

# **AFFORDABLE OUTCOMES CC**

## **SECTION 102 AMENDMENT APPLICATION FOR THE PROSPECTING RIGHT HELD OVER THE REMAINING EXTENT OF THE FARM ROOIFONTEIN NO 1722 (FORMERLY KNOWN AS SPECULATIE NO 217), BOSHOF, FREE STATE PROVINCE**

### **COMMENTS AND RESPONSE REPORT**

***DEPARTMENTAL REFERENCE NUMBER: FS 30/5/1/1/2/10261 PR***

**JUNE 2021**



## NOTIFICATION OF STAKEHOLDERS AND I&APS DURING THE PUBLIC PARTICIPATION PROCESS

*COMMENTING PERIOD: 4 NOVEMBER – 4 DECEMBER 2020*

Regulation 32(1)(a)(aa) of the NEMA: EIA Regulations, 2017 stipulates that an applicant (for a Part 2 amendment) must submit a report reflecting the changes to the EMPR that has been subjected to a public participation process. In light of this, the relevant stakeholders and I&AP's were informed of the S102 amendment application and proposed inclusion of the earmarked ±5 ha area, by means of an advertisement in the DFA (Diamond Fields Advertiser) and on-site notices in Afrikaans and English placed at the entrance to the property. A notification letter inviting comments on the DBAR and EMPR over a 30-days commenting period (ending 04 December 2020) were sent directly to the landowner, lawful occupier, neighbouring landowners, stakeholders and any other I&AP that registered on the project. The following table provides a list of the I&AP's and stakeholders that were informed of the project:

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Mr Mbana Peter Thabethe	Department of Agricultural and Rural Development	04 November 2020	No Comments Received
Dr Mbulelo Nokwequ	Department of Economic Small Business Development, Tourism and Environmental Affairs	04 November 2020	No Comments Received
Mr Nomfundo Douwjack	Department of Labour	04 November 2020	No Comments Received

<b>TITLE, NAME AND SURNAME</b>	<b>AFFILIATION/KEY STAKEHOLDER STATUS</b>	<b>CONTACTED DATE</b>	<b>RESPONSE RECEIVED</b>
Mr SS Mtakati	Department of Police, Roads and Transport	04 November 2020	No Comments Received
Mr Mwseoke	Department of Public Works and Infrastructure	04 November 2020	No Comments Received
Mr TP Ntli	Department of Water and Sanitation	04 November 2020	No Comments Received
Ms Palesa Kaota	Lejweleputswa District Municipality	04 November 2020	No Comments Received
Mr Mlungisi Mabija	Sol Plaatje Local Municipality	04 November 2020	No Comments Received
Mr Sityhilelo Ngcatsha	South African Heritage Resources Agency	04 November 2020	27 November 2020

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>Comments received from SAHRA on the DBAR:</p> <p>“Affordable Outcomes CC holds a prospecting right for diamonds (general, alluvial, and in kimberlite) over 333.0435 ha of the Remaining Extent of the farm Rooifontein No 1722 (formerly known as Speculatie No 217) in the Boshof Magisterial District of the Free State Province. During the prospecting right application, a mining permit application for 4.8864 ha, by Wheatfields Investments 168 (Pty) Ltd, was pending with the DMRE and therefore excluded from the above mentioned prospecting right footprint. As the mining permit application was unsuccessful, Affordable Outcomes CC, identified the need to incorporate the 4.8864 ha area into the prospecting footprint. In light of this, Affordable Outcomes CC submitted an application for consent of the minister to include the 4.8864 ha area into the approved prospecting footprint over the above mentioned property, in terms of Section 102 of the MPRDA, 2002. Greenmined Environmental (Pty) Ltd was appointed by Affordable Outcome CC to undertake the Environmental Authorisation application for the amendment of the approved prospecting right footprint of 333.0435ha to include 4.8864ha over the Remaining Extent of the farm Rooifontein No 1722, Boshof Magisterial District, Free State. A Draft Basic Assessment Report (DBAR) was submitted in terms of the National Environmental Management Act, 1998 and the National Environmental Management Waste Act, 2008 in respect of listed activities that have been triggered by applications in terms of the Mineral and Petroleum Resources Development Act, 2002 (MPRDA) (as amended). The prospecting will be done in through a non-invasive phase and two invasive phases. The non-invasive includes a geological desktop study and report writing. The first invasive phase includes drilling of 10 Reverse Cycle (RC) percussion holes (each with an approximate depth of 20 m) and where kimberlite bodies are found holes, further drilling using the Diamond Core (DC) drilling method (each with a maximum depth of 40 m) will be done. The third phase will be separate testing of four bulk sampling areas each with an approximate sampling footprint of 200 m<sup>2</sup>. Only one excavation will be open at a time during the bulk sampling phase, to which access will be controlled.</p> <p>Dr Lloyd Rossouw has been appointed to provide heritage specialist input as part of the EA Amendment application report as required by section 24(4)b(iii) of NEMA and section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). <i>Phase 1 Archaeological Impact Assessment for a mining permit application on the Remainder of the farm Speculatie 217 (now Rooifontein 1722), Boshof District, FS Province:</i> A large excavation pit with accompanying dumps within the study area is evidence of late 19th century prospecting and mining activities at the site. A modern reconstruction of the Olifantsfontein Hotel, purported to have been erected at the mine during the 1880's is located next to the historical mining pit. The study area is located about 800 m south of a large dolerite outcrop with potential engraving sites, as well as sangars and trenches associated with the Anglo Boer War. The remnants of a tram line as well as 19th century and early 20th century refuse middens are also found in the area. Uncapped and weathered stone tool flakes were recorded during the survey, but no evidence was found of in situ Stone Age archaeological material, capped or distributed as surface scatters on the landscape. The proposed development footprint is located within a historical mining area that forms part of a historically significant landscape central to the Kimberley Diamond Rush of the 1870's. The proposed development footprint is located within an area considered to be of high historical and archaeological significance. The proposed development will likely have an adverse effect on the integrity of Kimberley's historical landscape. Further mining or mining related activities at Rooifontein 1722 are not advised.</p>			

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>The SAHRA APM unit previously issued comments with regards to proposed prospecting and mining activities in farm Rooifontein 1722 (please see (EIA168) - FS10462PR - Matolo Trade and Investment (Pty) Ltd. - Rooifontein 1722   SAHRA, APPLICATION FOR AN ENVIRONMENTAL AUHORISATION FOR THE PROPOSED PROSPECTING RIGHT FOR EKAPA MINERALS (PTY)LTD   SAHRA, Du Toitspan 119 (FS 10201 MP)   SAHRA) which notes that the is a significant heritage landscape and advised that the proposed development application be rejected by Competent Authorities.</p> <p><b><u>Final Comment</u></b></p> <p>The SAHRA Archaeology, Palaeontology and Meteorites (APM) unit notes the heritage specialist report and endorses the recommendation that the proposed development is within an area considered to be of high historical and archaeological significance which will likely have an adverse effect on the integrity of Kimberley's historical landscape and that further mining or mining related activities at Rooifontein 1722 are not advised. SAHRA therefore advises the Department of Environment, Forestry and Fisheries (DEFF) and the Department of Mineral Resources and Energy (DMRE) to reject the application for prospecting on farm Rooifontein 1722, District of Boshoff, Free State Province [FS 30/5/1/1/2/10261 PR].”</p>			
<p>Summary of the response sent to SAHRA on 12 March 2021:</p> <p>“... Upon receipt of the above comment, Dr Rossouw revisited the Phase 1 Archaeological Impact Assessment (2017) for the mining permit application submitted over the Remaining extent of Rooifontein No 1722 (formerly known as Sepculatie No 217). Dr Rossouw subsequently compiled a Heritage Impact Statement (HIS) that is specifically related to the proposed prospecting activities that forms part of the Section 102 amendment application submitted by Affordable Outcomes CC. Attached to this letter please find a copy of Dr Rossouw's HIS for your perusal and commenting.</p> <p>If deemed feasible by SAHRA, we intend to amend the prospecting proposal for the earmarked 5 ha area (to be added to the existing prospecting area of Affordable Outcomes) from invasive prospecting with bulk sampling to non-invasive prospecting only. In other word, there will only be non-invasive prospecting of the proposed 5 ha extension area if the Section 102 application is approved by the DMRE.</p> <p>In light of the accompanying HIS and amended proposal, we kindly request you on behalf of SAHRA to reconsider your earlier comment, and please provide us with an updated comment by the 15<sup>th</sup> of April 2021. Upon receipt of SAHRA's feedback the basic assessment report (BAR) will be amended accordingly and redistributed for a 30-days commenting period to the I&amp;AP's and stakeholders for their perusal, prior to the final BAR being submitted to the DMRE for their consideration...”</p>			

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Following numerous telephone calls and emails, SAHRA has to date not responded to the above mentioned proposal. On 26 March 2021 Greenmined advised SAHRA that should they not respond on or before the 12 <sup>th</sup> of April 2021, it will be accepted that they (SAHRA) is in agreement with the proposal. No feedback was received, so the DBAR was subsequently amended as presented in this report that will be distributed for another 30-days commenting period to the stakeholders and I&AP's.			
Mr Kelehile J Motlhale	Tokologo Local Municipality	04 November 2020	No Comments Received
Ward Councillor	Tokologo Local Municipality -Ward 3	04 November 2020	No Comments Received

LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES			
TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Me Lucille du Preez	Rooifontein Wildlife Club	04 November 2020	No Comments Received

**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Mr Luc Swanepoel	Karreeboom Kimberley (Pty) Ltd Portion 0 of Farm 1716	04 November 2020	18 November 2020
Mr Swanepoel requested and update regarding the project.			
Greenmined responded to Mr Swanepoel on 18 November 2020, and notified him of the availability of the DBAR and commenting period that extends until 04 December 2020. A copy of the report was also electronically sent to Mr Swanepoel on 19 November 2020. To date no additional comments were received.			
Mr & Mrs de Klerk	Kadi Trust Portion 3 of New Klippiespan 1635	10 November 2020	No Comments Received
Mr WB Mopharing	Portion 2 of New Klippiespan 1635 Portion 10 of New Klippiespan 1635	10 November 2020	No Comments Received
Mr S King	Portion 8 of New Klippiespan 1635	11 November 2020	No Comments Received

**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Mr JJ Reichert	Portion 1 of Rooifontein 211	04 November 2020	No Comments Received
Mr Van Wyk	AAA Mining CC Portion 1 of Speculatie 217	04 November 2020	16 November 2020
<p>Milnex CC registered as I&amp;AP's on the application, acting on behalf of the landowner of Portion 1 of the farm Speculatie No 217 (AAA Mining CC). Milnex CC requested copies of all the relevant documentation for this application.</p>			
<p>Greenmined confirmed on 18 November 2020 that Milnex CC and AAA Mining CC were registered as I&amp;AP's and that a copy of the DBAR was available on the company's website. To date no further correspondence/comments were received from Milnex CC.</p>			
Dr Scholtz	Zuikerkop Country & Game Lodge Portion 0 of Farm 1719  Zuikerkop Trust Portion 0 of Farm 1717	04 November 2020	No Comments Received
Mr Sam Fiff	Transnet LTD Portion 1 of Benauwdheidfontein 124	04 November 2020	No Comments Received



**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Mr L Maritz (IKAPA)	Crown Resources (Pty) Ltd Portion 0 of Farm 1714	10 November 2020	No Comments Received
Mr Eben van Heerden	De Beers Consolidated Mining (Pty) Ltd Portion 0 (Remaining Extent) of Benauwdheidfontein 124	12 November 2020	No Comments Received
Ester van der Westhuizen-Coetzer	Ekapa Minerals (Pty) Ltd Portion 0 of Farm 212	04 November 2020	No Comments Received
Mr AJ Thompson	Rietpan Portion 0 of Farm 211	04 November 2020	No Comments Received
Mr Elias Selemela	Rooifontein	04 November 2020	No Comments Received
Mr IC Potgieter	Duncan & Rothman Attorneys	04 November 2020	5 November 2020

Duncan and Rothman Attorneys requested a copy of the granted prospecting right held by Affordable Outcomes CC.

**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

**TITLE, NAME AND SURNAME**

**AFFILIATION /PROPERTY DESCRIPTION**

**CONTACTED DATE**

**RESPONSE RECEIVED**

Greenmined supplied a copy of the said prospecting right on 09 November 2020, upon which DRA requested a copy of the registered PR or proof of lodgement with the Mineral and Petroleum Titles Registration Office. This proof was supplied on 11 November 2020. To date no further comments were received from DRA.

**SUMMARY OF INITIAL PARTICIPATION PROCESS**

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

- telephonic discussions;
- direct communication with notification letters inviting comments on the draft Basic Assessment Report (email);
- placement of on-site notices; and
- placement of an advertisement in The Diamond Fields Advertiser on 6 November 2020.

Following receipt of the comments from SAHRA the DBAR was amended and will accordingly be redistributed for another 30-days commenting period. Any comments received on the amended DBAR will be incorporated into the final BAR to be submitted to the DMRE for decision making.

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

## NOTIFICATION OF STAKEHOLDERS AND I&APS OF THE AVAILABILITY OF THE AMENDED DRAFT BASIC ASSESSMENT REPORT

*COMMENTING PERIOD: 07 MAY – 07 JUNE 2021*

The comments received on the DBAR and EMPR were incorporated into the amended DBAR and EMPR that were re-submitted for a further 30-days commenting period ending on 07 June 2021. The comments received on the amended DBAR & EMPR were incorporated into the FBAR and EMPR to be submitted to the DMRE for consideration and decision taking. The following lists of I&AP's and stakeholders were invited to comment on the amended DBAR & EMPR:

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Mr Mbana Peter Thabethe	Department of Agricultural and Rural Development	07 May 2021	No Comments Received
Dr Mbulelo Nokwequ	Department of Economic Small Business Development, Tourism and Environmental Affairs	07 May 2021	No Comments Received
Mr Nomfundo Douwjack	Department of Labour	07 May 2021	No Comments Received
Mr SS Mtakati	Department of Police, Roads and Transport	07 May 2021	No Comments Received

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
Mr Mwseoke	Department of Public Works and Infrastructure	07 May 2021	No Comments Received
Mr TP Ntili	Department of Water and Sanitation	07 May 2021	No Comments Received
Ms Palesa Kaota	Lejweleputswa District Municipality	07 May 2021	No Comments Received
Mr Mlungisi Mabija	Sol Plaatje Local Municipality	07 May 2021	No Comments Received
Mr Sityhilelo Ngcatsha	South African Heritage Resources Agency	07 May 2021	25 May 2021

Comments received from SAHRA on the amended DBAR on 25 May 2021:

“Greenmined Environmental (Pty) Ltd was appointed by Affordable Outcome CC to undertake the Environmental Authorisation application for the amendment of the approved prospecting right footprint of 333.0435ha to include 4.8864ha of the farm Rooifontein No 1722, Boshof Magisterial District, Free State. An Amended Draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, 1998 and the National Environmental Management Waste Act, 2008 in respect of listed activities that have been triggered by applications in terms of the Mineral And Petroleum Resources Development Act, 2002 (MPRDA) (as amended).

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p>Initially, the project entailed the prospecting of the approved 333.0435 ha and 4.8864ha portion of land over the Remaining Extent farm Rooifontein through percussion drilling and bulk sampling. However, following the comments received from SAHRA, it was decided that prospecting within the ±5 ha area will only be done through non-invasive prospecting. Dr Lloyd Rossouw has been appointed to provide heritage specialist input as part of the EA Amendment application report as required by section 24(4)b(iii) of NEMA and section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).</p> <p><i>Rossouw, L. 2017. Phase 1 Archaeological Impact Assessment for a mining permit application on the Remainder of the farm Speculatie 217 (now Rooifontein 1722), Boshof District, FS Province.</i></p> <p>A large excavation pit with accompanying dumps within the study area is evidence of late 19th century prospecting and mining activities at the site. A modern reconstruction of the Olifantsfontein Hotel, purported to have been erected at the mine during the 1880's is located next to the historical mining pit. The study area is located about 800 m south of a large dolerite outcrop with potential engraving sites, as well as sangars and trenches associated with the Anglo Boer War. The remnants of a tram line as well as 19th century and early 20th century refuse middens are also found in the area. Uncapped and weathered stone tool flakes were recorded during the survey, but no evidence was found of in situ Stone Age archaeological material, capped or distributed as surface scatters on the landscape. The proposed development footprint is located within a historical mining area that forms part of a historically significant landscape central to the Kimberley Diamond Rush of the 1870's. The proposed development footprint is located within an area considered to be of high historical and archaeological significance. <b>The proposed development will likely have an adverse effect on the integrity of Kimberley's historical landscape. Further mining or mining related activities at Rooifontein 1722 are not advised.</b></p> <p><i>Rossouw, L. 2021. Heritage Impact Statement concerning prospecting rights over the Remaining Extent of the Farm Rooifontein No 1722 (formerly known as Speculatie No 217) in the Boshof Magisterial District, Free State Province.</i></p> <p>The report reiterates the recommendations of the previous heritage studies report undertaken in 2017, that the site forms part of the eastern periphery of a large area (the latter currently encompassing the farms Alexanderfontein 129, Benauwdheidfontein 124, Dutoitspan 119 and Rooifontein 1722), that probably represent some of the last untouched vestiges of the historical Diamond Fields landscape and that mining or mining related activities are not advised within the area. The SAHRA APM unit previously issued comments with regards to proposed prospecting and mining activities in farm Rooifontein 1722 (please see <i>(EIA168) - FS10462PR - Matolo Trade and Investment (Pty) Ltd. - Rooifontein 1722   SAHRA, APPLICATION FOR AN ENVIRONMENTAL AUHORISATION FOR THE PROPOSED PROSPECTING RIGHT FOR EKAPA MINERALS (PTY)LTD   SAHRA, Du Toitspan 119 (FS 10201 MP)   SAHRA, Affordables   SAHRA</i>) which notes the significant heritage landscape and advised that the proposed development application be rejected by Competent Authorities.</p>			

TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACTED DATE	RESPONSE RECEIVED
<p><b>Final Comment</b></p> <p>The SAHRA Archaeology, Palaeontology and Meteorites (APM) unit notes that the proposed development is non-invasive prospecting and that the site will not be impacted. The heritage specialist report and the SAHRA notes that the proposed development is within an area considered to be of high historical and archaeological significance which will likely have an adverse effect on the integrity of Kimberley's historical landscape and that further mining or mining related activities at Rooifontein 1722 are not advised. SAHRA therefore advises the Department of Forestry, Fisheries and the Environment, (DFFE) and the Department of Mineral Resources and Energy (DMRE) to reject the application for non-invasive prospecting on farm Rooifontein 1722, District of Boshoff, Free State Province [FS 30/5/1/1/2/10261 PR]."</p>			
<p>Greenmined's response to the comments received from SAHRA on the amended DBAR:</p> <p>Should the proposed ±5 ha area be incorporated into the current PR footprint of Affordable Outcomes CC, and the area be investigated through non-invasive prospecting methods no impact could be identified that could negatively affect the historical aspects of the earmarked footprint. Further to this, Dr Rossouw supports the proposal that the area (±5 ha) be investigated through non-invasive prospecting methods rather than invasive prospecting as mentioned in the Heritage Impact Statement attached as Appendix J2.</p> <p>As mentioned earlier, an environmental authorisation was previously issued for the mining of this specific ±5 ha area (to Wheatfields Investments 168 (Pty) Ltd). This S102 application entails the incorporation of the abovementioned ±5 ha area into the approved prospecting footprint of Affordable Outcomes CC that will allow the prospecting of the area for diamonds through non-invasive prospecting. This constitute a 100% decrease in the proposed alteration of the earmarked footprint (compared to the mining of the area), and therefore highly increasing the desirability of the proposed S102 application. The fact that the approved PR footprint already encompass the ±5 ha area further contributes to motivating the proposed S102 application.</p>			
Mr Kelehile J Motlhale	Tokolologo Local Municipality	07 May 2021	No Comments Received
Ward Councillor	Tokolologo Local Municipality -Ward 3	07 May 2021	No Comments Received

**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Me Lucille du Preez	Rooifontein Wildlife Club	07 May 2021	No Comments Received
Mr Luc Swanepoel	Karreeboom Kimberley (Pty) Ltd Portion 0 of Farm 1716	07 May 2021	No Comments Received
Mr & Mrs de Klerk	Kadi Trust Portion 3 of New Klippiespan 1635	07 May 2021	No Comments Received
Mr WB Mopharing	Portion 2 of New Klippiespan 1635 Portion 10 of New Klippiespan 1635	07 May 2021	No Comments Received
Mr S King	Portion 8 of New Klippiespan 1635	07 May 2021	No Comments Received
Mr JJ Reichert	Portion 1 of Rooifontein 211	07 May 2021	02 June 2021

**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

**TITLE, NAME AND SURNAME**

**AFFILIATION /PROPERTY DESCRIPTION**

**CONTACTED DATE**

**RESPONSE RECEIVED**

Comments received from Mr Reichert on the amended DBAR:

“I am the owner of the farm Rooifontein Portion 1 of Farm 211, which is adjacent to the Remaining Extent of the farm Rooifontein No. 1722 (formerly known as Speculatie No 217), Boshof Magisterial District, Free State Province. I herewith strongly object against section 102 amendment application of the prospecting right held over the remaining extent of the farm Rooifontein No 1722 on the grounds as set out below. My farm mainly consists of livestock and game farming, both of which are dependent on drinking water that I currently obtain from boreholes being extracted by wind pumps. All of the residents of my farm are also dependent on the underground water as our main and only source of drinking water. I am greatly concerned about the type of water the abovementioned application is proposing to use in their mining activities. The proposed water that will be obtained from the municipality seems to be sewage water – which will contaminate our main (and only) source of drinking water.

Secondly, I would like to highlight the fact that I, as a livestock farmer, have a primary right to access of water, whilst the access to water for mining purposes merely has a secondary (optional) right thereto. Our farm has already suffered significant water losses due to the other mining activities that are ongoing in the area and I fear that any further decreases in our water access will make my farming activities impossible. I herewith lastly confirm that no access will be given to my farm to assist in any way in the operation of the proposed mining activities, which also includes the laying of a pipeline.”

Greenmined response to the comments received from Mr Reichert:

“Greenmined herewith acknowledge receipt, and thank you for your correspondence sent on 02 June 2021 regarding the above mentioned project.

We take note of your concern about the potential pollution of the groundwater due to the proposed use of recycled water by the prospecting right holder (PR Holder) during the operational phase of the prospecting project. In response, we would like to ensure you that the water to be used by the PR Holder will conform to all legal standards of the National Water Act, 1998 and South African Water Quality Guidelines. No sewerage/otherwise contaminated water will be used that could negatively affect the ground- or surface water. As the water will be obtained from the Kimberley Municipal Waterworks, no water is allowed to leave the operation if it does not comply with the standard for irrigation of recycled water. A condition will however be added to the final Basic Assessment Report that will compel the PR Holder to ensure that any recycled water used as part of the prospecting activity does comply with the prescribed water quality standards of the National Water Act, 1998. The use of recycled water by the PR Holder further reduces the



**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
<p>need for abstraction of potable water from/near the prospecting footprint, and therefore contributes positively to the re-use of natural resources. In using non-potable water for the prospecting activity the operation therefore indirectly promotes the preferred allocation of “clean” water to livestock and other farming purposes.</p> <p>Please note that your objection and our response will be added to the final Basic Assessment Report (FBAR) that will be submitted to the Department of Mineral Resources and Energy for decision making. A copy of the FBAR will also be available on our company’s website (<a href="http://www.greenmined.com">www.greenmined.com</a>) for perusal. You will be notified as soon as the document is available.”</p>			
Mr Van Wyk	AAA Mining CC Portion 1 of Speculatie 217	07 May 2021	No Comments Received
Dr Scholtz	Zuikerkop Country & Game Lodge Portion 0 of Farm 1719  Zuikerkop Trust Portion 0 of Farm 1717	07 May 2021	No Comments Received
Mr Sam Fiff	Transnet LTD Portion 1 of Benauwdheidfontein 124	07 May 2021	No Comments Received
Mr L Maritz (IKAPA)	Crown Resources (Pty) Ltd Portion 0 of Farm 1714	07 May 2021	No Comments Received

**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACTED DATE	RESPONSE RECEIVED
Mr Eben van Heerden	De Beers Consolidated Mining (Pty) Ltd Portion 0 (Remaining Extent) of Benauwdheidfontein 124	07 May 2021	No Comments Received
Ester van der Westhuizen-Coetzer	Ekapa Minerals (Pty) Ltd Portion 0 of Farm 212	07 May 2021	07 June 2021

Comments received from Me E van der Westhuizen-Coetzer on behalf of Ekapa Minerals (Pty) Ltd on the amended DBAR:

*“In 2016 Ekapa lodged an objection against the Wheatfields application and indicated various reasons why mining should not be permitted. After reading through all the documentation as provided on the given website, the following issues need to be addressed or discussed. The purpose of this document is to list all grounds of appeal and make the applicant aware of the view of the landowner and occupant. The expectation of the landowner and legal occupant is that the applicant addresses all the issues set out below.*

*1) The Prospecting Right (FS 30/5/1/1/2/10261 PR) granted to Affordable Outcomes CC right states the following: ” A total volume of 4000m<sup>3</sup> through drilling of 10 boreholes with average depth of 40m and 4 trenches with dimension of 20m x 10m x 5m required to conduct tests on it or to identify or analyse and as applied for in terms of section 20(2) of the act “.*

*However, annexure A pg. 1 of the Report on the results of the consultation with the communities and interested parties’ states under Phase 3 Bulk sampling second paragraph: “The bulk sampling/ trial mining needs to be done till 2000 carats has been obtained in order to determine the exact carrying potential.”*

*The May 2021 application to include the additional 5-hectare area previously applied for by Wheatfields Investments (now under liquidation) over the remaining extent of the farm Rooifontein to 1722 (formerly known as Speculatie no 217) in the Boshof Magisterial district Free State Province (Amended Draft Basic Assessment Report) on page 2 under the “Project discussion” refers to 16 holes to be drilled. This is in contradiction with the prospecting right issued. Take note that the section 102 application also indicates that no invasive drilling will be done in the additional area due to the historical value so the additional 6 holes cannot be for the new area. This needs clarification.*

**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

**TITLE, NAME AND SURNAME**

**AFFILIATION /PROPERTY DESCRIPTION**

**CONTACTED DATE**

**RESPONSE RECEIVED**

2) Ekapa appreciates the fact that the historical value of the additional 5 ha is taken into consideration.

3) a) In various paragraphs in most of the reports the water resource for the prospecting is indicated as “Water obtained from the municipality and pumped to the mining site, for example pg. 9 “Report on the consultation” pg. 25 point 2.4 of the amended Basic Assessment. The information in this regard is vague and the applicant is called upon to provide more detail for consideration. The landowner is unsure as to what pipeline (size) the applicant is referring to, the route of the pipeline and if the water obtained will be treated sewage or potable water. The storage facility for this water and the water used in the process will require additional authorisations either under NEMA or NWA. The Landowner is aware of paragraph iii) pg. 117 of the same report, but this might be relevant for the abstraction of water under sec 21 (a) of the National Water Act but might trigger another authorisation due to the nature of the water or the way it is transported to the site or stored.

b) Take note that paragraph 1 on pg. 26 of the amended Basic Assessment, the consultant makes the conclusion that the two evaporation dams will not be lined as the water exposed to the kimberlite material in the process will not be polluted. Is there any proof for this? Kimberlite material contains high quantities of Sulphites and Chloride that resolves into the process water during the process. This might have an impact on the ground water in the area and needs to be suitably addressed.

c) Pg. 21 of Eko Environmental prepared by Darius van Rensburg under recommendations bullet point 7. “The risk for ground water pollution should be determined” Was such a risk analysis done by a qualified person and can that be made available? This reinforces the concern raised in 3b above.

4) The biodiversity report from Eko Environmental states on pg. 12 that Secretary birds is known to occur in the area but that none will inhabit the area due to the camping site and that no nests were observed. The landowner hereby records for the attention of the consultant and applicant that within the 337ha prospecting area (applied for and authorisation obtained) a Secretary breeding pair has been breeding with great success and the chick was ringed last year and fitted with a tracker by Bird Life South Africa. The breeding site is in the vicinity of the new area applied for. Take further note that the status of this bird has been changed since this report was done in Nov 2016. Globally these birds are rated as endangered due to the declining numbers in South Africa. Conservation of this species is of great importance to the landowner as well as from a nature conservation perspective.

5) In the amended Basic Assessment and EMPr reference is made to a plant being established and dams being built. In the authorisation there is no mention of any authorisations for these activities. Pg. 6 of the authorisation states the quantity of ore that can be removed but there is no reference to the treatment of the sample on site.

**LANDOWNER, SURROUNDING NEIGHBOURS, INTERESTED AND AFFECTED PARTIES**

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6) Under Safety in the EMPr pg. 89 last bullet point the vehicles on site will be fitted with a yellow light at night. Does this mean prospecting will be done at night-time as well? This is a concern as activity at night might have an affect on some of the endangered species (Black Footed Cat and the South African Hedgehog etc) on the farm and can lead to road kills of some of these species as well as any other species found on the property. In this regard it is recorded that the movement at night will negatively affect the game breeding activities on the property.

7) Pg. 88 of the same report as in bullet 6 above point 7 states the following:” On vegetation clearing, should any nests with chicks or eggs be discovered a local nature conservation officer shall be called to relocate the species.” To where will the chicks and eggs be relocated that will not affect the breeding of the species for that season? This statement cannot be valid from any point of view as disturbance of any kind of breeding species will lead to the abandonment of the nest. Relocation of nests is not seen as the protection of the environment but rather destruction of the environment which is not in line with the landowner's current use of the property for conservation purposes, or the biodiversity acts view of protection of biodiversity. Another solution is needed for this.”

Greenmined’s response to the comments received from Me Ester van der Westhuizen-Coetzer:

Par 1. The Section 102 application necessitated the amendment of the Prospecting Work Programme (PWP). Accordingly, the amended PWP (that was submitted as part of the S102 application) states that presently, it is proposed that 16 boreholes will be drilled throughout the prospecting area (as mentioned in the amended DBAR). As the proposed additional ±5 ha area will only be investigated through non-invasive prospecting, the boreholes will be drilled in the rest of the PR area. Phase 1 (geological desktop studies) of the prospecting activity will advise on the location of the proposed boreholes once the information was mapped to obtain a graphical model of the area that will be prospected through Phase 2 of the project. The number of carats remains unchanged. Should the Section 102 application be approved by the DMRE, the prospecting right will be amended to support the most recent data.

Par 3.a. As the exact location of the boreholes/bulk sampling sites still needs to be determined through geological studies, the exact route of a potential water pipeline has not yet been established. Although the Wheatfields Investments 168 (Pty) Ltd mining permit application mentioned the potential pumping of water through a pipeline, Affordable Outcomes CC still has to investigate the practicality of pumping the water to the prospecting sites. Should the installation of a pipeline be preferred, the pipeline and storage facility will be kept below the thresholds of the NEMA EIA Regulations, 2014 (as amended) and will therefore not require additional environmental authorisation. The route of a potential pipeline will be discussed with the landowner prior to installation. The negotiations with the Kimberley Municipal water works will advise on the type of available water,

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<p>however should recycled water be used the water will conform to all legal standards of the National Water Act, 1998 and South African Water Quality Guidelines. No sewerage/otherwise contaminated water will be used that could negatively affect the ground- or surface water. In support of this, a condition was added to the final Basic Assessment Report that compels the PR Holder to ensure that any recycled water used as part of the prospecting activity complies with the prescribed water quality standards of the National Water Act, 1998. The use of recycled water by the PR Holder reduces the need for abstraction of potable water from/near the prospecting footprint, and therefore contributes positively to the re-use of natural resources. The need for water use authorisation will be discussed with the DWS by the PR Holder.</p> <p>Par 3.b &amp; c. It is proposed that the PR Holder contract the services of a hydrologist prior to the commencement of the invasive prospecting phase that will advise on and monitor the quality of the water in the evaporation dams. The water quality results and recommendations of the hydrologist will be filed for auditing purposes.</p> <p>Par 4. The presence of breeding secretary birds on the earmarked property is noted and a condition was added to this report that the PR Holder must contact the environmental specialist of the landowner in this regard prior to the commencement of the invasive phase of the prospecting activity. As mentioned earlier, the ±5 ha area to be added to the PR footprint, should the S102 application be approved, will be investigated through non-invasive prospecting that will not affect any breeding birds within the vicinity.</p> <p>Par 5. The screening of the excavated gravel through a processing plant and the use of evaporation dams were part of the initial PR application of Affordable Outcomes and is mentioned in the EMP and initial PWP of the PR Holder approved by the DMRE. This Section 102 application does not propose a change to the approved prospecting method.</p> <p>Par 6. No prospecting activities will take place at night; the FBAR was amended accordingly.</p> <p>Par 7. The said condition was amended to say that prior to vegetation clearing the earmarked area must be investigated and should any occupied nests be found the local nature conservation officer/environmental specialist of the landowner must be called to advise on the action to be taken. No disturbance may be allowed in the identified area until the nature conservation officer gave a written go ahead to the PR Holder. All correspondence must be filed for auditing purposes.</p>			
Mr AJ Thompson	Rietpan Portion 0 of Farm 211	07 May 2021	No Comments Received

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Mr Elias Selemela	Roofontein	07 May 2021	No Comments Received
Mr IC Potgieter	Duncan & Rothman Attorneys	07 May 2021	No Comments Received

**SUMMARY OF PARTICIPATION PROCESS**

Following receipt of the comments from SAHRA on the DBAR, the document was amended and redistributed for another 30-days commenting period. As indicated above, comments were received from Ekapa Minerals (Pty) Ltd, SAHRA and Mr Reichert on the amended DBAR & EMPR that were incorporated into the final BAR to be submitted to the DMRE for decision making.

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

**-END OF COMMENTS AND RESPONSE REPORT-**