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 **Memorandum from the Parliamentary Office**

**Minister**

**National Assembly question for written reply: Question 2231**

DDG:MR

**Date:**

**Recommended / Not Recommended**

**Acting Director General**

**Department of Mineral Resources**

………………/………………/2016

**NA QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER: 2231**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 21 October 2016**

**INTERNAL QUESTION PAPER NUMBER: 31**

**2231. Mr J R B Lorimer (DA) to ask the Minister of Mineral Resources:**

(1) Whether, with reference to his reply to question 1808 on 27 September 2016, the area of the intended Yzermyn underground coal mine is protected under the National Environmental Management: Protected Areas Act, Act 57 of 2003, as amended; if so, what are the relevant details;

(2) why was a mining right for the specified mine issued on 28 June 2016, despite the recommendation contained in the biodiversity baseline and impact assessment report compiled for WSP Environmental by the Natural Scientific Services that the specified mining right should not be issued due to the impacts of the proposed mining project;

(3) (a) how many mining rights have been issued in each province for the specified mining projects where environmental impact reports recommended against the issuing of such rights (i) in the (aa) 2013-14, (bb) 2014-15 and (cc) 2015-16 financial years and (ii) since 1 April 2016 and (b) what are the (i) names of the mining projects and (ii) dates on which the specified rights were issued;

(4) whether mining has commenced at the mining site; if not, on what date will it commence; if so, on what date did it commence? NW2561E

**Reply**

1. The question must be directed to the Department of Environmental Affairs as the custodian of NEMPA.
2. The Department considered comments and authorisation to be issued by other organs of state in that potential impacts will be constantly monitored and managed in concurrence with other organs of state through prescribed conditions of authorisations and monthly, quarterly to annual reporting by the right holder
3. a)
* None

NB: If the recommendations suggest that the proposed operation will pose unacceptable pollution, ecological degradation or damage to the environment, such a right will not be issued.

1. Not yet commenced, in terms of section 25(b) of the MPRDA Act 28 of 2008, the holder must commence with mining operations within one year from the date on which the mining right becomes effective in terms of section 23 (5) or such extended period as the minister may authorise.

**Mr MJ Zwane, MP**

**Minister of Mineral Resources**

**Date Submitted:-**………………/………………/2016

**QUESTION NUMBER: 1808**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 09 September 2016**

**INTERNAL QUESTION PAPER NUMBER:**

**1808. Adv H C Schmidt (DA) to ask the Minister of Mineral Resources:**

(1) Whether Atha-Africa Ventures has been issued with (a) a prospecting and/or (b) mining right and/or permit in Mabola, a proclaimed protected environment area close to Wakkerstroom in the Dr Pixley Ka Isaka Seme Local Municipality in Mpumalanga; if not, what is the position in this regard; if so,

(2) whether the relevant (a) Environmental Impact Assessment and/or (b) Environmental Management Programme was undertaken before the specified rights and/or permits were issued; if not, why not; if so, what were the (i) results of the assessments and/or programmes undertaken and (ii) details of the public participation process followed;

(3) whether the public participation process, as required in terms of the Minerals and Petroleum Resource Development Act, Act 28 of 2002, as amended, and its regulations were complied with in this regard; if not, why not; if so, what are the relevant details? NW2116E

**REPLY**

1. A Mining Right issued on 28th June 2016.
2. (b) Environment Management Progrmme (EMP) was undertaken.
3. The EMP provided an assessment on the potential impacts of the proposed mining activties, which therefore also provided measures to modify, remedy, control or stop any actions, or process which may cause pollution or degradation to the environment. Measures were informed by recommendations of the specialist reports undertaken amongst others, these includes, Floral assesment specialist report, Fauna assesment specialist report, Wetland assement specialist report, Air quality assement specialist report, Hydrological assesment specilist studies (Ground and surface water).
4. Public participation was undertaken with land owners, Organs of State, Interested and affected parties, through newspaper advertisement, site notices, meetings, distribution of Background information Documents (BID) to both interested and affected parties.
5. Details of public participation undertaken with land owners, Organs of State, Interested and affected parties, through newspaper advertisement, site notices, meetings with minutes, distribution of Background information Documents (BID) to both interested and affected parties. All interested and affected parties, land owners, were provided with opportunity to comment or raise concerns or objections. All comments, concerns and objection were addressed in the EMP in the form of mitigation measures.