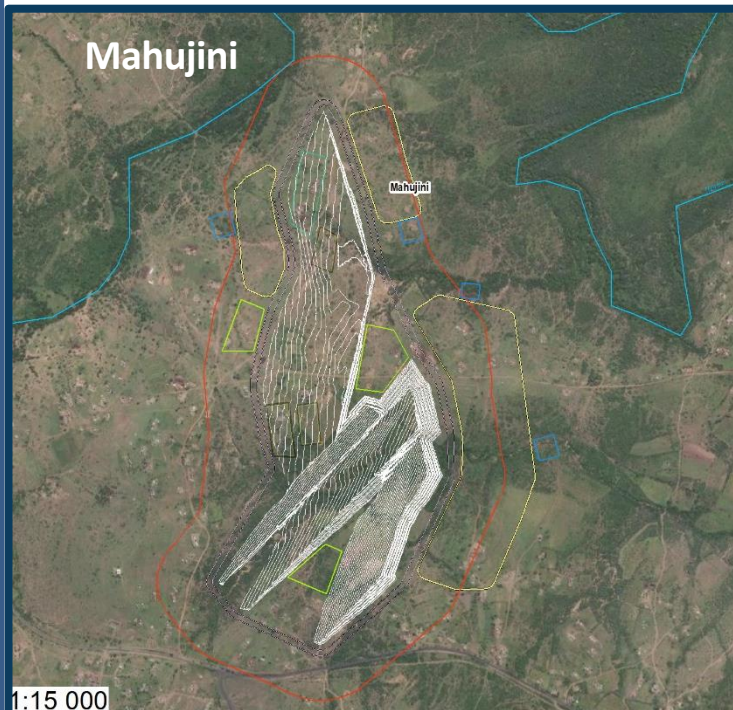
Appeal in respect of a Mining Right held by Tendele Mining with
DMRE Ref: KZN30/5/1/2/2/10041MR



Introduction to the project

Tendele Mining (Pty) Ltd, hereafter referred to as Tendele, owns and has been operating an open cast anthracite mine known as Somkhele Anthracite Mine (Somkhele) since 2006. The Mine is situated 23km north-west of Mtubatuba Town, Kwazulu-Natal, within the uMkhanyakude District Municipality and operates within the Mpukunyoni Community. Tendele commenced mining operations in 2007 at Somkhele in terms of numerous Mining Rights (MR) held by Tendele. 87% of all employment is from the local / hosting community.

On 26 October 2016, Tendele was granted a MR with reference number: KZN30/5/1/2/2/10041MR. This MR covered 222km². Tendele has since abandoned 92% of the area covered by the MR. The intended mining areas are now approximately 27km². The retained areas are located in Emalahleni, Ophondweni and Mahujini. The following maps show the location of the 3 retained areas –



Somkhele Locality Map



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, OpenStreetMap contributors, and the GIS User Community

A Review Application challenged the issuing of the Mining Right

Tendele applied for a Mining Right (MR) in 2014, this MR was issued in 2016 (KZN30/5/1/2/2/10041MR). The grant of the MR and the approval of its associated EMPr were challenged through an appeal process in terms of Section 96 of the Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA) and through subsequent court proceedings. On 4 May 2022, the Pretoria High Court handed down a judgment (Court Order) relating to the MR and the EMPr held by Tendele.

The Court Order states as follows –

“1. The Director General’s decision of 31 May 2016, in awarding the Mining Right to Tendele, and the Regional Manager’s decision of 26 October 2016, in approving Tendele’s EMPr, are hereby declared invalid. The decisions are not set aside [our emphasis].

2. The Minister’s decision of 15 June 2018 in dismissing the appeal against the grant of the Mining Right to Tendele and the Approval of Tendele’s EMPr is hereby declared invalid and is set aside.

3. The appeal is remitted back to the Minister for reconsideration in accordance with the findings of this judgement.

4. In reconsidering the appeal, and in addition to the findings of this judgement, the Minister is directed to consider:

(a) any information that the Applicants and Tendele wish to place before him for that purpose.

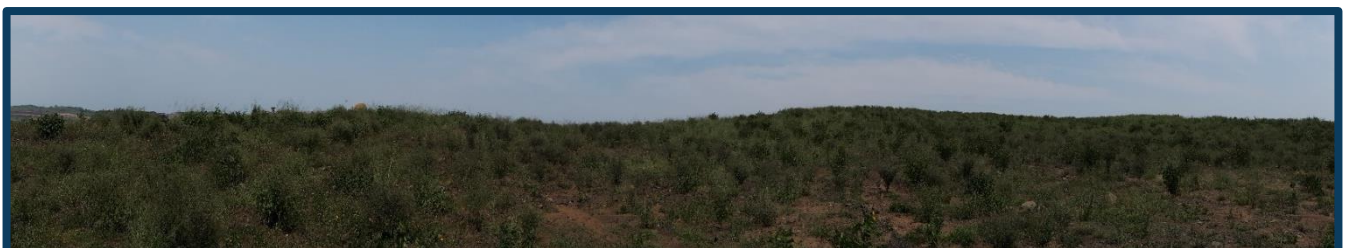
(b) any information, comments, and submissions from I&APs.

5. Tendele is directed to notify interested and affected parties of their entitlement to participate in the appeal process by publicising the contents of this widely.

6. Tendele is to ensure that public participation process to be conducted pursuant to the Minister’s determination of the appeal process, complies with the requirements of (Public Participation Guidelines in terms of the National Environmental Act, 1998 and (Chapter 6 of the Environmental Impact Assessment Regulations, 2014 as Published in Government Gazette No38282 GNR 982 of 4 December 2014.”

As is stated in the first paragraph of the Court Order, the MR and EMPr were not set aside by the Court. The decision of the Minister of Mineral Resources and Energy (DMRE Minister) to dismiss the appeal against the grant of the MR and EMPr was however set aside, and the Minister is obliged to reconsider the appeal.

In reconsidering the appeal, the Judge has directed the Minister to consider any information that the Mine wishes to place before him as well as any information and comments from I&APs. Since the issuance of Tendele’s MR in 2016, the Mine has undergone numerous consultation as well completed additional specialist studies. Based on the above court order, it is paramount that I&APs be notified of their entitlement to participate in the appeals process (the notification to be published widely) and be afforded the opportunity to provide public comments on the additional information (specialist studies) that have been undertaken since the original application in 2014. The Mine must ensure that public participation is conducted in terms of the EIA Regulations, read with the Public Participation Guidelines.



Purpose of this document

This Background Information Document (BID), is intended to provide background information about the process being undertaken for the development and provides:

- An overview of the project;
- An overview of the legislative context and an outline of the manner in which the EIA will be undertaken;
- An indication of how interested and affected parties (I&APs) may become involved in the project; and
- The EAP's contact details to whom I&APs may submit their issues or concerns regarding the project.

Project description

It is Tendele's intent to mine in the Areas known as Emalahleni, Ophondweni and Mahujini within Mpukunyoni.

The Areas will be mined by the same opencast mining methods that has been used since 2007. The project will involve establishing the following infrastructure in each area:

- Dedicated haul roads to the various opencast pits
- Pollution control and stormwater infrastructure
- Overburden Stockpiles
- Soil Stockpiles
- Fencing and security structures
- Remote contractor offices
- Temporary ablution facilities

Mining Methodology

The Opencast operation will use a roll-over method when possible, where continuous replacement of materials and rehabilitation takes place. At least 87% of the labour will be sourced from the hosting community - Mpukunyoni.

Coal Transportation

All Run of Mine (RoM) material will be transported via dedicated haul roads to existing processing infrastructure, and the majority of the transport will be supplied by local entrepreneurs.

Water Uses

There is no processing or potable water supply required for the mining areas as all of the processing and infrastructure will be contained within the existing operational area. The only water requirement will be for dust suppression. Water will be sourced from in-pit water and from pollution control dams. A water use Licence has been authorised for water use activities within Emalahleni, Ophondweni and Mahujini. Licence No.: 11/W23A/ABCGIJ/9751 issued on 9 July 2020

Mine Residue

The Mine residue created from the washing of the coal from the 3 pits will be placed within existing facilities. The Mine was issued with a Waste Management Licence KZN30/5/1/2/2/216MR on 29 October 2021.

The Process to be followed

The Judgment handed down prescribed that the process to be followed needs to fulfil the requirements of the Environmental Impact Assessment Regulations, 2014 as Published in Government Gazette No 38282 GNR 982 of 4 December 2014.



- Notice of project and Notice to public
- BID document provided with invitation to register as an interested and affected party
- Prepare Draft Scoping Report
- Public review of Scoping Report (30 Days)
- Public Meetings
- Submit Scoping Report to authority



- Compile EIA (EMPr) Report
- Public review of EIA Report (30 days)
- Public Meetings
- Final EIA Report submitted to the DMRE Minister
- Appeal decision taken by the Minister

The objectives of the Environmental Assessment Process are to:

- Identify relevant authorities and I&APs to engage in the Public Participation Process (PPP);
- Facilitate the dissemination of information to the relevant authorities and I&APs and provide them with an opportunity to raise issues or concerns related to the project;
- Confirm issues and environmental impacts;
- Confirm the significance of the environmental impacts identified;
- Describe and investigate alternatives that have been considered; and
- Confirm the feasible mitigation measures to address any significant impacts identified.

The above objectives are achieved through the evaluation of the activity, the undertaking of the PPP and the submission of the relevant information and documentation to the DMRE.

Public Participation

Public involvement is an integral part of the Scoping and EIA process and aims to include I&APs in the process by notifying them of the project and encouraging them to raise their issues and concerns. In order to ensure compliance with the Court Order and the provisions of the EIA Regulations which relate to public participation, below is a summary of the steps that will be taken by Tendele and its appointed EAP in order to ensure such compliance:

- Informing the DMRE of the intended process to be followed by Tendele
- Consultation with the Inkosi of the Mpukunyoni Community and the Mayor of Mtubatuba
- Consultation with Izinduna
- Consultation with Municipal Ward Councilors
- Consultation with all potential and registered I&APs

Notification

The following section details the manner in which stakeholders will be engaged with during the Scoping and EIA Process.

I&APs will be notified of the project and opportunities for interaction by means of:

- Advertisements in local newspapers and on local radio stations;
- Placement of notices on-site; site notices placed on conspicuous and easily accessible locations for the community for all three Mining Right Areas, such as Taxi Ranks, the office of the Mpukunyoni Traditional Council, Schools, Clinics and the Mtubatuba Library.
- E-Mail and text invitation to identified I&APs.
- Distribution of BID (this document) to identified I&APs. The BID document will be distributed by E-Mail and/or registered mail.
- Distributing notices and the BID at homesteads within a 1km radius to the mining pits
- Utilising existing traditional structures to disseminate information

Government departments and organs of state

The following government departments and organs of state will be consulted through the appeal process –

- Cooperative Governance and Traditional Affairs (COGTA)
- The Department of Forestry, Fisheries and the Environment (DFFE)
- Ezemvelo KZN Wildlife (EKZN)
- Mtubatuba Local Municipality
- uMkhanyakude District Municipality
- Department of Minerals and Energy
- Department of Water and Sanitation



Potential Impacts and Mitigation

The potential Impacts that will be included in the EIA assessment (and to be outlined in the draft scoping report available from 15 July 2022) will include impacts and mitigation from opencast mining on:

- Surface Water , Ground Water
- Air Quality, Noise, Visual, Social and Socio-economic
- Topography, Soils, Biodiversity, Aquatics
- Land use , and Land Capability

Mining has been conducted in the area since the 1880's and by Tendele since 2007, and the impacts of mining in the new areas are similar to the impacts which arose during the last 15 years mining.

This is not a new mine, but is an extension of the existing mine and thus current mitigation measures will apply. Additional mitigation measures will be informed by the studies conducted to reduce risks.



Environmental Studies Undertaken

Studies that formed part of the original 10041MR application in 2014

Hydrogeological Impact Assessment	Aquatic Assessment Report
Hydrological Impact Assessment	Heritage Impact Assessment
Biodiversity Impact Assessment	Social Gap Analysis
Wetland delineation and Impact Assessment	Preliminary haul road design report
Visual Impact Assessment	

New studies that have been undertaken since the granting of the 10041MR

Air Quality Impact Assessment	Follow up hydrogeological Study
Vegetation Impact Assessment	Area 4 and 5 floodline analysis
Corporate Climate Impact Assessment	Mahujini and Emalahleni haul road flood line analysis
Health Impact Assessment	Water balance update for the Somkhele Anthracite Mine
Noise Impact Assessment	Storm water management plan
Palaeontological Desktop Assessment	Wetland Assessment offset Plan for Ophondweni
Social Impact Assessment	Geotechnical Materials Report
Visual Impact Assessment	Decant Assessment for Somkhele
Vibration Impact Assessment	Conceptual Acid Mine Drainage Management Plan
Wetland Assessment for the Ophondweni Area	Civils Design Report
Aquatic Rehabilitation Plan for Riparian and instream habitats	Natural flow loss estimation for areas affected by SAM workings
Plant and Animal Search and rescue plan for future mining areas	Hydropedological Assessment
Geohydrological Model Update	Survey of burial grounds and graves
Heritage Impact Assessment	

Feedback

Feedback will be provided to I&APs via letters or direct communication, if requested, and in the Draft Scoping and EIA Reports. The Public Participation Plan (PPP) proposed for undertaking the Scoping and EIA has been designed to ensure that interaction with I&APs, during the appeal process, is focused yet comprehensive. The need for a public meeting or one-on-one meetings will be confirmed during the assessment process. All I&AP contributions will be reflected in the relevant reports. I&AP comment and feedback can be provided in different ways. These include:

- By direct written (facsimile, email, post,) and telephonic submission (SMS, voice note, phone calls);
- Discussions from one-on-one or public meetings; or
- Through community structures.

Interaction with I&APs and critical dates

I&APs are afforded the opportunity to understand the physical aspects associated with the project so they can meaningfully participate in and contribute to the Environmental Impact Assessment process. At this stage of the project, other than the BID, the following is proposed:

Initial public meetings:

- 23 July 2022 at the Ophondweni Hall at 09h00
- 24 July 2022 at Msiziwamakrestu Primary School (Emalahleni) at 09h00
- 6 August 2022 in Mahujini at the Indunas Premises at 09:00am and
- 09 August 2022 at Amajonijoni sports ground at 09:00am

Draft Scoping Report:

- Will be made available for public review and comment from 15 July 2022.
- The Scoping Report will be discussed and presented during the meetings to be held on 23 and 24 July 2022 in Ophondweni and Emalahleni and on 6 August in Mahujini and 9 August in Amajonijoni

Following the Scoping phase, a draft EIA (EMPr) report will be circulated for public review and comment.

Submission to the DMRE

Following receipt of I&APs comments on the Scoping Report, the updated Scoping Report will be submitted to the Minister.

Following public participation and receipt of I&APs comments on the EIA (EMPr) Report along with the updated EIA (EMPr) Report (with the additional specialist studies and the original 2014 EIA/EMPr), will be submitted to the Honourable Minister of the DMRE. The Minister will then take a new decision in respect of the appeal that is before him. Once a decision has been made, all registered I&APs will be notified of the decision.

Should you require any additional information or have comments about the development please contact **Christopher Wright from Blackrock Environmental** at:

Telephone: 083 500 0205
Fax: 086-4131169
E Mail: chris@blackrock-env.co.za



Scoping and EIA for Appeal in respect of a Mining Right Interested and Affected party registration

Please complete this form to register as an Interested and Affected Party.

Forms can be handed in to your local Izinduna, at Somkhele Mine or emailed to chris@blackrock-env.co.za

Please feel free to attach additional pages of comment to this document if sufficient space has not been provided.

Name and Surname	
Postal Address / physical address	
Telephone Number	
Cell Phone Number	
Fax Number	
E-mail Address	
Organisation / Area	
Position within organisation/Department	

What is your interest in the project?

Do you have any comments or concerns about the project?

Do you require further information? If so, please indicate the type of information.

Other Contacts: If you know of anyone else who should be informed about this project, please could you provide their details in the table below (space has been provided for an additional four contacts, more can be added below if required):

Name and Surname	Organisation / Area	Postal / Email address	Contact Number

Thank you for taking time to comment on this project. Forms can be handed in to your local Izinduna or alternatively you simply sms your name to the contact number below or you can fax, mail or e- mail this document and any accompanying pages to

Tel: 083 5000 205
Fax: 086 4131 169
Email: chris@blackrock-env.co.za

