



Tronox KZN Sands (Pty) Ltd

BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME

Fairbreeze Mine Extension into Heleza Moya
Farm: Comments and Responses Report





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Comments and Responses Report

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CONTENTS

1	INTRODUCTION	1
1.1	BACKGROUND	1
1.2	PURPOSE OF THE COMMENTS AND RESPONSE REPORT	1
2	COMMENT AND RESPONSES	1
3	CONCLUSION	1

TABLES

Table 2-1 –Comments and Responses	1
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1 INTRODUCTION

1.1 BACKGROUND

TTronox KZN Sands (Pty) Ltd (Tronox) has operated the Fairbreeze Mine, located south-west of Mtunzini, for nearly 10 years. The mine comprises four approved mining areas (Pits A, B, C and C-Extension), an onsite Primary Wet Plant (PWP) and a fines residue storage facility (RSF). Heavy mineral concentrate from the PWP containing ilmenite, zircon, rutile and other mining co-products, is transported 47km by road to the Tronox Central Processing Complex (CPC) in Empangeni which includes a Mineral Separation Plant (MSP) and Smelter where titanium slagdioxide and pig iron are produced.

In 2022 Tronox acquired the 118 ha Heleza Moya property (Remainder of Portion 3 of Lot Emoyeni No. 9105), located between the Fairbreeze PWP and the Pit B mining area, and incorporated this property into the Fairbreeze Mining Rights Area (MRA). Tronox is now making an application to extend their mineral sands mining into parts of Heleza Moya to enable this area to be mined together with the approved Pit B orebody which lies on the immediate north and west of Heleza Moya.

Although the Heleza Moya property has been consolidated into the MRA of Fairbreeze Mine (MR reference: KZN/30/5/1/2/2/123MR), the area was not included in the mining work programme(MWP) no application to mine this land has been made. The Mining Work Programme (MWP) and an Environmental Authorisation (EA) application to mine identified parts of Heleza Moya were submitted to the Department of Mineral Resources and Energy (DMRE) KZN Regional Office and a Basic Assessment (BA) process is being undertaken in support of this application.

1.2 PURPOSE OF THE COMMENTS AND RESPONSE REPORT

This comment and response report (CRR) is prepared as part of the BA process for the Fairbreeze Mine Extension into Heleza Moya Farm. The purpose of the CRR is to create a single document that fulfils the following objectives:

- To provide a formal record of all comments received from Interested and Affected Parties (I&APs) during the public consultation process of the draft BA Report (BAR) and Environmental Management Programme (EMPr);
- To provide a manageable and easy-to-read document to a wide audience that includes the Applicant, the Competent Authority (CA) and importantly I&APs; and
- To provide a report that allows for checks and balances necessary to ensure that comments received from I&APs have been considered and where applicable, addressed by the Project Team.

The commencement of the BA process was advertised, as required by law, and stakeholders were invited to register to participate in the process. All registered stakeholders were informed of the availability of the draft BAR and EMP for public review and comment and invited to attend a public meeting. A focus group meeting was held with the Traditional Leadership from the communities surrounding the Fairbreeze Mine site. The draft BAR and EMP were made available in public places, including the Mtunzini Library and through the Traditional Council as well as on the WSP website (a data-free read/ download website).



Opportunities afforded to I&APs to participate were as follows:

- During the review of the of the draft BAR from 28 November 2023 to 19 January 2024; ■
- A public meeting held on 30 November 2023; and
- A focus group meeting held on 30 November 2023.

2 COMMENT AND RESPONSES

Table 2-1 provides a categorised recording of the aspects and issues raised by the various stakeholders, this also indicates the comment, who raised it and a brief response to the comments gathered.

Table 2-1 –Comments and Responses

No.	Issue/Comment	Received from	Reference	Response
1.	Can you please provide GPS coordinates of the area?	Michelle Binedel, Knowledge Manager, South African Sugar Association	Email, 29 November 2023	A KMZ inclusive of the conceptual layout was provided.
2.	We fought a lot with the farmer due to cattle eating sugar cane. Is there is a way of fencing the mining area to prevent cattle from entering the mining area by building a fence? Will Tronox assist the community with water by installing as many as possible boreholes. Tronox should not refer the community to the Municipality.	Induna Chili	Focus Group Meeting, 30 November 2023	Response by Tronox: Fencing of the mining area started in September by Lindani Construction from kwaNzuza and Xoli Mbatha from Macambini and they completed 1 300m of the 1 900m.
3.	Could Tronox to stick to their promise of supplying the community with water.	Induna Nzuzza	Focus Group Meeting, 30 November 2023	Response by Tronox: The comment is noted.
4.	Cattle do not have grazing area and we requested Tronox to identify grazing land where they have not started mining.	Makhathini from Egagwini	Focus Group Meeting, 30 November 2023	Response by Tronox: We acknowledge that the grazing area is a challenge as it puts livestock at risk of accidents and physical risk. We had a meeting with Kwa Nzunza farmers to discuss grazing. Kwa Dube farmers were allocated grazing land, but the challenge is herders who leave livestock roaming around. Herders need to be trained and we will give

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				Tronox's contact details to Kwa Nzunza leadership to discuss the grazing issue.
5.	We wrote letters requesting grazing land to the mine and did not receive any feedback.	Mrs Mbuyisi	Focus Group Meeting, 30 November 2023	Response by Tronox: We will organise a meeting with the farmers to craft a way forward.
6.	<p>Thank you for the meeting and for providing information about the project.</p> <p>Can Tronox consider skills development for at least 10 youth in those disciplines required by the mine to align the youth with the mine's qualifications requirements?</p> <p>The youth cannot be employed as they do not meet the requirements. The mine can train the youth as 2029 is still far [mining will most likely end in 2039].</p>	Induna Gumede	Focus Group Meeting, 30 November 2023	<p>Response by Tronox: The number of youth to be considered development will be determined by the demand of our mine development requirements.</p> <p>Previously, Tronox has taken a total of 210 youth from across our seven (7) communities along our mining operations. The request therefore is something that will be internally discussed on how to be best improve and resuscitate the programme as per the need of our communities.</p> <p>As part of our contractual agreements with our Contractors, we agreed on a principle of 60/40 local employment ratio where 60 represents local employees (skilled and semi-skilled).</p> <p>Feedback will also be provided through our labour desk meetings.</p>
7.	<p>Apologies for coming late.</p> <p>Can Tronox arrange quarterly meetings with affected Indunas? When we send our representatives, our message does not get to the relevant audience.</p>	Inkosi Mathaba	Focus Group Meeting, 30 November 2023	Response by Tronox: Tronox will deliberate on the effectiveness and assess if the current model relating to meetings is still relevant. These deliberations will then be discussed with Amakhosi in due course to reach a consensus on the matter.
8.	Is it possible to undertake a site visit to see the proposed mining area?	Inkosi Mathaba	Focus Group Meeting, 30 November 2023	Response by Tronox:

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	There are gumtrees and sometimes they are cut but they do not know who cuts them.			Mr. Grant McMurray [former landowner] has moved out. Tea and gumtrees are harvested as the mine will start in a few months. A site visit will be arranged with the three Amakhosi in the new year.
9.	I am a leader who leads by example. I want to request that Tronox verify letters stamped by Indunas because people from as far as Pretoria get stamps from Indunas which creates tension among leaders. Another challenge is that Amakhosi and Indunas are killed in the dark during load-shedding. Can Tronox assist the Amakhosi with basic needs and the Municipality will not take it back as the responsible person?	Inkosi Mathaba	Focus Group Meeting, 30 November 2023	Response by Tronox: Tronox issues a notice through the TC representatives when there is an opportunities for employment and service requirements (opportunities). These are then discussed at the TC's and the CV's we receive have the stamp from the TC and not iziNduna. Tronox will request the TC to ensure that there is sufficient due diligence on the submitted companies or CV's.
10.	The mining method is being changed from hydraulic to mechanical methods, is this true?	Jeremy Nottingham, Mtunzini Residents' Association	Public Meeting, 30 November 2023	Response by Tronox: The mining method will be a combination of both mechanical and hydraulic.
11.	Will the residents that are within the 1 km of the mine be moved?	Jeremy Nottingham, Mtunzini Residents' Association	Public Meeting, 30 November 2023	Response by Tronox: There is an agreement [commercial and land use agreement] with Mondi for Fairbreeze A and we will surely have a conversation with them when the time is right. Tronox will mine and rehabilitate to enable Mondi to continue planting trees. Tronox might finish mining in 2029 but this could change due to regulations. Any change will necessitate an application for amendment.
12.	Can I please get a copy of the presentation?	Jeremy Nottingham, Mtunzini Residents' Association	Public Meeting, 30 November 2023	A copy of the presentation was provided.

No.	Issue/Comment	Received from	Reference	Response
13.	The stormwater runoff into Siyaya and Amanzimyama has red soil, and this led to the red base of the river that grows reeds. Is that being assessed?	Mike Butler	Public Meeting, 30 November 2023	The issue will be presented to the SRK Consulting team who have looked at the system and responded in the draft report which is available for review and comment.
14.	I am concerned about dust and noise, especially at night and do not see how it will impact Mtunzini. The community is exposed to a lot of dust due to wind direction; I understand that WSP indicated that it will be within the minimum standard but I would like to see Tronox deal with the dust affecting us at present.	Richard Hooper	Public Meeting, 30 November 2023	There is a big pit close by Mtunzini and dust is an operational issue that will be discussed with the mine. Response by Tronox: Ideally, rehabilitation should be concurrent with mining, however, there have been significant delays in the backfill plan particularly on Fairbreeze C Extension and the mine is looking into fast-tracking that process to catch up. Noise will be minimised especially now that there is no active mining on Fairbreeze C and C Extension.
15.	The Pit C extension does not look good, and Tronox has fallen behind with rehabilitation. Can this be dealt with? Dust as it is a concern for us.	Jeremy Nottingham, Mtunzini Residents' Association	Public Meeting, 30 November 2023	Response by Tronox: We have had discussions as the mine regarding rehabilitation plans and we are working on it. Please also note that the Pit C extension will close in the next year and a half.
16.	Will Tronox be retaining ownership of the site after mining and is the little black block covered in the draft report?	DI Fahn	Public Meeting, 30 November 2023	Response by Tronox: We need to complete rehabilitation in line with the EMP which is underway. Tronox is in the process of putting together a closure plan for Fairbreeze and the closure plan will be implemented based on the outcomes and agreed strategy as that will reduce the liability in line with the approved closure strategy and provisions.

No.	Issue/Comment	Received from	Reference	Response
17.	What about the offset areas? Will the offsets at the Extension area be sold?	Jeremy Nottingham, Mtunzini Residents' Association	Public Meeting, 30 November 2023	Response by Tronox: This will be decided in conjunction with the offset advisory committee [inclusive of the DMRE, EDTEA, DWS, Department of Agriculture, Land Reform and Rural Development (DALRD) (formerly Department of Agriculture, Forestry and Fisheries (DAFF)), EKZNW and Tronox (formerly Exxaro)]
18.	What is the timeframe for mining? Lately foreign company are being promoted to mine, get money, and leave the country. It is getting worse and worse. We drove from here to Gingindlovu but now they cut access. I am also concerned as people are dependent on water.	Meeting Attendant, Mtunzini Residents' Association	Public Meeting, 30 November 2023	Mining will most likely end in 2039 as indicated by Tronox. However there needs to be improved mining methods and community relations. Response by Tronox: Water can be a [Corporate and Social Investment] CSI project to get water to the community. Tronox met with the three affected Amakhosi [earlier in the day] to discuss the impacts of the project on the communities.
19.	Could alien invasive plants be managed at the site?	Mike Butler	Public Meeting, 30 November 2023	WSP is not writing a new EMPr but making a statement around the validity of the mitigation measures or if there are additional measures needed.
20.	Please include me on the I&AP database as I received below from a colleague.	Terisa Balmith, Water Compliance Specialist, Mondi House	Email, 12 December 2023	Terisa Balmith was added to the I&AP database.
21.	Is there an extension on this project?		Email, 14 December 2023	There is no extension at this stage for this (Fairbreeze) project. I believe you may have received a notification for the [Tronox] Port Durnford project which has received an extension.

No.	Issue/Comment	Received from	Reference	Response
22.	Further to the email below confirming inclusion on the I&AP database, a notification/reminder was sent out on the 8th January 2024 which I received from a third party. Please check your records and ensure I am registered to receive all notifications and updates on this project		Email, 12 January 2024	The inclusion of Terisa Balmith to the I&AP database was verified and confirmed.
23.	Public Participation Officer, I hereby object to mine expansion.	Colin Hohls, Hohls Farming	Email, 19 January 2024	Thank you for your comment. It will be captured into the CRR. Can you kindly provide us with more details pertaining to this objection?
24.	I would like to withdraw my objection.		Email, 25 January 2024	The request to retract the objection is noted.
25.	<i>The comments below come from a letter received from KZN AMAFA and Research Institute on 10 January 2024, and the responses are drawn from a letter of reply authored by the Heritage Specialist (CTS Heritage) on 23 January 2024 providing further clarity to the heritage authority.</i>			
25.1.	A Phase II Architectural HIA is needed for the house/structure or homestead graded IIIa	Celeste Rossouw, Senior Heritage Officer: Conservation of the Built Environment, KwaZulu-Natal AMAFA and Research Institute	Letter via the South African Heritage Resources Information System (SAHRIS), 10 January 2024	CTS Heritage: As far as we are aware, SiteID 85643, a grade IIIa structure, which is already located within the mining compound, is indicated to have low architectural significance. Furthermore, the building appears to have evolved through time/undergone modifications. Thus, we are unclear on the requirement to undertake a Phase II Architectural HIA as we are of the opinion that there is nothing further that can be learned through this exercise. Therefore, we request that KZN AMAFA reconsiders the need of the Phase II Architectural HIA for this structure.

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25.2.	A Phase I Archaeological HIA is needed with special reference to the graves, as well as proof of public participation and the latter's methodology that was applied.	Celeste Rossouw, Senior Heritage Officer: Conservation of the Built Environment, KwaZulu-Natal AMAFA and Research Institute	Letter via the South African Heritage Resources Information System (SAHRIS), 10 January 2024	<p>CTS Heritage:</p> <p>With regards to the Phase I Archaeological HIA, the previous field assessment was detailed and as such, there is a low risk of impact to additional graves that were not identified in the desktop assessment. There is also a caveat that should any additional burials be identified during the excavations, then work must stop and KZN AMAFA must be contacted regarding a way forward. This mitigation is included in the EMP.</p> <p>The burial site consists of 2 graves dating to the 1990s – information supplied by the previous landowner, and that the remains are of foreigners who worked on the farm. Therefore, with a buffer recommendation for the known burial site, as well as a site management plan, and with no impact is anticipated, we request that KZN AMAFA reconsiders the need for a Phase I Archaeological HIA.</p>
25.3.	With reference to the palaeontology: no PIA [Palaeontological Impact Assessment] phase I is needed, only chance find protocols applies if fossils are discovered.	Celeste Rossouw, Senior Heritage Officer: Conservation of the Built Environment, KwaZulu-Natal AMAFA and Research Institute	Letter via the South African Heritage Resources Information System (SAHRIS), 10 January 2024	The recommendation that a chance find protocol be applied if fossils are discovered is noted. This is included in the EMP (EMP Ref 108).
26.	<i>The Heritage Specialist responded (23 January) to the initial correspondence from AMAFA (10 January), confirming their updated position. Their responses reflected below are those of the EAP confirming the inclusion of the recommendations of AMAFA into the EMP.</i>			

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26.1.	<p>The KwaZulu-Natal AMAFA and Research Institute therefore has no objection to the proposed development. You are also required to adhere to the below-mentioned standard conditions:</p> <ul style="list-style-type: none"> ■ The KwaZulu-Natal AMAFA and Research Institute should be contacted if any heritage objects are identified during earth-moving activities and all development should cease until further notice. ■ No structures older than sixty years or parts thereof are allowed to be demolished, altered, or extended without a permit from the KwaZulu-Natal AMAFA and Research Institute. ■ Under no circumstances may any heritage material be destroyed, inundated, collected, or removed from site unless under direction of the KwaZulu-Natal and AMAFA Research Institute and a heritage specialist. ■ Should any remains be found on site that is potentially human remains, the South African Police Service (SAPS) should also be contacted. No SAPS official may disturb or exhume such remains, without the necessary permission from the KwaZulu-Natal AMAFA and Research Institute. ■ No activities are allowed within 50m of a site, which contains rock art. ■ Sources of all-natural materials (including topsoil, sands, natural gravels, crushed stone, asphalt, etc.) must be 	Celeste Rossouw, Senior Heritage Officer: Conservation of the Built Environment, KwaZulu-Natal AMAFA and Research Institute	Letter via the South African Heritage Resources Information System (SAHRIS), February 2024	The comment is noted. This is included in the EMPr (EMPr Ref 108).

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	obtained in a sustainable manner and in compliance with the heritage legislation.			
27.	While Ezemvelo does not object to the attachment of the Heleza Moya Farm (i.e. Remainder of Portion 3 of Lot Emoyeni No. 9105) to the existing Mining Right (referenced above), the DBAR is considered incomplete, as it does not address all areas of potential biodiversity issues. Additional information is required to make an informed and defensible decision. Due to the close proximity of Umlalazi Nature Reserve, Siyaya Estuary and the Tugela Banks Marine Protected Area, as well as potential downstream impacts to these sensitive features of biodiversity concern, Ezemvelo is of the opinion that the DBAR must be expanded upon to ensure that all potential impacts are adequately assessed, and appropriate mitigation identified by suitably qualified specialists.	Manager Conservation Planning, pp. Dinesree Thambu-Moodley, Ezemvelo KZN Wildlife	Email, 19 January 2024	Anchor Environmental, a specialist marine and estuarine company, were appointed to prepare an Estuarine Compliance Statement in response to this comment. The purpose of this statement is to highlight possible downstream effects to the nearby Siyaya Estuary taking into account the findings of the Groundwater & Hydrology Assessment conducted by SRK. The proposed Heleza Moya extension contributes only a small proportion of the legacy cumulative disturbance on the estuary. The outcome of the compliance statement supports the findings in the Groundwater Hydrology Assessment conducted by SRK (included as Appendix C10 of the draft BAR), which indicates a low impact on the estuary.
28.	<i>The Umlalazi Nature Reserve and Siyaya Estuary</i> The Umlalazi Nature Reserve and Siyaya Estuary is located within the Umlalazi Nature Reserve, of which Ezemvelo KZN Wildlife is the management authority. Estuaries provide a variety of diverse habitats, and as such are characterised by high biodiversity and provide a number of ecological services to surrounding habitats and the marine environment, for example the export of detritus, nutrients and sediment to the coastal zone.	Manager Conservation Planning, pp. Dinesree Thambu-Moodley, Ezemvelo KZN Wildlife	Email, 19 January 2024	The comment is noted.

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	Hence Ezemvelo cannot condone or endorse any further negative impacts upon these sensitive environments, which are located within a Protected Area.			
29.	<i>Thukela Banks: A Marine Protected Area</i> In addition to the above, The Thukela Banks Marine Protected Area, is a widened shelf area that contains a number of important habitats such as estuaries, endangered mud banks, mixed sediment areas, rocky reefs and a number of canyons, which stretch from the shelf into the deeper regions of the continental slope. The Thukela Banks acts as the main environment for juvenile prawns once they have left their estuarine environment, and no other area on the South African coast provides such adequate habitat. Along with the prawns found on the Thukela Banks numerous fish species occur, which use this area to mature and spawn, and again these species are not found anywhere on our coast in any significant numbers. The Thukela Banks area is described as an “offshore estuary” and such, is extremely unique.	Manager Conservation Planning, pp. Dinesree Thambu-Moodley, Ezemvelo KZN Wildlife	Email, 19 January 2024	The comment is noted.
30.	<i>Threatened Ecosystems and Critical Biodiversity Areas</i> In addition to the above, while the DBAR has acknowledged the presence of endangered vegetation types and Critical Biodiversity Areas (pg. 90-92) and have avoided these areas, the DBAR has failed to demonstrate whether the distance by which these areas are being avoided is sufficient. In other words, the DBAR has not clearly stated or	Manager Conservation Planning, pp. Dinesree Thambu-Moodley, Ezemvelo KZN Wildlife	Email, 19 January 2024 and MS Teams meeting, 30 January 2024	Ecological buffers were used in guiding the layout plan and these buffers will be carried through to the EMPr (Section 2 of the final EMPr).

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	illustrated that these areas of conservation significance are adequately buffered by the potential impacts of the proposed activity.			
31.	Given the above, it is strongly recommended that the DBAR be revised/updated to include the following:	-	-	-
	ii) Input from an appropriately qualified estuarine specialist. An Estuarine Impact Assessment needs to be undertaken for Siyaya Estuary and must: <ul style="list-style-type: none"> a. take into account the findings of the wetland impact assessment and b. assess the cumulative impacts to the estuaries (which is vital given the changes in the landscape). 	Manager Conservation Planning, pp. Dinesree Thambu-Moodley, Ezemvelo KZN Wildlife	Email, 19 January 2024	An Estuarine Compliance Statement has been drafted by a suitably quantified specialist in response to this comment. The purpose of this statement is to highlight possible downstream effects on the nearby Siyaya Estuary (Appendix C12 of the final BAR). The compliance statement considered the findings of the Groundwater Hydrology Assessment. The findings of the assessment indicate that the cumulative impact is low before mitigation and very low with the implementation of the recommended mitigation measures.
32.	ii) The classification and determination of water resources (currently being undertaken by the Department of Water and Sanitation, due to be complete in May 2024) must be taken into account in both the hydrology assessment and estuarine assessment.	Manager Conservation Planning, pp. Dinesree Thambu-Moodley, Ezemvelo KZN Wildlife	Email, 19 January 2024	These DWS studies are scheduled to be completed after completion of the BA process. Consequently, the findings cannot be accommodated in the current BA process. However, the pending classification of the water resource will be noted in the EMP to ensure that any future amendment projects at the mine can take account of this body of work (Section 6.3 of the final EMPr).
33.	iii) The recommendation made in the Surface and Groundwater Hydrology Assessment (Appendix C10, pg. 44) [of the draft BAR] be undertaken as part of BAR	Manager Conservation Planning,	Email, 19 January 2024	These additional recommendations are forward-looking recommendations intended for application within the routine update of the mine water management models. The

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	<p>process. Particular reference is made to the first three bullet points, as this information will provide for a better understanding of the impacts on the hydrological system and hence downstream to the estuary (which lies within a Protected Area).</p> <p>[The following recommendations were provided in pg. 44 of the Surface and Groundwater Hydrology Assessment:</p> <ul style="list-style-type: none"> ■ Assessment of the impacts of the flow regime perturbations against the Reserve Determination, when this becomes available (anticipated for April 2024), ■ Adoption of stable isotopes analysis to enhance the simulation of surface water and groundwater interaction, ■ Updating the current numerical groundwater model with the current geological model, and ■ Review the monitoring program to considering changes in mining, infrastructure, and observed groundwater changes.] 	pp. Dinesree Thambu-Moodley, Ezemvelo KZN Wildlife		specialist hydrology and groundwater teams who undertook the Heleza Moya integrated water assessment have been assisting Tronox with their understanding of water management at the mine site since its inception. These recommendations will be implemented as part of annual updates to existing models and scheduled within the forward programme of work related to hydrology and hydrogeology. That work will only take place after completion of the BA process (Section 6.3 of the final EMPr).
34.	Appropriate buffers to threatened ecosystems must be identified and illustrated in DBAR, to ensure that these threatened ecosystems are adequately safeguarded. The buffers must be determined by appropriately qualified specialists. Please find attached Ezemvelo's Impact	Manager Conservation Planning, pp. Dinesree Thambu-Moodley, Ezemvelo KZN Wildlife	Email, 19 January 2024	Ecological buffers were used in guiding the layout plan and these buffers will be carried through to the EMPr (Section 2 of the final EMPr).

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	Assessment Guideline for guidance in this regard.			
<p>In response to EKZNW's request, Anchor Environmental was appointed to express an opinion on the potential impact to the Siyaya Estuary resulting from the inclusion of Heleza Moya to the Fairbreeze Mine. Refer to Appendix C12 of the final BAR for the Estuarine Compliance Statement.</p> <p>In summary, the findings of the study indicated the following: <i>"Sixty-nine percent (69%) of the Siyaya catchment is currently disturbed by anthropogenic activities. However, the Heleza Moya extension represents only a small proportion of this total anthropogenic disturbance within the catchment (6%), and a similarly small proportion of the total catchment area (only 4%). Therefore, before mitigation the cumulative impact of the Heleza Moya extension is considered of 'Low' negative significance and 'Very Low' following the implementation of the prescribed mitigation contained in the EMPr."</i></p> <p>A copy of the Siyaya Compliance Statement has been provided to EKZNW prior the submission of the final BAR. Therefore, any further comment from EKZNW will be submitted directly to the DMRE.</p>				
35.	<p>FSC Certification</p> <p>MSA is a Forest Stewardship Council ("FSC") certified company. FSC is an international body which requires compliance to stringent environmental and social standards as applicable to forestry management and operations. Environmental certification is a requirement from our customers and thus compliance to these standards and maintaining our FSC certification is key to our business. MSA therefore requires that all external parties undertaking activities on our landholdings, or in close proximity to MSA commercial forestry activities do not jeopardize our certification in anyway whatsoever. In this regard the EAP, together with their appropriately qualified specialists, are requested to identify and assess the level of risk from ALL proposed activities in terms of</p>	Craig Barrett, Strategic Resources (Forests), Mondi South Africa (Pty) Ltd (Mondi)	Email, 16 January 2024	<p>The Applicant, Tronox, owns the property on which mining is proposed. The property directly adjacent to the site is also owned by Tronox, except the property that is located along the southwest boundary of the site, which is owned by Mondi. However, these properties are separated by a railway and bypass road.</p> <p>The impact assessment methodology applied is described in the draft BAR. This includes the assessment of cumulative impacts.</p> <p>This information was available to Mondi through the publicly available reports which form part of this BA permitting process.</p>

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	direct, indirect, and cumulative impacts, against the FSC Standards. A copy of the FSC Standards can be downloaded from the following website: https://fsc.org/en/document-centre/documents/resource/319 .			
36.	PEFC Certification In addition to our FSC certification, MSA is affiliated and certified with the Programme for the Endorsement of Forest Certification (PEFC), which is an international, non-profit, non-governmental organization which promotes sustainable forest management through independent third-party certification. The PEFC certification enables MSA to provide the assurance that all forestry operations are managed in line with environmental, social, and economic requirements – balancing people, planet, and profit. A copy of the PEFC Standards can be downloaded from the following website: https://www.pefc.org/standards-implementation/standards-and-guides . Failure to adhere to the FSC and PEFC Environmental and Social Standards may lead to severe financial losses for MSA which could consequently result in claims being raised against any such external party.	Craig Barrett, Strategic Resources (Forests), Mondi South Africa (Pty) Ltd (Mondi)	Email, 16 January 2024	The comment is noted. The property in question is owned by Tronox and has historically been under private sugar production, not timber.
37.	Peer Review on Specialist Studies It is noted that the Noise Compliance Statement, Air Quality Impact Assessment, Terrestrial Fauna Species Study, Terrestrial Plant Species Assessment, Social Impact	Craig Barrett, Strategic Resources (Forests), Mondi South Africa (Pty) Ltd (Mondi)	Email, 16 January 2024	The requirement for independence reflected in NEMA refers to independence from the development, namely the mining project proposed by Tronox. The requirement for

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	<p>Assessment, Soil and Agriculture Potential Study Report were conducted “in-house” as the specialists are, or were at some point, in the employ of WSP, the appointed environmental consultancy. The fact that these crucial studies are being undertaken ‘in-house’ by the EAP raises concerns about the independence of the specialist conducting these studies.</p> <p>Additionally, based on the information contained in these Specialist Studies, there is no indication if the Studies have undergone Independent External Peer Review. As such, MSA would therefore be inclined to request that measures are put in place to ensure the objectivity of the study findings. Such measures include a requirement that these studies are peer reviewed by independent specialists to ensure the study findings are not biased.</p>			<p>independence applies equally to the EAP and to specialists.</p> <p>WSP has no vested interest in Tronox’s proposed mining project, being appointed to independently assess the impacts of that project, including executing certain specialist components of work as part of the same appointment.</p> <p>Any work / report delivered by an in-house specialist team is first subject to technical review within that specialist team before submission to the EIA lead. Thereafter, such study is subject to review against the requirements of the impact assessment by the EIA, just as any other study executed by an external consultant would be reviewed against the study terms of reference for the impact assessment.</p>
38.	<p><i>Stakeholder Engagement Sessions</i></p> <p>The DBAR does not include any details for public meetings or stakeholder engagement sessions related to the project. The EAP is requested to provide further information in this regard.</p>	Craig Barrett, Strategic Resources (Forests), Mondi South Africa (Pty) Ltd (Mondi)	Email, 16 January 2024	<p>A public meeting was held on 30 November 2023. All registered I&APs were notified via email. Newspaper advertisements containing details of the public meeting were published on 22 and 24 November in the Eyethu Baywatch and Zululand Observer, respectively.</p> <p>This was included in the public participation appendices of the draft BAR (Appendix B).</p>
39.	<p><i>Water Use Licence: 06/W13B/CGI/2229</i></p> <p>It is understood that the proposed activities will trigger the need for an amendment of the existing WUL. MSA would therefore request to be included as an Interested and Affected</p>	Craig Barrett, Strategic Resources (Forests), Mondi South Africa (Pty) Ltd (Mondi)	Email, 16 January 2024	The comment is noted. The Applicant has been duly notified.



No.	Issue/Comment	Received from	Reference	Response
	Party during the Public Participation Process of the WUL process.			

3 CONCLUSION

The table above summarises the comments received during and the related responses as part of the public review period of the draft BAR for the Fairbreeze Mine Extension into Heleza Moya Farm project. Responses have been provided to stakeholders who submitted comments. This CRR is submitted to the CA as part of the final BAR.



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