

**LOMEZA MINING SERVICES (PTY) LTD APPLIED FOR
AN ENVIRONMENTAL AUTHORIZATION TO
STOCKPILE AND SELL MATERIAL AS A
COMMERCIAL PRODUCT ON PORTION 240 OF THE
FARM ZWARTKOP 356 JR, CITY OF TSWANE,
GAUTENG PROVINCE**

COMMENTS AND RESPONSE REPORT

REFERENCE NUMBER: GAUT 002/22-23/E3172

AUGUST 2022



NOTIFICATION TO STAKEHOLDERS AND I&APS DURING PUBLIC PARTICIPATION PHASE

COMMENTING PERIOD: 14 JUNE – 15 JULY 2022

During the public participation process the stakeholders and I&APS were informed of the project by means of background information documents that were sent to the contact persons. A 30-days commenting period was allowed which expired on 15 July 2022. The following table provides a list of the I&AP's and stakeholders that were informed of the project:

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Ms Thandeka Mbassa-Sigabi	Department of Economic Development, Agriculture, Environment, and Rural Development	14 June 2022	No Comments Received
Ms Rina Taviv	Department of Agriculture, Environment and Rural Development - Mine and Energy	14 June 2022	No Comments Received
Me Boniswa Belot	Department of Environmental Affairs	14 June 2022	No Comments Received
Me Boniswa Belot	Department of Agriculture, Environment and Rural Development - Environmental Unit	14 June 2022	No Comments Received
Mr Nhlanhla Makhathini	Gauteng Department: Agriculture and Rural Development (GDARD)	23 June 2022	26 June 2022

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
			<p>Email sent to GDARD</p> <p>Good morning, Mr Makhathini</p> <p>Please see the emails in the attachment that we did send the BID to your department on 14th of May. Please send your comments/ concerns to comments@greenmined.co.za.</p> <p>And could you please confirm as per our telephonic discussion, for record keeping purposes, that we can submit the Landowner consent with the Draft BAR& EMPr in which will receive an acknowledgement of receipt that will commence the timeframe and submit the Final BAR&EMPr (after 90 days) on the online system? Or should we count the days from the day we submitted the application on the online portal?</p> <p>My apologies for being repetitive, I just want to be 100% certain.</p>
			<p>Response received from Mr Nhlanhla Makhathini</p> <p>Good day Ms Norval</p> <p>The outstanding Landowner consent and the Draft BAR will be acknowledged concurrently with the Environmental Authorisation application form. The 90-day application deadline begins the day these documents are received by the Department.</p> <p>Regards</p>

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Mr MW Mkhize	Department of Economic Development and Tourism	14 June 2022	No Comments Received
Mr Bethuel Netshiswinzhe	Department of Infrastructure Development	14 June 2022	No Comments Received
Head of Department	Department of Labour	14 June 2022	No Comments Received
Mr Ronald Swartz	Department of Roads and Transport	14 June 2022	No Comments Received
MS Rachel Masango	Department of Agriculture, Land Reform and Rural Development	14 June 2022	No Comments Received
Ms Jeanette Monare	Department of Public Works	14 June 2022	No Comments Received
Mr M Keet	Department of Human Settlements Water and Sanitation	14 June 2022	No Comments Received

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
City Manager	City of Tshwane Metropolitan Municipality	14 June 2022	No Comments Received
Councillor	City of Tshwane Metropolitan Municipality Ward 61	14 June 2022	No Comments Received
Councillor	City of Tshwane Metropolitan Municipality Ward 70	14 June 2022	No Comments Received
Upload onto the Sahr's website of the South African Heritage Resource Agency on 9 June 2022.			

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Mr Simphiwe Ntozini	Exxaro Services Zwartkop 356 Ptn 240	14 June 2022	19 September 2020
The Directors	Zwartkops International World of Motoring Pty Ltd (Zwartskops Raceway) Lekkerhoekie 411 Ptn 1	14 June 2022	No Comments Received
Managing Director	Shaheer Inv Pty Ltd Zwartkop 356 Ptn 231	14 June 2022	No Comments Received
Managing Director	Assetgrow Inv 11 Pty Ltd Mooiplaats 355 Ptn 61 Mooiplaats 355 Ptn 62	14 June 2022	No Comments Received
Mr Mohammed Yaseen	Mooiplaats 355 Ptn 40	14 June 2022	No Comments Received
Mr MI Hazarvi	Pretoria Islamic Education Centre Claudius Ext 1, Number 1337, Ptn 0	14 June 2022	No Comments Received

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Mr Shaheer Moosa	SWAT National Firearms Centre	14 June 2022	No Comments Received

SUMMARY OF PARTICIPATION PROCESS

The I&AP's and stakeholders were informed of the proposed project through:

- ❖ telephonic discussions.
- ❖ direct communication with background information documents (email, registered mail);
- ❖ placement of on-site notices and
- ❖ placement of an advertisement in Beeld Newspaper on 15 June 2022

To date no I&AP's and stakeholders registered on this project, to date.

The Draft basic assessment report will be published and a 30-days commenting period will be allowed. Comments received on the BID will be incorporated into the DBAR.

See attached as Appendix E proof of the correspondence with the I&AP's and stakeholders during the public participation process.

NOTIFICATION TO STAKEHOLDERS AND I&APS DURING PUBLIC PARTICIPATION PHASE

COMMENTING PERIOD: 18 JULY – 19 AUGUST 2022

During the public participation process the stakeholders and I&APS were informed of the project by means of DBAR Notification Information Documents that were sent to the contact persons. A 30-days commenting period was allowed which expired on 19 August 2022. The following table provides a list of the I&AP's and stakeholders that were informed of the project:

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Ms Thandeka Mbassa-Sigabi	Department of Economic Development, Agriculture, Environment, and Rural Development	18 July 2022	No Comments Received
Ms Rina Taviv	Department of Agriculture, Environment and Rural Development - Mine and Energy	18 July 2022	No Comments Received
Me Boniswa Belot	Department of Environmental Affairs	18 July 2022	No Comments Received
Me Boniswa Belot	Department of Agriculture, Environment and Rural Development - Environmental Unit	18 July 2022	No Comments Received
Mr Nhlanhla Makhathini	Gauteng Department: Agriculture and Rural Development (GDARD)	18 July 2022	17 August 2022

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>Response received from Mr. Mokutu Nketu:</p> <p>Regarding the above-mentioned draft Basic Assessment Report (BAR) received by the on 25 July 2022, herewith receive the comments from the Department.</p> <p>1. Description of the site/property/route and development</p> <p>The development entails Lomeza Mining Services (Pty) Ltd stockpiling and sell material as a commercial product on a land previously used for mining purposes on Portion 240 of the Farm Zwartkop 356 JR, within the City of Tshwane Metropolitan Municipality</p> <p>2. Applicable legislation and policies</p> <p>The National Environmental Management (NEMA) Act No.107 of 1998, National Environmental Management: Waste Act (NEMWA), Act No 59 of 2008, The National Environmental Management: Biodiversity Act, Act 10 of 2004, Mineral and Petroleum Resource Development Act (Act No 28 of 2002), National Environmental Biodiversity Act (2004), National Heritage Resource Act (Act No 25 of 1999), The Mine Health and Safety Act (Act No 29 of 1996). Gauteng Provincial Environmental Management Framework, 2015 (GPEMF, 2015) in terms of the Environmental Management.</p> <p>3. Description of the receiving environment</p> <p>According to the Departmental Geographic Information the site fall within Ecological Support Area (ESA), Primary Vegetation The current zoning of the property is "Agriculture". The proposed site falls within Zone 1 Urban Development Zone and Zone 2 High Control Zone (Inside urban boundaries in terms of Gauteng Provincial Environmental Management Framework 2015, (GPEMF, 2015).</p> <p>4. Listed activities applied for</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Activity No and description	Description of the development related to the listed activity		
Listing Notice 1, Activity 26	Residential, retail, recreational, tourism, commercial or institutional developments of 1 000 square metres or more, on land previously used for mining or heavy industrial purposes		
	Lomez Mining Services (Pty) Ltd, intends to stockpile and sell material as a commercial product		
5.	Specialist studies		
	No Specialist report have been attached on the report. Therefore, all relevant reports must form part of the Final Report when submitting to the Department.		
6.	Services required		
	Comments from the Local Authority with regards to the availability of bulk services to determine infrastructure capacity to cater for the development must be included in the final BAR. This must include assurance of water supply, electricity and roads upgrade to cater for the proposed activity. Further, the sewage drainage line/alignment must be confirmed and included in the Final BAR. In addition, a detailed storm water management plan for the site (including storm water management measures to be implemented temporarily during the construction phase and permanent measures to be installed for the operational phase) must be approved by the Local Municipality.		
7.	Impacts Identification, Assessment and Mitigation		
	The assessment of environmental impacts associated with the proposed development must be evaluated according to its nature, extent, duration, intensity, probability,		

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>significance and propose mitigation measures of such impacts. The evaluation must include the assessment of direct and indirect impacts during construction and operational phase of the proposed development. The assessment should not only be limited to environmental impacts, but it must also investigate the socio-economic impacts (whether positive or negative) of the development and this assessment must form part of the Final BAR. In addition, the rating of impacts must be colorful to enhance understanding and visibility.</p>			
<p>8. Maps, layout plans, services route positioning</p> <p>It is note that no layout map has been included in the report. please not that all layout plans including delineations must form part of the final BAR. In addition, a layout plan is required indicating the position of all the various structures and facilities that will be found on site. The layout plan must be legible with a legend easily linked to activity components and all sensitivities that are found on site should also be reflected and be overlaid.</p>			
<p>9. Public Participation Process</p> <p>The Public participation process must be done in accordance with the minimum requirements of EIA Regulations 2014. Stakeholders must be consulted through delivery of draft BAR. Comments from all relevant stakeholders must be adequately addressed and submitted to this Department with the final BAR. Legible proof of correspondence (site notice, newspaper advertisement, email, fax, delivery etc.) with stakeholders must be incorporated on the Comments and Response report and be included in the final BAR. Should you be unable to submit comments, proof of attempts that were made to obtain comments must be attached. Please note that the success of this application may be prejudiced as a result of lack of willingness to address the issues herein as well as submission of inadequate information in support of the application.</p>			
<p>Response from Greenmined Environmental:</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Regarding the above-mentioned draft Basic Assessment Report (BAR) received by the on 25 July 2022, herewith receive the comments from the Department.			
1.	Description of the site/property/route and development		
2.	Applicable legislation and policies		
3.	Description of the receiving environment		
4.	Listed activities applied for		
5.	Specialist studies		
	Please refer to Appendix G for specialist studies conducted		
6.	Services required		
	Please refer to Appendix G2 for the Storm Water Management Plan		
7.	Impacts Identification, Assessment and Mitigation		
	Please refer to Section E point 2 for the assessment of environmental impacts associated with the proposed development		
8.	Maps, layout plans, services route positioning		

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>Please refer to Appendix C for the layout plan</p> <p>9. Public Participation Process</p> <p>Please refer to Appendix D for the public participation process</p>			
Mr MW Mkhize	Department of Economic Development and Tourism	18 July 2022	No Comments Received
Mr Bethuel Netshiswinzhe	Department of Infrastructure Development	18 July 2022	26 September 2022
<p>Response received from Mr Lutendo Neduvhuledza:</p> <p>This Department of Public Works and Infrastructure has no objection in this particular development application as it is compatible with the surrounding developments and it does not change the character of the area but enhances it. This Department of Public Works and Infrastructure has no objection in this particular development application as it is compatible with the surrounding developments, and it does not change the character of the area but enhances it.</p>			
<p>Response from Greenmined Environmental:</p> <p>All comments received for you will be incorporated in the Final Basic Assessment Report to be submitted to the decision maker for their consideration.</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
We thank you for taking part in this public participation process, you will be notified as soon as a decision has been taken regarding this application.			
Head of Department	Department of Labour	18 July 2022	No Comments Received
Mr Ronald Swartz	Department of Roads and Transport	18 July 2022	No Comments Received
MS Rachel Masango	Department of Agriculture, Land Reform and Rural Development	18 July 2022	No Comments Received
Ms Jeanette Monare	Department of Public Works	18 July 2022	No Comments Received
Mr M Keet	Department of Human Settlements Water and Sanitation	18 July 2022	No Comments Received
City Manager	City of Tshwane Metropolitan Municipality	18 July 2022	22 September 2022

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>Comments received from City of Tshwane: Environmental Planning & Open Space Management Section:</p> <p>The Department recommends that the following issues be taken into consideration:</p> <p>a) A detailed flora survey must be undertaken to determine the status of specie abundance and occurrence on site. The report should be included within final Basic Assessment Report (BAR).</p> <p>b) A small section 1.9 ha (12% of the application area) has not yet been disturbed and should be regarded as a no-go area. Therefore, the proposed activities should be limited to existing developed/degraded footprints.</p> <p>c) Existing mining development in this zone must have a rehabilitation and closure plan that will ensure that the mine will be rehabilitated to a condition that is compatible to the preferred land uses of the zone as per requirements by Gauteng Provincial Environmental Management Framework (GPEMF), 2021.</p> <p>d) The proposed activities should exclude Zone 2: High Control Zone (Inside Urban Boundary) as an open space due to the presence of Ecological Support areas that must be conserved.</p> <p>e) The applicant should ensure that proposed activity is in line with the uses permitted on the proposed development area as per requirements by the Tshwane Town Planning Scheme 2008 (Revised 2014).</p> <p>f) Dolomite Stability Investigation Study should be conducted and approved by the relevant authority Council for Geoscience. The study including comments from the authority should be included within the final BAR.</p>			

STAKEHOLDERS

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
			<p>g) The storm water management plan must be compiled by an engineer and submitted to the City of Tshwane Roads and Transport Department for review, comments, and approval. Correspondence from Department should be included within the final BAR.</p> <p>h) The proposed activity should comply with the Gauteng Noise Control Regulations of 1999, provided that the noise mitigatory measures are in place and complied with at all times.</p> <p>i) Spill Contingency Plan must be compiled and included within the final BAR. must be compiled and included within the final BAR.</p> <p>j) Chemical sanitation facilities or system must be placed in such that prevent spills or leaks to the surrounding environment and must be maintained according to the operating instructions. The content thereof must be disposed of at an authorised wastewater treatment works.</p> <p>k) Should any artefacts, human remains, sites of cultural or archaeological importance be located, work must cease, and the South African Heritage Resource Agency (SAHRA) must be contacted immediately.</p> <p>l) Dust suppression measures should be in line National Dust Control Regulations, November 2013 to minimise and control airborne dust in the area.</p> <p>m) If the applicant is not the landowner, consent/approval from the landowners in terms of Regulation 39 of the NEMA EIA regulations regarding the proposed activity inside proposed site and should be included with the final BAR.</p> <p>n) All waste streams emanating from the proposed activity must be handled in term of the Section 16(1) of the National Environmental Management Waste Act 2008 (Act No 59 of 2008).</p>

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>o) General Rehabilitation plan should be compiled and included within the final BAR which will aim to prevent erosion and aid the return of natural, endemic, and indigenous vegetation cover to at least 80% of the rehabilitated area.</p> <p>p) All activities on site must comply with the City of Tshwane Municipality's By-Laws.</p> <p>q) The proposed activity must be constructed according to the finalised and approved Environmental Management Programme (EMPr). The EMPr should include all the above recommendations. The approved finalised EMPr is a legally binding document. An Environmental Control Officer (ECO) should be appointed for the proposed construction phase of the development to enforce the approved EMPr. The appointed ECO details should be included within the EMPr.</p>			
<p>Response from Greenmined Environmental:</p> <p>The Department recommends that the following issues be taken into consideration:</p> <p>a) Please refer to Appendix G1 for the ecological sensitivity report</p> <p>b) Comment noted this will be implemented and adhered to</p> <p>c) Please note this will not be a mining area but commercial stockpiling site please refer to Appendix F for the detailed description of the decommissioning phase</p> <p>d) Comment noted this will be implemented and adhered to</p> <p>e) Comment noted this will be implemented and adhered to</p> <p>f) Dolomite Stability Investigation Study will be conducted prior to commencement to be approved by the relevant authority Council for Geoscience – Please refer</p>			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
to Appendix G3 for geologist motivation			
g)	Please refer to Appendix G2 for the Storm Water Management Plan		
h)	Comment noted this will be implemented and adhered to		
i)	Please refer to Appendix F for the Spill Contingency Plan		
j)	Comment noted this will be implemented and adhered to		
k)	Comment noted this will be implemented and adhered to		
l)	Comment noted this will be implemented and adhered to		
m)	Please refer to appendix for the landowner's consent		
n)	Comment noted this will be implemented and adhered to		
o)	Comment noted this will be implemented and adhered to		
p)	Comment noted this will be implemented and adhered to		
q)	Comment noted this will be implemented and adhered to		

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Councillor	City of Tshwane Metropolitan Municipality Ward 61	18 July 2022	No Comments Received
Councillor	City of Tshwane Metropolitan Municipality Ward 70	18 July 2022	No Comments Received
Upload onto the Sahriss website of the South African Heritage Resource Agency on 18 July 2022.			Dated 14 July 2022 Received 19 July 2022
<p>Response from South African National Heritage Resources</p> <ul style="list-style-type: none"> In terms of the National Heritage Resources Act, no 25 of 1999, heritage resources, including archaeological or paleontological sites over 100 years old, graves older than 60 years, structures older than 60 years are protected. They may not be disturbed without a permit from the relevant heritage resources authority. This means that prior to development it is incumbent on the developer to ensure that a Heritage Impact Assessment is done. This must include the archaeological component (Phase 1) and any other applicable heritage components. Appropriate (Phase 2) mitigation, which involves recording, sampling and dating sites that are to be destroyed, must be done as required. If the property is very small or disturbed and there is no significant site the heritage specialist may choose to send a letter to the heritage authority motivating for exemption from having to undertake further heritage assessments. 			

STAKEHOLDERS			
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
			<p>Response from Greenmined Environmental:</p> <p>A heritage specialist will be consulted motivating for exemption from having to undertake further heritage assessments prior to commencement.</p>
			<p>Land Claim request send to Office of the regional Land Claims Commission on 17 June 2022.</p>
			<p>Response received from Office of the regional Land Claims Commission:</p> <p>We confirm that there is/are an existing land claims against the Property/ies. The claims were lodged as per attached list.</p> <p>Parliament has so far not been able to pass new legislation and has instead approached the Constitutional Court for an extension until 29 March 2019 and the application was rejected.</p> <p>The Commission will contact you directly and communicate widely once we have been granted permission to begin dealing with these claims.</p>
			<p>Response from Greenmined Environmental:</p> <p>All comments received for you will be incorporated in the Final Basic Assessment Report to be submitted to the decision maker for their consideration.</p> <p>We thank you for taking part in this public participation process, you will be notified as soon as a decision has been taken regarding this application.</p> <p>We trust you will find this in order. Please do not hesitate to contact us in the event of any uncertainties</p>

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Mr Simphiwe Ntozini	Exxaro Services Zwartkop 356 Ptn 240	18 July 2022	19 September 2020
The Directors	Zwartkops International World of Motoring Pty Ltd (Zwartskops Raceway) Lekkerhoekie 411 Ptn 1	18 July 2022	No Comments Received
Mr Mohammed Yaseen	Mooiplaats 355 Ptn 40	18 July 2022	No Comments Received
Mr MI Hazarvi	Pretoria Islamic Education Centre Claudius Ext 1, Number 1337, Ptn 0	18 July 2022	No Comments Received
Mr Shaheer Moosa	SWAT National Firearms Centre	18 July 2022	No Comments Received

SUMMARY OF PARTICIPATION PROCESS

The I&AP's and stakeholders were informed of the proposed project through:

- ❖ telephonic discussions.
- ❖ direct communication with background information documents (email, registered mail);

Rectification email was sent to all Stakeholders and I&APS

Please note the commenting period as per our letter dated 18 July 2022 was an error and will end on 19 August 2022.

We apologise for any inconvenience caused.

We trust that you find it in order. Please do not hesitate to contact us in the event of any uncertainties.

Comments received on the DBAR were be incorporated into the FBAR.

See attached as Appendix D4 proof of the correspondence with the I&AP's and stakeholders during the public participation process.

-END OF COMMENTS AND RESPONSE REPORT-