

**PROPOSED MINING ON A PORTION OF THE
REMAINING EXTENT OF THE FARM ELANDS
SPRUIT NO 5523, ALFRED DUMA MUNICIPAL
AREA, KWAZULU-NATAL**

PROOF OF PUBLIC PARTICIPATION

REFERENCE NUMBER:

KZN 30/5/1/3/2/10817 MP

DECEMBER 2022

Part 3



**PROOF THAT THE ERRATUM NOTICE WAS SENT TO
ALL THE STAKEHOLDERS ON 11 NOVEMBER 2022**

NOTIFICATION OF STAKEHOLDERS

Number	Organisation	Contact Person
1.	Alfred Duma Local Municipality	Mr R Mazibuko
2.	Alfred Duma Local Municipality – Ward 23 (Ward councillor and contact person for Matiwane Community)	Cllr Thobani Prince Dlamini
3.	Alfred Duma Local Municipality– Ward 24 (Ward councillor and contact person for Matiwane Community)	Cllr Thembinkosi Nicholas Ngcobo
4.	uThukela District Municipality	Mr MB Mnguni
5.	Department of Agriculture and Rural Development - KZN (DARD-KZN)	Mr Siza Sibande
6.	Department of Economic Development Tourism & Environmental Affairs (Southern Region)	Mr Dumisani Gwede
7.	Department of Land Reform and Rural Development	Mr Siegfried Haschke
8.	National Department of Agriculture, Land Reform and Rural Development	Mr Fhatuwani Sarah Magwaba
9.	Department of Water and Sanitation	Ms B Msane
10.	Eskom Ltd.	Mr Siyabonga Nsele
11.	Ezemvelo KZN Wildlife	Mr Dominic Wieners

Number	Organisation	Contact Person
12.	Department of Labour	Me T Kunene
13.	SANRAL – Eastern Region	Me Logashri Sewnarain
14.	Department of Transport	Me Judy Reddy

Marlene van den Berg

From: Greenmined Comments
Sent: Friday, 11 November 2022 11:09
To: 'dominic.wieners@kznwildlife.com'; 'hod.pa@kzndard.gov.za';
'bayo.ogunnaike@kzndard.gov.za'; 'Thandekile.Nxumalo@kzndard.gov.za';
'mavis.padayachee@kzndae.gov.za'; 'dumisani.gwede@kznedtea.gov.za';
'Zinhle.Ntshingila@kznedtea.gov.za'; 'Noluthando.Khanyile@kznedtea.gov.za';
'Onwabile.Ndzumo@kznedtea.gov.za'; 'MsaneB@dwa.gov.za';
'DladlaL@dws.gov.za'; 'GweleY@dws.gov.za'; 'DladlaL@dws.gov.za';
'sbusiso.gumbi@kzntransport.gov.za'; 'Judy.reddy@kzntransport.gov.za';
'sewnarainl@nra.co.za'; 'thabile.kunene@labour.gov.za'; 'mm@alfredduma.gov.za';
'jhgrobler@alfredduma.gov.za'; 'shmagudulela@alfredduma.gov.za';
'rmazibuko@alfredduma.gov.za'; 'athulsie@alfredduma.gov.za';
'tpdlamini@alfredduma.gov.za'; 'TNGCOBO@alfredduma.gov.za';
'pa.mm@uthukela.gov.za'; 'troy.govender@eskom.co.za'; 'NseleSi@eskom.co.za';
'KZNOU-LandR@eskom.co.za'; 'fhatuwani.magwaba@dalrrd.gov.za';
'siegfried.haschke@dalrrd.gov.za'; 'MashuduMa@Dalrrd.gov.za';
'LesleyS@Dalrrd.gov.za'; 'SerahMu@dalrrd.gov.za'; 'ThembiNy@dalrrd.gov.za'
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Dear Sir/Madam,

RE: ERRATUM NOTICE FOR THE RAUBEX CONSTRUCTION (PTY) LTD MINING PERMIT APPLICATION (KZN 30/5/1/3/2/10817 MP) OVER THE REMAINING EXTENT OF THE FARM ELANDS SPRUIT NO 5523, UTHUKELA DISTRICT, KZN

Please take note of an erratum notice to correct the public documents regarding the Raubex Construction (Pty) Ltd mining permit application (**KZN 30/5/1/3/2/10817 MP**) submitted over the Remaining Extent of the farm Elands Spruit No 5523, uThukela Magisterial District, KZN. The purpose of this erratum is to revise the description of the NEMA EIA Regulations, 2014 (as amended) Listing Notice 3 activities:

- **GNR 324 Listing Notice 3 Activity 4:**
The development of a road wider than 4 metres with a reserve less than 13.5 metres.
d. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.
- **GNR 324 Listing Notice 3 Activity 12:**
The clearance of an area of 300 square metres or more of indigenous vegetation.
d. KwaZulu-Natal: v. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.
- **GNR 324 Listing Notice 3 Activity 18:**
The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.
d. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.

Interested and Affected Parties are also invited to comment on the updated Terrestrial Biodiversity Impact Assessment and 2022 Wetland Opinion available from the company website at www.greenmined.com/mining-permit/ or the consultant. The contact consultant is Greenmined Environmental (Pty) Ltd, Postnet Suite 62, Private Bag X15, Somerset West, 7129 or contact Christine Fouche at (082) 811 8514 or Tel (021) 851 2673, (email) christine.f@greenmined.co.za.

Marlene van den Berg

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
Sent: Friday, 11 November 2022 11:13
To: Greenmined Comments
Subject: Delivery Status Notification

Content-Type: multipart/report; report-type=delivery-status; boundary=1668157977-eximdsn-980853568
MIME-Version: 1.0
--1668157977-eximdsn-980853568
Content-type: text/plain; charset=us-ascii

This message was created automatically by SMTP2Go.

----- The following addresses had successful delivery notifications ----- <dominic.wieners@kznwildlife.com> (relayed to non-DSN-aware mailer)

<hod.pa@kzndard.gov.za> (relayed to non-DSN-aware mailer)

<bayo.ogunnaike@kzndard.gov.za> (relayed to non-DSN-aware mailer)

<Thandekile.Nxumalo@kzndard.gov.za> (relayed to non-DSN-aware mailer)

<dumisani.gwede@kznedtea.gov.za> (relayed to non-DSN-aware mailer)

<Zinhle.Ntshingila@kznedtea.gov.za> (relayed to non-DSN-aware mailer)

<Noluthando.Khanyile@kznedtea.gov.za> (relayed to non-DSN-aware mailer)

<Onwabile.Ndzumo@kznedtea.gov.za> (relayed to non-DSN-aware mailer)

<sewnarainl@nra.co.za> (relayed to non-DSN-aware mailer)

<thabile.kunene@labour.gov.za> (relayed to non-DSN-aware mailer)

<mm@alfredduma.gov.za> (relayed to non-DSN-aware mailer)

<jhgrobler@alfredduma.gov.za> (relayed to non-DSN-aware mailer)

<shmagudulela@alfredduma.gov.za> (relayed to non-DSN-aware mailer)

<rmazibuko@alfredduma.gov.za> (relayed to non-DSN-aware mailer)

<athulsie@alfredduma.gov.za> (relayed to non-DSN-aware mailer)

<tpdlamini@alfredduma.gov.za> (relayed to non-DSN-aware mailer)

<pa.mm@uthukela.gov.za> (relayed to non-DSN-aware mailer)

<NseleSi@eskom.co.za> (relayed to non-DSN-aware mailer)

<KZNOU-LandR@eskom.co.za> (relayed to non-DSN-aware mailer)

--1668157977-eximdsn-980853568
Content-type: message/delivery-status

Reporting-MTA: dns; mail.smtp2go.com

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Final-Recipient: rfc822;dominic.wieners@kznwildlife.com
Status: 2.0.0
Remote-MTA: dns; za-smtp-inbound-1.mimecast.co.za
Diagnostic-Code: smtp; 250 Ok

Action: delivered
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Status: 2.0.0
Remote-MTA: dns; securemail-mx1.synaq.com
Diagnostic-Code: smtp; 250 Ok

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Diagnostic-Code: smtp; 250 Ok

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Final-Recipient: rfc822;dumisani.gwede@kznedtea.gov.za
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Diagnostic-Code: smtp; 250 Ok

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Diagnostic-Code: smtp; 250 Ok

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Diagnostic-Code: smtp; 250 Ok

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Status: 2.0.0
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Diagnostic-Code: smtp; 250 Ok

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Status: 2.0.0
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Diagnostic-Code: smtp; 250 Ok

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Final-Recipient: rfc822;mm@alfredduma.gov.za
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Remote-MTA: dns; za-smtp-inbound-2.mimecast.co.za
Diagnostic-Code: smtp; 250 Ok

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Status: 2.0.0
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Final-Recipient: rfc822;rmazibuko@alfredduma.gov.za
Status: 2.0.0
Remote-MTA: dns; za-smtp-inbound-2.mimecast.co.za
Diagnostic-Code: smtp; 250 Ok

Action: delivered
Final-Recipient: rfc822;athulsie@alfredduma.gov.za
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Remote-MTA: dns; za-smtp-inbound-1.mimecast.co.za
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Status: 2.0.0
Remote-MTA: dns; za-smtp-inbound-2.mimecast.co.za
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Action: delivered
Final-Recipient: rfc822;pa.mm@uthukela.gov.za
Status: 2.0.0
Remote-MTA: dns; za-smtp-inbound-2.mimecast.co.za
Diagnostic-Code: smtp; 250 Ok

Action: delivered
Final-Recipient: rfc822;NseleSi@eskom.co.za
Status: 2.0.0
Remote-MTA: dns; mx1.eskom.seagatestoragecloud.co.za
Diagnostic-Code: smtp; 250 Ok

Action: delivered

Final-Recipient: rfc822;KZNOU-LandR@eskom.co.za
Status: 2.0.0
Remote-MTA: dns; mx1.eskom.seagatestoragecloud.co.za
Diagnostic-Code: smtp; 250 Ok

--1668157977-eximdsn-980853568
Content-type: text/rfc822-headers

Return-path: <comments@greenmined.co.za>

Received: from [10.45.79.71] (helo=SmtprCorp)

by smtpcorp.com with esmtpsa (TLS1.3:ECDHE_SECP256R1__RSA_PSS_RSAE_SHA256__AES_256_GCM:256)
(Exim 4.94.2-S2G)

(envelope-from <comments@greenmined.co.za>)

id 1otQ2a-TRk0uP-EQ; Fri, 11 Nov 2022 09:09:37 +0000

Received: from [41.0.104.130] (helo=webmail.raubex.com)

by smtpcorp.com with esmtpsa (TLS1.2:ECDHE_SECP384R1__RSA_SHA256__AES_256_GCM:256)
(Exim 4.96-S2G)

(envelope-from <comments@greenmined.co.za>)

id 1otQ2X-Duvs0F-OT;

Fri, 11 Nov 2022 09:09:34 +0000

Received: from 01-EXCH01-INF.RBX.Raubex.com (10.1.0.211) by 01-EXCH02-INF.RBX.Raubex.com (10.1.0.212) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.2.1118.12; Fri, 11 Nov 2022 11:09:19 +0200

Received: from 01-EXCH01-INF.RBX.Raubex.com ([169.254.46.224]) by 01-EXCH01-INF.RBX.Raubex.com ([10.1.0.214]) with mapi id 15.02.1118.012; Fri, 11 Nov 2022 11:09:19 +0200

Content-Type: multipart/mixed;

boundary="_000_e96885539c6d407bb0f96d58711e68e1greenminedcoza_"

From: Greenmined Comments <comments@greenmined.co.za>

To: "dominic.wieners@kznwildlife.com" <dominic.wieners@kznwildlife.com>,

"hod.pa@kzndard.gov.za" <hod.pa@kzndard.gov.za>,

"bayo.ogunnaike@kzndard.gov.za" <bayo.ogunnaike@kzndard.gov.za>,

"Thandekile.Nxumalo@kzndard.gov.za" <Thandekile.Nxumalo@kzndard.gov.za>,

"mavis.padayachee@kzndae.gov.za" <mavis.padayachee@kzndae.gov.za>,

"dumisani.gwede@kznedtea.gov.za" <dumisani.gwede@kznedtea.gov.za>,

"Zinhle.Ntshingila@kznedtea.gov.za" <Zinhle.Ntshingila@kznedtea.gov.za>,

"Noluthando.Khanyile@kznedtea.gov.za" <Noluthando.Khanyile@kznedtea.gov.za>,

"Onwabile.Ndzumo@kznedtea.gov.za" <Onwabile.Ndzumo@kznedtea.gov.za>,

"MsaneB@dwa.gov.za" <MsaneB@dwa.gov.za>, "DladlaL@dws.gov.za"

<DladlaL@dws.gov.za>, "GweleY@dws.gov.za" <GweleY@dws.gov.za>,

"DladlaL@dws.gov.za" <DladlaL@dws.gov.za>,

"sbusiso.gumbi@kzntransport.gov.za" <sbusiso.gumbi@kzntransport.gov.za>,

"Judy.reddy@kzntransport.gov.za" <Judy.reddy@kzntransport.gov.za>,

"sewnarainl@nra.co.za" <sewnarainl@nra.co.za>, "thabile.kunene@labour.gov.za"

<thabile.kunene@labour.gov.za>, "mm@alfredduma.gov.za"

<mm@alfredduma.gov.za>, "jhgrobler@alfredduma.gov.za"

<jhgrobler@alfredduma.gov.za>, "shmagudulela@alfredduma.gov.za"

<shmagudulela@alfredduma.gov.za>, "rmazibuko@alfredduma.gov.za"

<rmazibuko@alfredduma.gov.za>, "athulsie@alfredduma.gov.za"

<athulsie@alfredduma.gov.za>, "tpdlamini@alfredduma.gov.za"

<tpdlamini@alfredduma.gov.za>, "TNGCOBO@alfredduma.gov.za"

<TNGCOBO@alfredduma.gov.za>, "pa.mm@uthukela.gov.za" <pa.mm@uthukela.gov.za>,

"troy.govender@eskom.co.za" <troy.govender@eskom.co.za>,

"NseleSi@eskom.co.za" <NseleSi@eskom.co.za>, "KZNOU-LandR@eskom.co.za"

<'KZNOU-LandR@eskom.co.za'>, "fhatuwani.magwaba@dalrrd.gov.za"

<fhatuwani.magwaba@dalrrd.gov.za>, "siegfried.haschke@dalrrd.gov.za"

<siegfried.haschke@dalrrd.gov.za>, "MashuduMa@Dalrrd.gov.za"
<MashuduMa@Dalrrd.gov.za>, "LesleyS@Dalrrd.gov.za" <LesleyS@Dalrrd.gov.za>,
"SerahMu@dalrrd.gov.za" <SerahMu@dalrrd.gov.za>, "ThembiNy@dalrrd.gov.za"
<ThembiNy@dalrrd.gov.za>

Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN
30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders
Thread-Topic: Raubex Construction (Pty) Ltd Mining Permit Application (KZN
30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders
Thread-Index: AQHY9aneDM8s8kfwqkqlyDYxAZgd+645Tauw
Disposition-Notification-To: Greenmined Comments <comments@greenmined.co.za>
Return-Receipt-To: <comments@greenmined.co.za>
Date: Fri, 11 Nov 2022 09:09:19 +0000
Message-ID: <e96885539c6d407bb0f96d58711e68e1@greenmined.co.za>
References: <18c36c1499b04afd9cdc5e094101f6b4@greenmined.co.za>
<b43d5876c02b47aa9683b2990331d917@greenmined.co.za>
<100ce1d39bd2453bbaf17b3107632c16@greenmined.co.za>
<a6eddf3a128d42c797967233252ea3d5@greenmined.co.za>
<b0a35772f356452e9a20255a09557e45@greenmined.co.za>
In-Reply-To: <b0a35772f356452e9a20255a09557e45@greenmined.co.za>
Accept-Language: en-ZA, en-US
Content-Language: en-US
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator: <e96885539c6d407bb0f96d58711e68e1@greenmined.co.za>
x-ms-exchange-messagesentrepresentingtype: 1
x-originating-ip: [10.1.0.198]
x-ms-exchange-sharedmailbox-routingagent-processed: True
x-c2processedorg: 39f78260-89a2-449c-ab7d-2869b9c2d75f
MIME-Version: 1.0

--1668157977-eximdsn-980853568--

Marlene van den Berg

From: Municipal Manager <pa.mm@uthukela.gov.za>
To: Greenmined Comments
Sent: Friday, 11 November 2022 11:16
Subject: Read: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Your message

To:
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders
Sent: Friday, November 11, 2022 11:16:46 AM (UTC+02:00) Harare, Pretoria

was read on Friday, November 11, 2022 11:15:50 AM (UTC+02:00) Harare, Pretoria.

Marlene van den Berg

From: Gwele Yolanda Uyabulelwa (DBN) <GweleY@dws.gov.za>
To: Greenmined Comments
Sent: Friday, 11 November 2022 11:26
Subject: Read: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Your message

To:
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders
Sent: Friday, November 11, 2022 11:26:30 AM (UTC+02:00) Harare, Pretoria

was read on Friday, November 11, 2022 11:26:23 AM (UTC+02:00) Harare, Pretoria.

Marlene van den Berg

From: Gwele Yolanda Uyabulelwa (DBN) <GweleY@dws.gov.za>
To: Greenmined Comments
Sent: Friday, 11 November 2022 11:26
Subject: Read: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Your message

To:
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders
Sent: Friday, November 11, 2022 11:25:41 AM (UTC+02:00) Harare, Pretoria

was read on Friday, November 11, 2022 11:25:32 AM (UTC+02:00) Harare, Pretoria.

Marlene van den Berg

From: Siyabonga Nsele <NseleSi@eskom.co.za>
To: Greenmined Comments
Sent: Friday, 11 November 2022 11:42
Subject: Read: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Your message

To:
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders
Sent: Friday, November 11, 2022 11:49:18 AM (UTC+02:00) Harare, Pretoria

was read on Friday, November 11, 2022 11:42:03 AM (UTC+02:00) Harare, Pretoria.

Marlene van den Berg

From: Dominic Wieners <Dominic.Wieners@kznwildlife.com>
To: Greenmined Comments
Sent: Friday, 11 November 2022 11:10
Subject: Read: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Your message

To:
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders
Sent: Friday, November 11, 2022 11:10:26 AM (UTC+02:00) Harare, Pretoria

was read on Friday, November 11, 2022 11:10:10 AM (UTC+02:00) Harare, Pretoria.

Marlene van den Berg

From: SINDISIWE MAGUDULELA <SHMAGUDULELA@alfredduma.gov.za>
To: Greenmined Comments
Sent: Tuesday, 15 November 2022 10:18
Subject: Read: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Your message

To:
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders
Sent: Tuesday, November 15, 2022 10:18:26 AM (UTC+02:00) Harare, Pretoria

was read on Tuesday, November 15, 2022 10:18:12 AM (UTC+02:00) Harare, Pretoria.

Marlene van den Berg

From: THOBANI PRINCE DLAMINI <TPDlamini@alfredduma.gov.za>
To: Greenmined Comments
Sent: Tuesday, 15 November 2022 14:09
Subject: Read: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Your message

To:
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders
Sent: Tuesday, November 15, 2022 2:09:02 PM (UTC+02:00) Harare, Pretoria

was read on Tuesday, November 15, 2022 2:08:51 PM (UTC+02:00) Harare, Pretoria.

2.

**MEETING REQUEST RECEIVED FROM CLLR TP
DLAMINI ON 15 NOVEMBER 2022**

Marlene van den Berg

From: THOBANI PRINCE DLAMINI <TPDlamini@alfredduma.gov.za>
Sent: Tuesday, 15 November 2022 14:29
To: Greenmined Comments
Subject: RE: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Sir /Madam

Greetings I humble bow to seiner management requesting a meeting before the closing with relevant stake holders so that we will be able to clarify to the community.

I Thank you

Regards
Cllr T P Dlamini
Ward 23
062 402 6165

From: Greenmined Comments <comments@greenmined.co.za>
Sent: Friday, 11 November 2022 11:09
To: dominic.wieners@kznwildlife.com; hod.pa@kzndard.gov.za; bayo.ogunnaike@kzndard.gov.za; Thandekile.Nxumalo@kzndard.gov.za; mavis.padayachee@kzndae.gov.za; dumisani.gwede@kznedtea.gov.za; Zinhle.Ntshingila@kznedtea.gov.za; Noluthando.Khanyile@kznedtea.gov.za; Onwabile.Ndzumo@kznedtea.gov.za; MsaneB@dwa.gov.za; DladlaL@dws.gov.za; GweleY@dws.gov.za; DladlaL@dws.gov.za; sbusiso.gumbi@kzntransport.gov.za; Judy.reddy@kzntransport.gov.za; sewnarainl@nra.co.za; thabile.kunene@labour.gov.za; Municipal Manager <mm@alfredduma.gov.za>; KOBA GROBLER <jhgrobler@alfredduma.gov.za>; SINDISIWE MAGUDULELA <SHMAGUDULELA@alfredduma.gov.za>; RONNY MAZIBUKO <RMAZIBUKO@alfredduma.gov.za>; ASHONA THULSIE <ATHULSIE@alfredduma.gov.za>; THOBANI PRINCE DLAMINI <TPDlamini@alfredduma.gov.za>; TNGCOBO@alfredduma.gov.za; pa.mm@uthukela.gov.za; troy.govender@eskom.co.za; NseleSi@eskom.co.za; 'KZNOU-LandR@eskom.co.za'; fhatuwani.magwaba@dalrrd.gov.za; siegfried.haschke@dalrrd.gov.za; MashuduMa@Dalrrd.gov.za; LesleyS@Dalrrd.gov.za; SerahMu@dalrrd.gov.za; ThembiNy@dalrrd.gov.za
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Dear Sir/Madam,

RE: ERRATUM NOTICE FOR THE RAUBEX CONSTRUCTION (PTY) LTD MINING PERMIT APPLICATION (KZN 30/5/1/3/2/10817 MP) OVER THE REMAINING EXTENT OF THE FARM ELANDS SPRUIT NO 5523, UTHUKELA DISTRICT, KZN

Please take note of an erratum notice to correct the public documents regarding the Raubex Construction (Pty) Ltd mining permit application (**KZN 30/5/1/3/2/10817 MP**) submitted over the Remaining Extent of the farm Elands Spruit No 5523, uThukela Magisterial District, KZN. The purpose of this erratum is to revise the description of the NEMA EIA Regulations, 2014 (as amended) Listing Notice 3 activities:

- **GNR 324 Listing Notice 3 Activity 4:**
The development of a road wider than 4 metres with a reserve less than 13.5 metres.
d. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.

2.

**ATTENDANCE REGISTER OF THE MEETING HELD
WITH CLLR DLAMINI AND COMMUNITY
REPRESENTATIVES ON 23 NOVEMBER 2022**



ALFRED DUMA LOCAL MUNICIPALITY

MEETING TO DISCUSS QUARRY @ EMATIWANE

DATE : 23 NOVEMBER 2022

TIME : 09H00

INITIALS & SURNAME	DESIGNATION	CONTACT NO	SECTION	EMAIL	SIGNATURE
T P Dlamini	WARD Cllr	062406165		t.p.dlamini@alfredduma.gov.za	
M. S. Sithole	Councilor's Comm.	0844182315		martinsiphos94@gmail.com	
J. B. Mngono	Manager	082409573	OMM	brnabulo@alfredduma.gov.za	
S C Nyabane	Cllr. Secretary	0837074971	Comm	synthiquebanee@kubhealth.gov.za	
MURONTE CESHU Cllr's Comm		0839523368		wsz.kunene@gmail.com	
T. F. Nkomonoe	Cllr's Comm	0784169827		thulekono2012@gmail.com	
GARY CATIN	Director	0824615206		gary.c@laubex.com	
Christine Fauche'	Env. Consultant	0828118514		Christine.F@greenmined.co.za	

2.

**SUPPORTING DOCUMENTS USED AT THE MEETING
WITH CLLR DLAMINI AND COMMUNITY
REPRESENTATIVES ON 23 NOVEMBER 2022**

NOTICE OF MINING PERMIT APPLICATION

Notice is given in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No 28 of 2002) (MPRDA), the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA), and the Environmental Impact Assessment Regulations 2014 (as amended) that Raubex Construction (Pty) Ltd applied for environmental authorization to mine gravel; and a mining permit in terms of Section 27 of the MPRDA.

LEGAL REQUIREMENTS

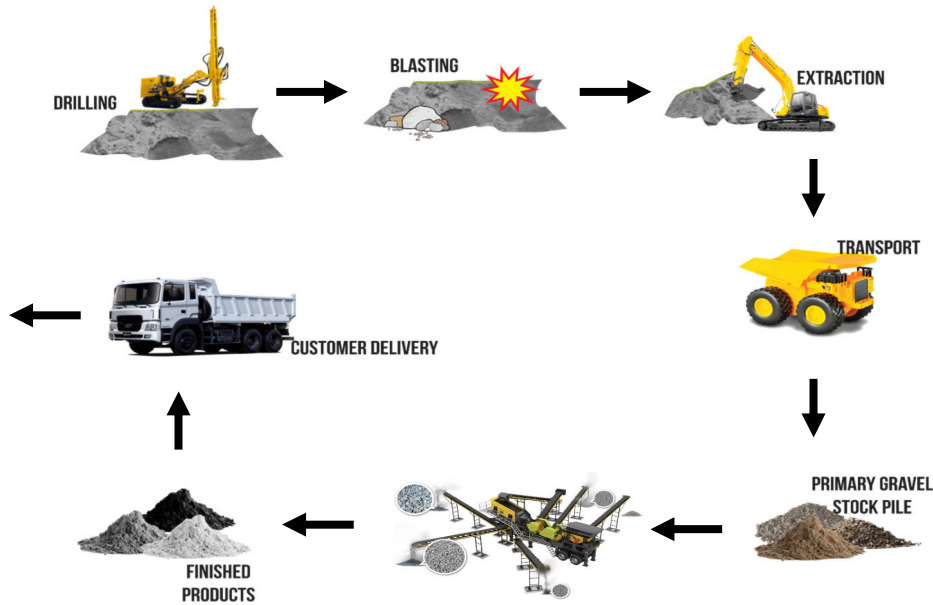
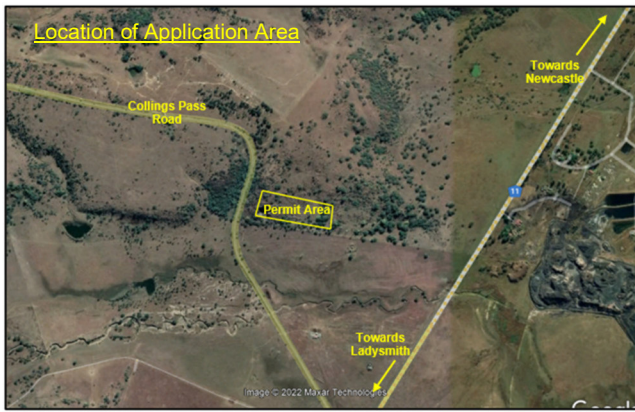
The proposed project triggers the following listed activities in terms of NEMA, 1998, the EIA Regulations 2014 (as amended), and therefore requires a basic assessment process to obtain environmental authorization:

- **GNR 517 Listing Notice 1 Activity 21 as amended:**
Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, as well as any other applicable activity as continued in this Listing Notice or in Listing Notice 3 of 2014, required to exercise the mining permit.
- **GNR 327 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.
- **GNR 327 Listing Notice 1 Activity 27:**
The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation.
- **GNR 327 Listing Notice 1 Activity 28:**
Residential, mixed, retail, commercial, industrial, or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare.
- **GNR 324 Listing Notice 3 Activity 4:**
The development of a road wider than 4 metres with a reserve less than 13.5 metres.
d. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.
- **GNR 324 Listing Notice 3 Activity 12:**
The clearance of an area of 300 square metres or more of indigenous vegetation.
d. KwaZulu-Natal: v. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.
- **GNR 324 Listing Notice 3 Activity 18:**
The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.
d. KwaZulu-Natal: viii Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.

PROJECT PROPOSAL

Raubex Construction (Pty) Ltd applied for a gravel mining permit on 4.9 ha of the Remaining Extent of the farm Elands Spruit No 5523 in the uThukela Magisterial District of KZN. The property is ±26 km north-east of Ladysmith between Collings Pass Road and the N11 national road. The earmarked area has an existing quarry that was historically mined but abandoned without rehabilitation.

The proposed mining method (as depicted below) will make use of blasting to loosen the hard rock; the material will then be loaded and hauled out of the excavation to the mobile crushing plant where it will be screened to various sized stockpiles. The material will be stockpiled until it is transported from site using trucks. The mine will be reached via the existing farm road that will be upgraded to allow comfortable movement of mining machinery. Water requirements will mainly be for dust suppression on the processing plant and access road. Any water required for the implementation of the project will be bought and transported to site. The proposed project will make use of generators to power the plant.



PUBLIC PARTICIPATION

The Daft Basic Assessment Report (DBAR) with Environmental Management Programme (EMPR), is available for public comments until 12 December 2022. Copies thereof can be obtained from Greenmined upon request or downloaded from www.greenmined.com. Interested and Affected Parties (I&AP's) are invited to provide written comments before the closing date of 12 December 2022. Should additional information be required it can be obtained from Greenmined. Please use **KZN 30/5/1/3/2/10817 MP** as the reference when commenting.

By taking part in this process, you hereby consent, in terms of the Protection of Personal Information Act 4 of 2013 ("POPIA"), to the lawful processing of your personal information by Greenmined, which personal information may be used as part of documentation pertaining to the Environmental Authorisation application process. By providing your details and by taking part in this process you authorise such information to be shared for the purpose of this application.

A register of I&AP's that submitted written comments or requested to be registered has been opened. All organs of state which have jurisdiction in respect of the activity are listed on the register. Upon lapse of the above-mentioned commenting period, the DBAR will be updated to reflect the comments received during the public commenting period. Thereafter, the Final Basic Assessment Report (FBAR) will be submitted to DMRE for decision making. A copy of the FBAR will be available on the Greenmined website. All registered I&AP's and stakeholders will be notified in writing within 14 days of the date of the decision of the outcome of the application, including the reasons for the decision and the right of appeal.

The contact consultant is Greenmined Environmental (Pty) Ltd, Suite 62, Private Bag X15, Somerset West, 7129 or contact Christine Fouché at (082) 811 8514 or Tel (021) 851 2673, (Fax) (086) 546 0579, (email) christine.f@greenmined.co.za. Applicant: Raubex Construction (Pty) Ltd, Mr. G Catin, P.O. Box 66192, Highveld, 0169, Tel: 031 700 6411, Email: gary.c@raubex.com.





N

Google Earth

R602

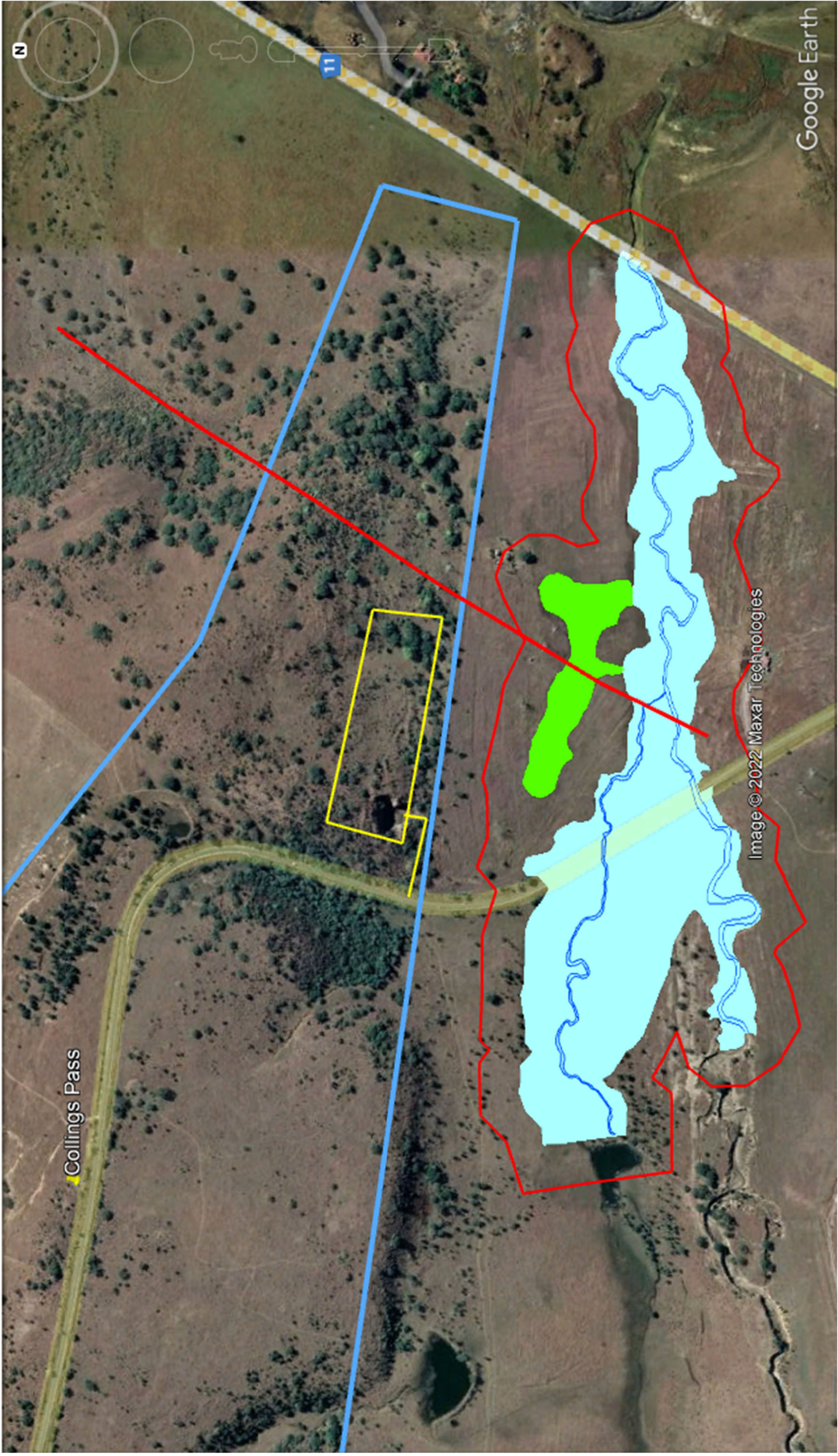
RE/5523 Collings Pass

11

R602

Image © 2022 Maxar Technologies

Matiwane



5.

**RESPONSE RECEIVED FROM DEPARTMENT OF
AGRICULTURE AND RURAL DEVELOPMENT ON 31
JANUARY 2023**



2020/12/4975 - ERRATUM NOTICE FOR THE RAUBEX CONSTRUCTION (PTY) LTD MINING PERMIT APPLICATION (KZN 30/5/1/3/2/10817 MP) OVER THE REMAINING EXTENT OF THE FARM ELANDS SPRUIT NO 5523, UTHUKELA DISTRICT, KZN.

DIRECTORATE:

Agricultural Resources Management (ARM)

01 Cedara Road, Pietermaritzburg, 3200

KZN Department of Agriculture & Rural Development, Private Bag X9059, Pietermaritzburg, 3200

Tel: 033 355 9346 Fax: 033 355 9122 Email: bayo.ogunnaike@kzndard.gov.za

Reference Numbers: 2020/12/4975

Enquiries: Adebayo Ogunnaike (Pri. Sci. Nat.)

Date: 23/11/2022

Attn. Christine Fouche
Greenmined Environmental (Pty) Ltd,
Postnet Suite 62,
Private Bag X15,
Somerset West,
7129

Cell No.: 082 811 8514 Tel: 021 851 2673, Email: christine.f@greenmined.co.za.

RE: ERRATUM NOTICE FOR THE RAUBEX CONSTRUCTION (PTY) LTD MINING PERMIT APPLICATION (KZN 30/5/1/3/2/10817 MP) OVER THE REMAINING EXTENT OF THE FARM ELANDS SPRUIT NO 5523, UTHUKELA DISTRICT, KZN.

1. PURPOSE

To provide comments from the KZN Department of Agriculture and Rural Development (DARD): Agricultural Resources Management (ARM) – Land Use Regulatory unit (LURU), in response to the Erratum Notice for the Raubex Construction (Pty) Ltd Mining Permit application (KZN30/5/1/3/2/10817 MP) over the remaining extent of the Farm Elands Spruit No. 5523, uThukela District, KZN. This is in order to revise the description of the NEMA EIA Regulations, 2014 (as amended) Listing Notice 3 activities.

2. BACKGROUND

- 2.1 An erratum notice was submitted to correct the public documents regarding the Raubex Construction (Pty) Ltd mining permit application as per reference 2020/12/4975 submitted over the Remaining Extent of the farm Elands Spruit No 5523, uThukela Magisterial District KZN.
- 2.2 The purpose is to revise the description of the NEMA EIA Regulations, 2014 (as amended) Listing Notice 3 activities namely: GNR 324 Activity 4, the development of a road wider than 4 metres with a reserve less than 13.5 meters. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; GNR 324 Activity 12, The clearance of an area of 300 square metres or more of indigenous vegetation. d. KwaZulu-Natal: v. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; GNR 324 Activity 18, The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre. d. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.



KWAZULU-NATAL PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

2020/12/4975 - ERRATUM NOTICE FOR THE RAUBEX CONSTRUCTION (PTY) LTD MINING PERMIT APPLICATION (KZN 30/5/1/3/2/10817 MP) OVER THE REMAINING EXTENT OF THE FARM ELANDS SPRUIT NO 5523, UTHUKELA DISTRICT, KZN.

3.0 COMMENTS

- 3.1 The above requests are infrastructural development to facilitate movement of mined materials to and from the mining area to the loading zone and out of the mine. Reference is made to the relevant legislative prescript of the Subdivision of agricultural Land Act (Act 70 of 1970) in this case section 6A(1)(a) for a right of way with a width not exceeding 15m is applicable for compliance.
- 3.2 Every care must be taken to ensure that land degradation is avoided by every means during construction and after construction through regular maintenance measures at regular intervals.
- 3.3 Please note that the previous mining licence application remains unchanged by this erratum request.

4. RECOMMENDATION.

This office does not object to this erratum notice requests for the Raubex Construction (Pty) Ltd Mining Permit application over the remaining extent of the Farm Elands Spruit No. 5523, UThukela District KZN.

For HEAD OF DEPARTMENT
AGRICULTURE AND RURAL DEVELOPMENT

Signed by: Ms S.B. Thabede
Designation: Acting Scientific Manager LURU.

Date: 27/10/2023

10.

**PROOF OF CORRESPONDENCE BETWEEN ESKOM
AND GREENMINED**

Christine Fouche

From: Greenmined Comments
Sent: Monday, 14 November 2022 09:30
To: Christine Fouche
Subject: FW: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders
Attachments: ESKOM REQUIREMENTS FOR DEVELOPMENTS.pdf
Categories: Raubex KZN

Hi, sien vir Ladysmith onder.

Kind Regards/Vriendelike Groete

Marlene van den Berg
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579
www.greenmined.com

106 Baker Square, Paardevlei
De Beers Avenue
Somerset West
7130

Suite 62, Private Bag x15
Somerset West, 7129

"the goal isn't to live forever, it is to protect a planet that will"



SAFEGUARDING THE EARTH AND ITS RESOURCES FOR 10 YEARS

From: Samantha Naicker <NaickeSa@eskom.co.za>
Sent: Friday, 11 November 2022 15:27
To: Greenmined Comments <comments@greenmined.co.za>
Subject: RE: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Good day Miss van den Berg,

Please take note of the attachment and kindly furnish Eskom with the layout plans in either of the stipulated formats?

Regards,
Samantha Naicker
Land & Rights Officer (ST 1569)
Asset Creation : Land Development
KZN Operating Unit
Tel: 031-710 5183

Christine Fouche

From: Christine Fouche
Sent: Wednesday, 16 November 2022 14:10
To: 'KZNOU-L&R@eskom.co.za'
Cc: Marlene van den Berg; 'naickesa@eskom.co.za'
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)
Attachments: ESKOM REQUIREMENTS FOR DEVELOPMENTS.pdf; Eskom Response Letter - KZN 30-5-1-3-2-10817 MP.pdf; Eskom kmz.kmz

Importance: High

Tracking:	Recipient	Delivery
	'KZNOU-L&R@eskom.co.za'	
	Marlene van den Berg	Delivered: 2022/11/16 14:10
	'naickesa@eskom.co.za'	

Dear Mr Nsele,

Herewith please receive correspondence for your attention.

Kind Regards / Vriendelike Groete

Christine Fouche



Cell: 082 811 8514
Fax: 086 546 0579
www.greenmined.com

Head Office:
106 Baker Square, Block 1, Paardevlei
De Beers Avenue
Somerset West
7130
Tel: 021 851 2673

"the goal isn't to live forever, it is to protect a planet that will"



**SAFEGUARDING THE EARTH AND
ITS RESOURCES FOR 10 YEARS**

From: Samantha Naicker <NaickeSa@eskom.co.za>
Sent: Friday, 11 November 2022 15:27
To: Greenmined Comments <comments@greenmined.co.za>
Subject: RE: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - Stakeholders

Good day Miss van den Berg,

Please take note of the attachment and kindly furnish Eskom with the layout plans in either of the stipulated formats?



Reference No: KZN 30/5/1/3/2/10817 MP

Eskom Lands & Rights Manager
25 Valley View Road
New Germany
3620

Tel: 031 710 5111
E-mail: KZNOU-L&R@eskom.co.za

16 November 2022

Attention: Mr SS Nsele

Dear Sir

RE: PROPOSED MINING PERMIT APPLICATION ON THE FARM ELANDS SPRUIT NO 5523, ALFRED DUMA MUNICIPAL AREA, KWAZULU-NATAL PROVINCE, WITH REFERENCE NUMBER: KZN 30/5/1/3/2/10817 MP.

Response received, on 11 November 2022, from Me. Samantha Naicker regarding the abovementioned project refers.

1. Background:

Raubex KZN (Pty) Ltd (hereafter referred to as RBX-KZN) holds a mining permit (DMRE ref no: KZN 30/5/1/3/2/10518 MP) to mine aggregate from a 4.9 ha area on the Remaining Extent of the farm Elands Spruit No 5523, uThukela District. The RBX-KZN permit was valid until 05 February 2020, upon which the first renewal was approved until 06 February 2021, the second, and third renewal applications are still pending approval at the DMRE, and if the applications are successful the permit could be valid until February 2023. Due to the mining of the area being dependant on a SANRAL tender for the upgrade of the N11 (not awarded yet), mining has not yet commenced at the site.

2. Mining Permit Proposal:

With the forthcoming lapsing of the existing mining permit (RBX-KZN), and the imminent awarding of the SANRAL contract for the upgrade of the N11, Raubex Construction (Pty) Ltd (hereafter referred to as the "Applicant") identified the need for a new mining permit on the above mentioned 4.9 ha area. The aim of the application is to secure the resource for the SANRAL contract to upgrade the N11 that borders the farm to the east.

the goal isn't to live forever, it is to protect a planet that will



Subsequently, the Applicant applied for environmental authorisation and a mining permit over 4.9 ha of the above mentioned property. The following table lists the GPS coordinates of the proposed mining area.

Table 1: GPS Coordinates of the proposed mining footprint

NUMBER	DEGREES, MINUTES, SECONDS		DECIMAL DEGREES	
	LAT (S)	LONG (E)	LAT (S)	LONG (E)
A	28°22'05.174"	29°56'23.636"	-28.368104°	29.939899°
B	28°22'01.211"	29°56'24.968"	-28.367003°	29.940269°
C	28°22'03.551"	29°56'37.694"	-28.367653°	29.943804°
D	28°22'07.241"	29°56'37.288"	-28.368678°	29.943691°

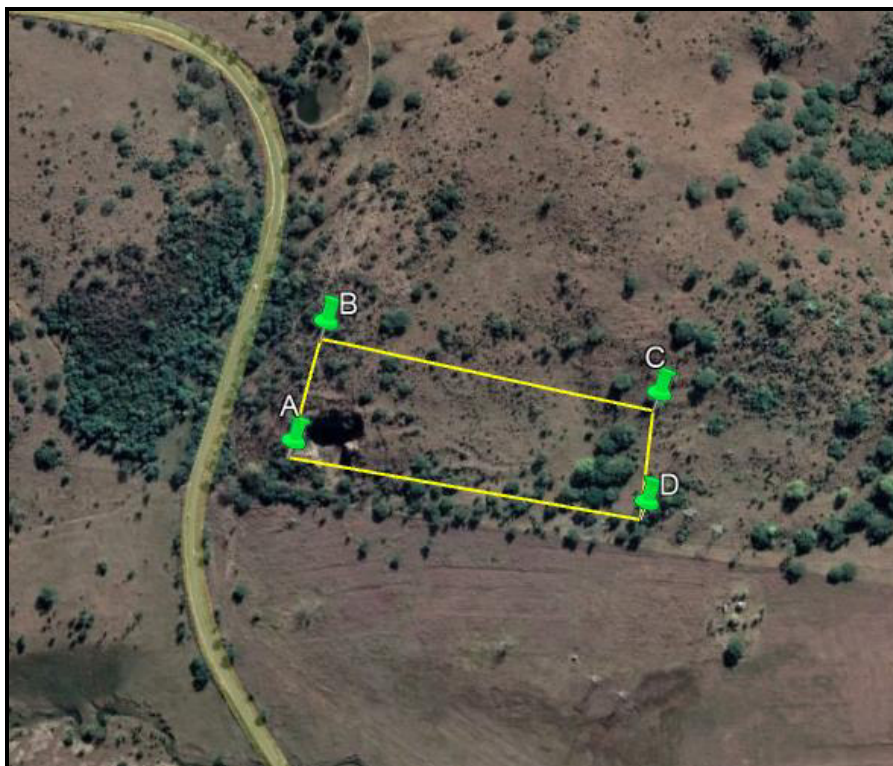


Figure 1: Satellite view showing the location of the MP application area (yellow polygon) in relation to the surrounding area (image obtained from Google Earth).

Should the MP be issued, and the mining activity be allowed, the proposed project will comprise of activities that can be divided into three key phases:



- (1) *Site establishment/construction phase* which will involve the demarcation of the permitted mining area. Site establishment will also necessitate the clearing of vegetation, the stripping and stockpiling of topsoil, and the introduction of mining machinery and equipment.

The Applicant plans to establish mobile/temporary infrastructure within the mining footprint. It is proposed that the processing area (including mobile crusher, ablutions, and weighbridge with control room) will occupy ± 1 ha of the proposed 4.9 ha area. As no permanent infrastructure will be established, the production rate will dictate the layout of the proposed footprint area.

Presently, the mining infrastructure/equipment is expected to consist of at least:

- ADT trucks;
 - Chemical ablation facilities;
 - Crushing and screening plant (mobile);
 - Drilling equipment;
 - Earthmoving- and excavating equipment;
 - Weighbridge with control room;
 - Generators; and a
 - Water truck.
- (2) *Operational phase* that will entail the extension of the existing quarry from the approved footprint area via conventional open cast mining methods. The mining method will make use of blasting to loosen the hard rock; upon which the loosened material will be transported to the crushing and screening processing plant where it will be screened to various sized stockpiles before it is sold and transported from site to clients.
- (3) *Decommissioning phase* which entails the rehabilitation of the affected environment prior to the submission of a closure application to the Department of Mineral Resources and Energy (DMRE). The permit holder will further be responsible for the seeding of all rehabilitated areas.

3. Eskom Power Line:

A high voltage Eskom power line runs past the proposed mining area with the nearest pylon being ± 50 m from the eastern boundary of the site as shown in the following figure.



Figure 2: Satellite view showing the structures near the mining area (white polygon) where the light yellow line shows Collings Pass Road, the narrow yellow line the entrance road, and the red line the Eskom power line (image obtained from Google Earth).

4. Stockpile Area Proposal:

In addition to the mining of the quarry (to be approved by DMRE), the Applicant also intends to establish an area for stockpiling and crushing (when needed) of the material that is mined at the quarry, on 10.5 hectares of the abovementioned property. The establishment of the stockpiling area needs a (separate) environmental authorization to be approved by the Department of Economic Development, Tourism and Environmental Affairs (DEDTEA) (separate application than the DMRE one).

The following table lists the GPS coordinates of the proposed stockpile area as shown on the Project Plan / Locality Map attached as Appendix A.

Table 2: GPS Coordinates of the proposed stockpile footprint

NUMBER	DEGREES, MINUTES, SECONDS		DECIMAL DEGREES	
	LAT (S)	LONG (E)	LAT (S)	LONG (E)
A	28°22'00.229"	29°56'51.125"	-28.366730°	29.947535°
B	28°22'04.736"	29°57'03.137"	-28.367982°	29.950871°
C	28°22'11.047"	29°57'01.436"	-28.369735°	29.950399°
D	28°22'09.010"	29°56'43.999"	-28.369169°	29.945555°

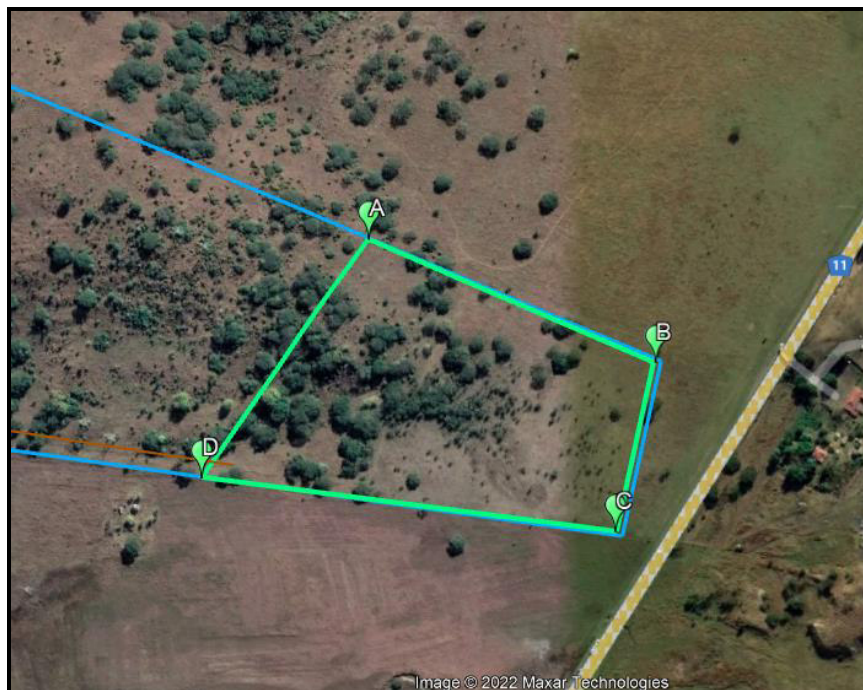


Figure 3: Satellite view showing the location of the stockpile area (green polygon) in relation to the surrounding area, where the blue line indicates the farm boundary (image obtained from Google Earth).

Should the EA be issued, and the proposed activity be allowed, the project will comprise of activities that can be divided into three key phases namely the:

- (1) *Site establishment/construction phase* which will involve the demarcation of the authorised area. Site establishment will also necessitate the clearing of vegetation, the stripping and stockpiling of topsoil, and the introduction of machinery and equipment.

The infrastructure to be used on site will all be of temporary and mobile nature. Containers will be used for office and storage purposes, and a weigh bridge will be established (temporary). The



storage of fuel (if any) will be below the threshold of the NEMA EIA listed activities. No water will be abstracted from the proposed stockpile area, and the plant will be powered with generators. The ablution facilities will be chemical toilets that will be serviced by a registered contractor. The office and storage containers, weigh bridge and ablution facilities will most likely be placed at the entrance to the site, while the crushing plant will be of mobile nature, moving around the site as needed.

Presently, the infrastructure/equipment is expected to consist of at least:

- A temporary wash bay;
- ADT trucks;
- Chemical ablution facilities;
- Containers used as site office, workshop, and storage room;
- Crushing and screening plant (mobile);
- Earthmoving- and excavating equipment;
- Weighbridge with control room;
- Generators; and a
- Water truck.

(2) *Operational phase* that will entail the stockpiling and crushing (when needed) of the material mined from the quarry on the property until it is transported from site.

(3) *Decommissioning phase* which entails the rehabilitation of the affected environment. The EA holder will further be responsible for the seeding of all rehabilitated areas.

5. Eskom Power Line:

The same high voltage Eskom power line runs past the proposed stockpiling area with the nearest pylon being ± 100 m from the western boundary of the site as shown in the following figure.

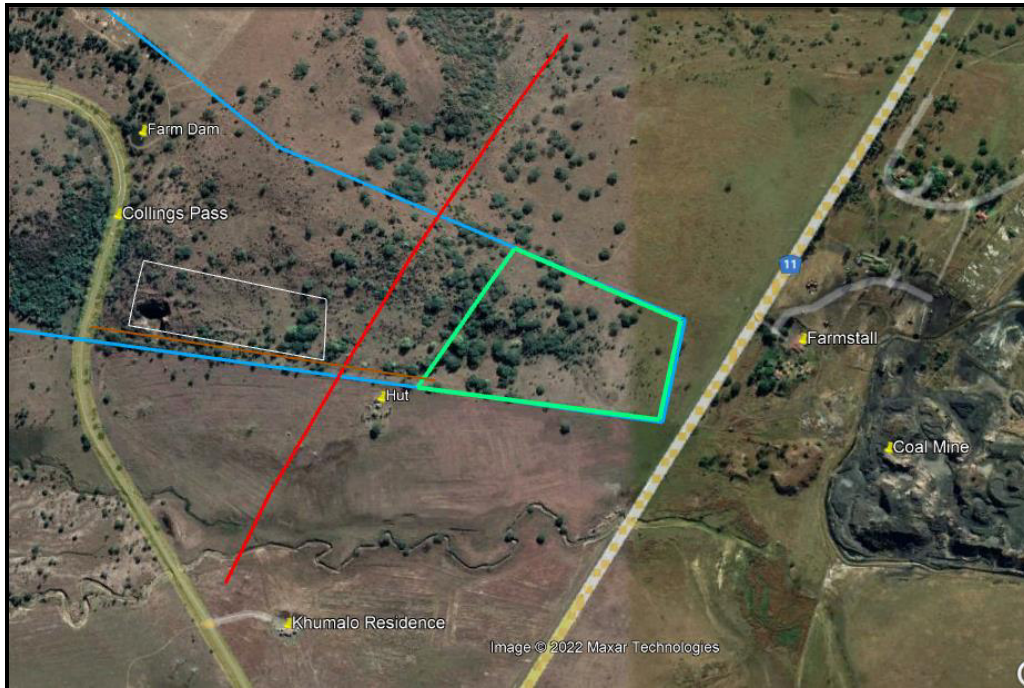


Figure 4: Satellite view showing the structures near the stockpile area (green polygon) where the white block indicates the mining permit area, the light yellow line shows Collings Pass Road, the brown line the farm track, and the red line the Eskom power line (image obtained from Google Earth).

6. Eskom Required Information:

- Full Name of Applicant: Raubex Construction (Pty) Ltd
- Applicant's Address: 06 Highgrove Office Park, 50 Tegel Avenue, Centurion, 0169
- Contact Person: Mr Gary Catin
- Contact Number: 031 700 6411 / 082 461 5206
- Property Description: Remaining Extent of the farm Elands Spruit No 5523
- Registration Division: Pietermaritzburg GS
- Farm or Agricultural Holding: Farm
- Name: Elands Spruit



- Farm Number: 5523
- Portion: Remaining Extent
- Name of Township: Ladysmith

7. Site Layout in Digital File:

Please see the kmz file attached with this letter to the email.

8. Conclusion:

Eskom's comments are kindly requested on the above mentioned development proposals. Kindly supply us with your comments on/or before 12 December 2022 to allow us to incorporate the comments and any requirements you may have into the Basic Assessment Report and Environmental Management Programme of the mining permit application prior to its submission to the DMRE for decision making.

We look forward to your response. Please do not hesitate to contact me in the event of any uncertainties.

Kind Regards

A handwritten signature in black ink, appearing to read 'Fouche', is written in a cursive style.

Christine Fouche
Greenmined Environmental (Pty) Ltd

Christine Fouche

From: Samantha Naicker <NaickeSa@eskom.co.za>
Sent: Thursday, 17 November 2022 14:59
To: Christine Fouche
Cc: Siyabonga Nsele; Marlene van den Berg
Subject: RE: - Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)
Attachments: ESKOM DISTRIBUTION COMMENTS_ER_INV_838_2022.pdf; ER_INV_838_2022.pdf; BLASTING APPLICATION FORM.pdf
Categories: Raubex KZN

Good afternoon Ms Fouche,

Please receive the attached comments.

Regards,
Samantha Naicker
Land & Rights Officer (ST 1569)
Asset Creation : Land Development
KZN Operating Unit
Tel: 031-710 5183
Fax: 086 592 3232
Cell: 072 957 1007



From: Christine Fouche <Christine.F@greenmined.co.za>
Sent: Wednesday, 16 November 2022 14:10
To: KZNOU-L&R <KZNOU-LandR@eskom.co.za>
Cc: Marlene van den Berg <admin@greenmined.co.za>; Samantha Naicker <NaickeSa@eskom.co.za>
Subject: [CAUTION:EXTERNAL EMAIL] - Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)
Importance: High

Dear Mr Nsele,

Herewith please receive correspondence for your attention.

Kind Regards / Vriendelike Groete

Christine Fouche



Cell: 082 811 8514
Fax: 086 546 0579
www.greenmined.com

Head Office:
106 Baker Square, Block 1, Paardevlei
De Beers Avenue
Somerset West
7130
Tel: 021 851 2673

"the goal isn't to live forever, it is to protect a planet that will"

Miss Christine Fouche
Greenmined Environmental (Pty) Ltd
106 Baker Square, Block 1, Paardevlei
De Beers Avenue
SOMERSET WEST
7130

Date:
17th November 2022

Enquiries: Samantha Naicker

Tel +27 31 710 5183

Your Ref : KZN 30/5/1/3/2/10817 MP
Our Ref : ER_INV_838/2022

Dear Miss Fouche

ESKOM DISTRIBUTION COMMENTS:
PROPOSED MINING PERMIT APPLICATION ON THE FARM ELANDS SPRUIT NO 5523,
ALFRED DUMA MUNICIPAL AREA, KWAZULU-NATAL PROVINCE, WITH REFERENCE
NUMBER: KZN 30/5/1/3/2/10817 MP

With reference to your application and accompanying plans dated 16th November 2022, we confirm that an investigation has been carried out with regard to the supply of electricity, as well as any encroachment into Eskom's Servitudes, in respect to the application as set out above.

Eskom 11-kV Overhead Lines are the only Distribution assets showing to exist on our system. The Power Lines are depicted on the attached diagram ER_INV_838/2022, traversing the subject property.

There are also 275-kV Transmission Overhead Lines located within the application areas, please contact Miss Lungile Motsisi, Transmission Division of Eskom for comments, Lungile.Motsisi@eskom.co.za, 083 589 9165.

The following Eskom Distribution regulations shall apply.

Building Restrictions for a 11-kV Overhead Power Lines _____

No building or structures may be erected or installed above or below the surface of the ground, neither may any material which might endanger the safety of this power line be placed within 12 (twelve) metres from the center line of this power line, on either side (overall servitude width 24 metres).

The applicant will adhere to all relevant environmental legislation. Any cost incurred by Eskom as a result of non-compliance will be charged to the applicant. Dimensions and specifics will be in accordance to

KZN Operating Unit

Land Development Department
25 Valley View Road New Germany
PO Box 66 New Germany 3620 SA
Tel +27 31 710 5111 Fax +27 31 710 5146 www.eskom.co.za

ESKOM standards so as to not obstruct Eskom's existing infrastructure in any way.

Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the applicant, his/her agent, contractors, employees, successors in title, and assigns.

The applicant indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the applicant's equipment. The applicant's attention is drawn to the Electricity Act, 1987, (Act 41 of 1987, as amended in 1994), Section 27(3), which stipulates that the applicant can be fined and/or imprisoned as a result of damage to Eskom's apparatus.

No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the applicant must give at least seven working days prior notice of the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued.

The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act 85 of 1993. Equipment shall be regarded electrically live and therefore dangerous at all times.

Mining and the use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's prior written permission. If such permission is granted the applicant must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. Refer to the attached application form.

Any third party servitudes encroaching on Eskom land shall be registered against Eskom's Notaries deed at the applicant's own cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.

A developer taking a new supply from Eskom, an increase of supply or line deviation is required to make an application to Eskom via the Eskom toll free number 0860037566. This application will be processed in terms of Eskom's standard customer connection tariffs, conditions and policies at the developers cost

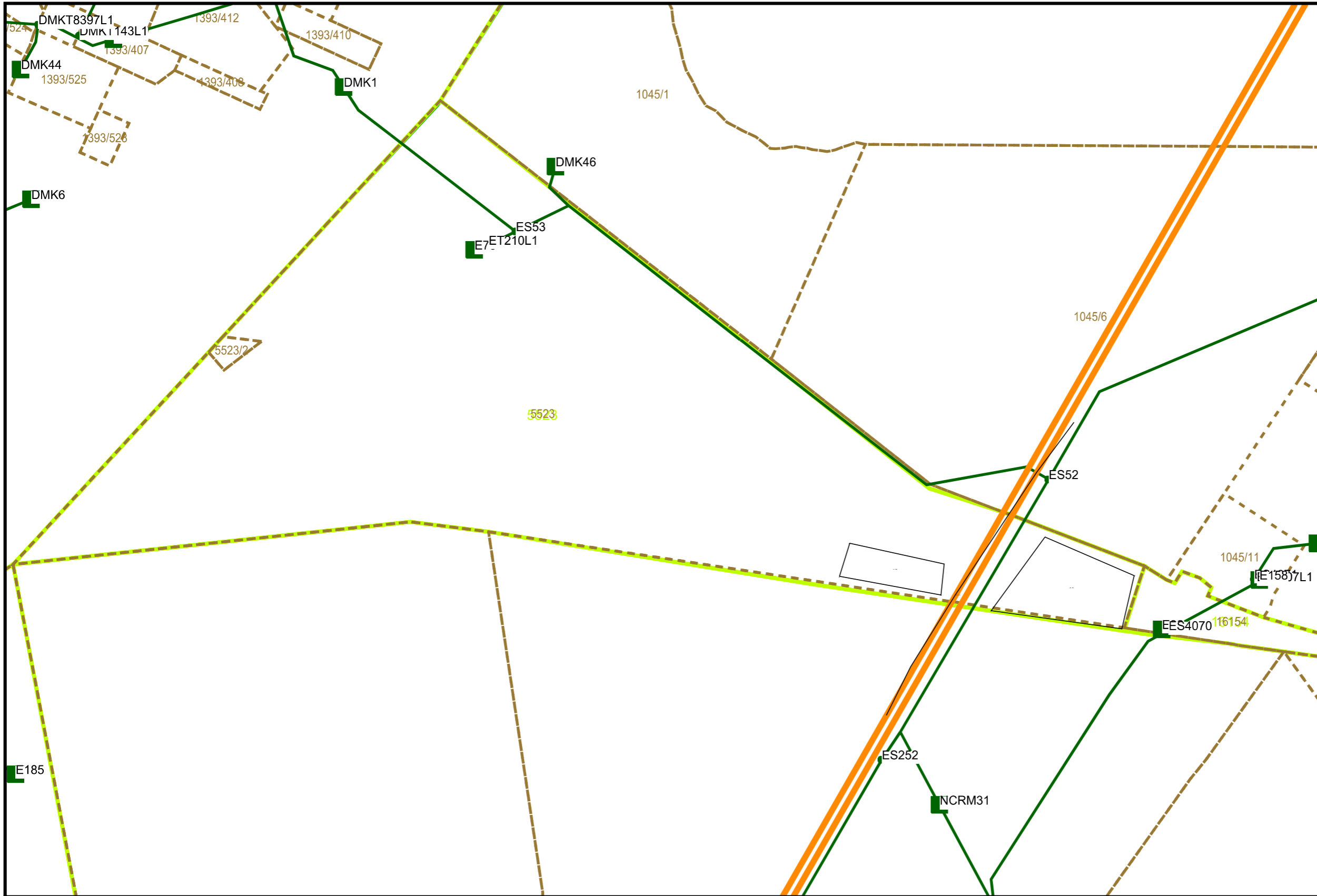
Customers requiring Substation or Powerlines to be installed for their purpose/supply their development must grant all servitudes (a piece of ground on the property to be developed) to Eskom at no cost.

Prior any construction activity, the applicant is required to contact Eskom and detailed Surveyed Plans are to be submitted to this office. This letter outlines the Eskom (Distribution) building restrictions and is by no means an approval for construction works.





Yours sincerely

p.p. 
SS Nsele

Lands and Rights Manager



Legend

-  Farm Portion Area
-  Transmission Overhead Line
-  KMZ File Application Area "Eskom kmz"
-  11-kV Distribution Overhead Line

Map Number: ER_INV_838/2022

Compiled by: Naickesa on 2022-11-17

Services Plan

Description: ESKOM DISTRIBUTION COMMENTS: PROPOSED MINING PERMIT APPLICATION ON THE FARM ELANDS SPRUIT NO 5523, ALFRED DUMA MUNICIPAL AREA, KWAZULU-NATAL PROVINCE, WITH REFERENCE NUMBER: KZN 30/5/1/3/2/10817 MP

Eskom Distribution is not responsible for any errors in the information displayed on this map.



Projection: Lo84/29 cm (cm)

Scale: 1:14500

0km 0.2km 0.4km 0.6km 0.8km



Christine Fouche

From: Samke Ndlovu <NdlovuSk@eskom.co.za>
Sent: Tuesday, 22 November 2022 13:39
To: Christine Fouche
Cc: Marlene van den Berg
Subject: RE: [CAUTION:EXTERNAL EMAIL] - Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)
Attachments: ER_INV_869_2022 LETTER.pdf; ER_INV_869_2022.pdf
Categories: Raubex KZN

Good day

Kindly receive comments from Eskom on above application.

Warm regards
Samke Ndlovu

From: Christine Fouche <Christine.F@greenmined.co.za>
Sent: Wednesday, 16 November 2022 14:10
To: KZNOU-L&R <KZNOU-LandR@eskom.co.za>
Cc: Marlene van den Berg <admin@greenmined.co.za>; Samantha Naicker <NaickeSa@eskom.co.za>
Subject: [CAUTION:EXTERNAL EMAIL] - Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)
Importance: High

Dear Mr Nsele,

Herewith please receive correspondence for your attention.

Kind Regards / Vriendelike Groete

Christine Fouche



Cell: 082 811 8514
Fax: 086 546 0579
www.greenmined.com

Head Office:
106 Baker Square, Block 1, Paardevlei
De Beers Avenue
Somerset West
7130
Tel: 021 851 2673

"the goal isn't to live forever, it is to protect a planet that will"



**SAFEGUARDING THE EARTH AND
ITS RESOURCES FOR 10 YEARS**

From: Samantha Naicker <NaickeSa@eskom.co.za>
Sent: Friday, 11 November 2022 15:27

Christine Fouche
Green mined
106 Baker Square
Block 1, Paardevlei
De Beers Avenue
Somerset West
7130
TEL.:082 811 8514
Email: Christine.F@greenmined.co.za

Date:
22nd November 2022

Enquiries: Samke Ndlovu
Tel +27 31 710 5795
Enquiries: S Nsele
Tel +27 31 710 5264
Your Ref: KZN 30/5/1/3/2/10817 MP
Our Ref: ER_INV_869/2022

Dear Sir/ Madam

**PROPOSED MINING PERMIT APPLICATION ON THE FARM ELANDS SPRUIT NO 5523,
ALFRED DUMA MUNICIPAL AREA, KWAZULU-NATAL PROVINCE, WITH REFERENCE
NUMBER: KZN 30/5/1/3/2/10817 MP.**

With reference to your emailed application dated 16th November 2022, we confirm that an investigation has been carried out with regard to the supply of electricity, as well as any encroachment into Eskom's Servitudes, in respect to the application as set out above.

As per the information on your application, the following are the only Eskom assets showing to exist on our system.

- Platberg NB33 11kV Line

The Power Lines are depicted on the attached diagram i.e., [ER_INV_869/2022](#), traversing over the affected properties. Eskom has no objection to the proposed application as long as the conditions listed below are adhered to and consideration made for all Eskom's infrastructure when planning or developing the area.

It is very important to note that Eskom's LV data is not reflected on the drawing supplied. It is advisable you contact Eskom immediately, should you physically detect any conductors and/or underground cables on the ground and not reflected on the drawing. Eskom's call centre number is 08600 37566. It is imperative that you make contact with Eskom's Senior Supervisor, Mr Brad Cooper on 031 782 7903 / 064 902 3003 and email CooperBJ@eskom.co.za before construction close to Eskom's infrastructure. There should be at least a

KZN Operating Unit

Land Development Department
25 Valley View Road New Germany
PO Box 66 New Germany 3620 SA
Tel +27 31 710 5111 Fax +27 31 710 5146 www.eskom.co.za

weeks (seven days) notice prior to construction. A site agreement form should be signed at the site meeting by all parties concerned.

Building Restrictions for a 11-kV Overhead Power line

No building or structures may be erected or installed above or below the surface of the ground, neither may any material which might endanger the safety of this power line be placed within 12 (twelve) meters from the center line of this power line, on either side (overall servitude width 24 meters), without prior written confirmation from Eskom.

The applicant will adhere to all relevant environmental legislation. Any cost incurred by Eskom as a result of non-compliance will be charged to the applicant. Dimensions and specifics will be in accordance to Eskom standards so as to not obstruct Eskom's existing infrastructure in any way.

Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the applicant, his/her agent, contractors, employees, successors in title, and assigns. The applicant indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the applicant's equipment. The applicant's attention is drawn to the Electricity Act, 1987, (Act 41 of 1987, as amended in 1994), Section 27(3), which stipulates that the applicant can be fined and/or imprisoned as a result of damage to Eskom's apparatus.

No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the applicant must give at least seven working days prior notice of the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued.

The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act 85 of 1993. Equipment shall be regarded electrically live and therefore dangerous at all times. Any third-party servitudes encroaching on Eskom land shall be registered against Eskom's Notaries deed at the applicant's own cost. If such servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.

A developer taking a new supply from Eskom, an increase of supply or line deviation is required to make an application to Eskom via the Eskom toll free number 0860037566. This application will be processed in terms of Eskom's standard customer connection tariffs, conditions and policies at the developers cost.

NB. Customers requiring Substation or Powerlines to be installed for their purpose/supply their development must grant all servitudes (a piece of ground on the property to be developed) to Eskom at no cost.

Prior to any construction activity, the applicant is required to contact Eskom and detailed plans are to be submitted to this office.

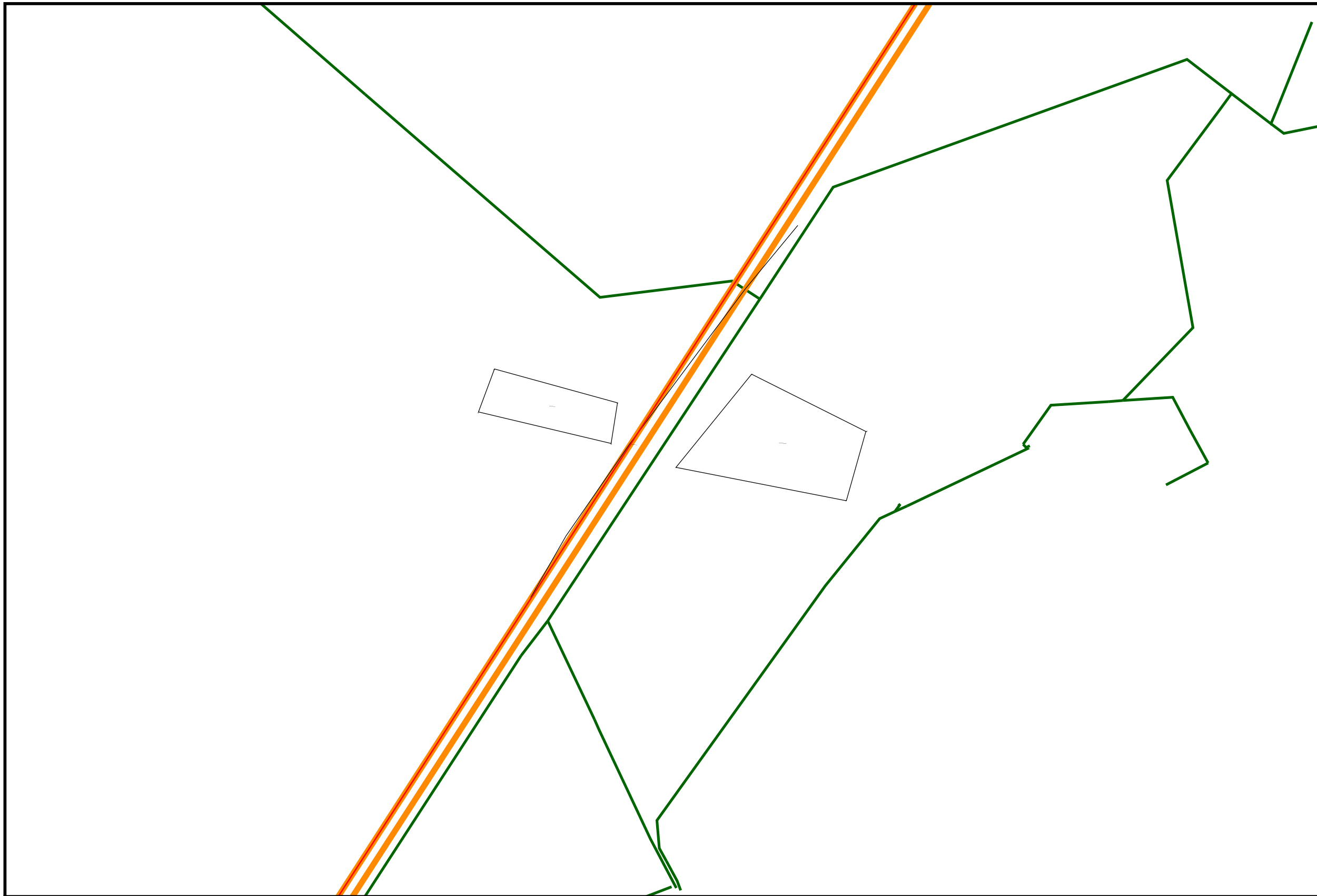
This letter outlines the Eskom (Distribution) building restrictions and is by no means an approval.
For Transmission Power line kindly contact Lungile Motsisi 011 800 5734/083 589 9165

Yours sincerely




A handwritten signature in black ink, appearing to be 'SP Ndlovu', with a horizontal line drawn through the middle of the signature.

SP Ndlovu

Lands and Rights Officer



Legend

-  275 kV Transmission Line
-  11 kV Distribution Line
-  Application area as per KMZ drawing

Map Number:
ER_INV_869/2022


Compiled by: ndlovusk on 2022-11-22

Services Plan

Description: PROPOSED MINING PERMIT APPLICATION ON THE FARM ELANDS SPRUIT NO 5523, ALFRED DUMA MUNICIPAL AREA, KWAZULU-NATAL PROVINCE, WITH REFERENCE NUMBER: KZN 30/5/1/3/2/10817 MP.

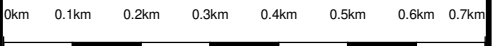
Eskom Distribution is not responsible for any errors in the information displayed on this map.

Select a bitmap



Projection: Lambert SA HH94 cm (cm)

Scale: 1:11000



Christine Fouche

From: Christine Fouche
Sent: Tuesday, 06 December 2022 05:27
To: 'Nomzamo Mdunyelwa'
Cc: JT Enslin
Subject: RE: FW: - Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)

Tracking:	Recipient	Delivery	Read
	'Nomzamo Mdunyelwa'		
	JT Enslin	Delivered: 2022/12/06 10:47	Read: 2022/12/06 10:49

Dear Nomzamo,

We would herewith like to thank you for your interest in this application. Herewith please find our response to your comment listed below:

- The application has no blast design – please include*

Seeing that this application is still pending approval at the DMRE, the mine does not yet have a blast design. The Applicant will however submit all appropriate applications and designs to Eskom once the mining permit application was approved and the proposed mining activity may continue. No blasting will take place at the mine prior to receipt of the applicable permits/permissions from Eskom.
- How high is the stockpile and what measures are in place to ensure that there is dust suppression. It seems like a very large area marked out, we do not want any pollution settling on the powerlines which could cause flashovers*

If approved the mining permit area will be 4.9 ha in total, and the proposed stockpile area (adjacent to the mining permit area) will be 10.5 ha. None of the application areas require the stockpiling of material underneath or within 45 m of the power line. The maximum height of the stockpiles will be 10 m. The potential dust impact of material stockpiled in the mining permit area on the nearby power line is deemed of low probability as the prevalent wind direction of the region is in a north-western direction for most of the year. This means that the wind will carry dust that may be generated at the mining area away from the power line. Dust will daily be mitigated at the stockpile area through the following means that were included in the EMPR to be implemented during the operational phase of the project:

 - The liberation of dust into the surrounding environment must be effectively controlled using, inter alia, straw, water spraying and/or environmentally friendly dust-allaying agents that contains no PCB's (e.g. DAS products).
 - The site manager must ensure continuous assessment of all dust suppression equipment to confirm its effectiveness in addressing dust suppression.
 - Speed on the haul roads must be limited to 20 km/h and 40 km/h on the access road to prevent the generation of excess dust.
 - Areas devoid of vegetation, which could act as a dust source, must be minimized and vegetation removal may only be done immediately prior to mining.
 - The crusher plant must have operational water sprayers to alleviate dust generation from the conveyor belts.

- Fines, blowing from the drop end of the crusher plant, can be minimized by attaching strips of used conveyor belts to the conveyor's end.
- Compacted dust must weekly be removed from the crusher plant to eliminate the dust source.
- Loads must be flattened to prevent spillage during transportation on public roads.
- Weather conditions must be taken into consideration upon commencement of daily operations. Limiting operations during very windy periods would reduce airborne dust and resulting impacts.
- All dust generating activities shall comply with the National Dust Control Regulations, GN No R827 promulgated in terms of NEM:AQA (Act 39 of 2004) and ASTM D1739 (SANS 1137:2012).
- Best practice measures shall be implemented during the stripping of topsoil, excavation, and transporting of material from site to minimize potential dust impacts.

If required the monitoring of fallout dust levels could also be implemented at the stockpiling area to ensure adequate dust levels that complies with Eskom standards to prevent flashovers.

3. *Will our grid persons have access to do maintenance?*

The grid personnel will at all times have access to the power line and servitude to do maintenance.

4. *Is the applicant planning to use any large machinery in our servitude or near the powerline? If so, they must state it so that we can check clearances*

The operation of the mining area does not require any large machinery to be moved underneath the powerline. The machinery will enter the site from the Collings Pass Road onto the farm road and then enter the mining permit area without crossing the power line.

Should the stockpile area be approved and established, the mobile crusher plant will be the highest machine that would need to cross below the power line (once during site establishment). The crusher will also have to be removed at the end of the project. The height of the crusher plant (in transit) is ± 4.5 m. During the operational phase only tipper trucks and a front end loader will need to traverse the power line. The clearances between Eskom's live electrical equipment and any project related machinery shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act 85 of 1993. Equipment shall be regarded electrically live and therefore dangerous at all times. No large equipment will be moved underneath the power line without written permission from Eskom. It must also be mentioned that the adjacent 11 kV power line will dictate the maximum height of machinery that can pass underneath the power line infrastructure, once the machinery are cleared to pass underneath the 11 kV power line, it will easily comply with the ground clearance requirements for a 275 kV power line.

5. *I'm also not sure if this is shallow mining or deep mining, nevertheless no mining under the powerline is allowed. Around the towers we should ensure a 20m radius*

All mining will be confined to the actual footprint of the application (4.9 ha) that does not extend into, or nearer than ± 45 m to the power line. There will be no excavations nearer than 20 m to the power line towers.

We trust you will find this in order. Please do not hesitate to contact me in the event of any uncertainties.

Kind Regards / Vriendelike Groete
Christine Fouche

Ms. Christine Fouche
Raubex Construction (Pty) Ltd
06 Highgrove Office Park
50 Tegel Avenue
Centurion
0169

Date:
07 December 2022

Enquiries:
Nomzamo Mdunyelwa
Tel +27 53 830 5947

Our Reference:
INV196/2022

Dear Ms. Christine Fouche

RE: PROPOSED MINING PERMIT APPLICATION ON THE FARM ELANDS SPRUIT NO 5523, ALFRED DUMA MUNICIPAL AREA, KWAZULU-NATAL PROVINCE, WITH REFERENCE NUMBER: KZN 30/5/1/3/2/10817 MP.

I refer to your letter dated 16 November 2022 in this regard and wish to inform you that Eskom Transmission's (Tx) powerlines will be affected by this project:

- Eskom Transmission (Tx's) Ingagane-Bloukrans 1 275kV powerline
- Eskom Transmission (Tx's) Ingagane-Danskraal 2 275kV powerline

Attached please find an extract of Eskom Tx's Transmission's SI-System on which the power line is indicated in red.

It is also noted that you will liaise on a different level with Eskom Holdings Ltd. regarding the physical connection into (Eskom Grid). This letter also should not be seen as an independent power producer agreement of any kind.

Further to the above Eskom Tx in principle will raise no objection to the proposed mining permit application in close proximity to the mentioned powerlines provided Eskom Tx's rights and services are acknowledged and respected at all times. The following terms and conditions pertaining to the proposed mining permit must also be borne in mind:

1. Eskom Tx's rights and services must be acknowledged and respected at all times.
2. Eskom Tx shall at all times retain unobstructed access to and egress from its servitudes.
3. Eskom Tx's consent does not relieve the applicant from obtaining the necessary statutory, landowner or municipal approvals.
4. The applicant will adhere to all relevant environmental legislation. Any cost incurred by Eskom Tx as a result of non-compliance will be charged to the applicant.

5. All work within Eskom's servitude areas shall comply with the relevant Eskom earthing standards in force at the time.
6. No construction or excavation work shall be executed within 23.5 metres from any Eskom powerline structure, and/or within 23.5 metres from any stay wire.
7. If Eskom Tx has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the applicant's activities or because of the presence of his equipment or installation within the servitude restriction area, the applicant shall pay such costs to Eskom Tx on demand. *Detailed designs of the proposed mining operations must be referred to Eskom Tx. In these designs Raubex Construction must cater for design specific issues such as acute angle crossings, separation distances and clearances between Eskom Tx's 275kV power lines and the proposed mining area.*
8. The use of explosives of any type within 500 metres of Eskom Tx's services, shall only occur with Eskom Tx's previous written permission. If such permission is granted the applicant must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. It is advisable to make application separately in this regard.
9. Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom Tx's requirements.
10. Eskom Tx shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the applicant, his/her agent, contractors, employees, successors in title and assignee. The applicant indemnifies Eskom Tx against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom Tx's services or apparatus or otherwise. Eskom Tx will not be held responsible for damage to the applicant's equipment.
11. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom Tx's apparatus and/or services, without prior written permission having been granted by Eskom Tx. If such permission is granted the applicant must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the Lines- and Servitudes Manager.
12. Eskom Tx's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with. Note: Where an electrical outage is required, at least fourteen work days are required to arrange it.
13. Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The applicant shall maintain the area concerned to Eskom Tx's satisfaction. The applicant shall be liable to Eskom Tx for the cost of any remedial action which has to be carried out by Eskom Tx.

14. **The clearances between Eskom Tx's live electrical equipment and the proposed construction work shall be observed as stipulated by the Regulation 19 of Electrical Machinery Regulations 2011 (with reference to SANS10280-1) of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).**
15. Equipment shall be regarded electrically live and therefore dangerous at all times.
16. In spite of the restrictions stipulated by Regulation 19 of Electrical Machinery Regulations 2011 (with reference to SANS10280-1) of the Occupational Health and Safety Act, 1993 (Act 85 of 1993)., as an additional safety precaution, Eskom Tx will not approve the erection of houses, or structures occupied or frequented by human beings, under the powerlines or within the servitude restriction area.
17. Eskom Tx may stipulate any additional requirements to eliminate any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom Tx plant.
18. It is required of the applicant to familiarise himself with all safety hazards related to Electrical plant.

The final design (blasting and stockpiles) of your proposed mining area should be referred to this office for final approval. This will be referred to the applicable Eskom Tx Engineer for perusal and final approval.

It is noted that your application was also forwarded to Eskom Distribution KwaZulu Natal OU (The Land Development Manager) for comments on the Distribution Division services affected and direct reply to you.

For any further information please contact the writer at the above-mentioned telephone number.

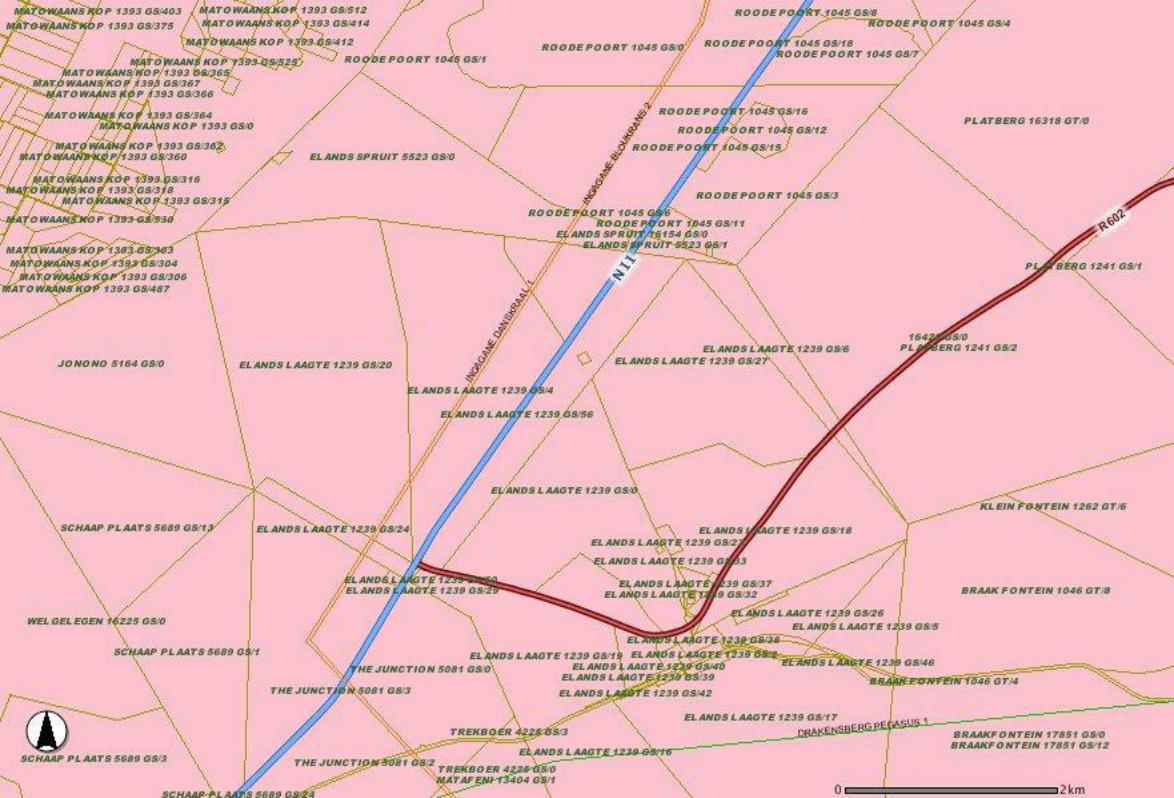
Regards,



pp

Lungile Motsisi

FIRE, SERVITUDE AND LAND MANAGEMENT



Christine Fouche

From: Christine Fouche
Sent: Thursday, 08 December 2022 05:34
To: 'Nomzamo Mdunyelwa'
Cc: JT Enslin
Subject: RE: FW: - Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)
Attachments: Schematic representation of power infrastructure in relation to proposed development.pdf

Tracking:	Recipient	Delivery
	'Nomzamo Mdunyelwa'	
	JT Enslin	Delivered: 2022/12/08 05:37

Dear Nomzamo,

Thank you for the principle approval.

Kindly receive the Applicant's response to the comments of the engineer listed below:

1. *We need this to be finalized and submitted to approve. We will have to wait for this. Please submit upon receipt.*

The Applicant takes note of this and commits to submitting the blasting design as soon as it is available. No mining will take place prior to approval of the blasting design by Eskom.

2. *Im still not comfortable with the 45m distance being at a height of 10m. This stockpile is therefore in an adjacent servitude to the powerline (since every 400kV powerline servitude is about 55m and 275kV about 40m). Our line conductors blow out quite significantly almost to the end of the servitude which in other words could come swing very close to the stockpile. This really needs to be revisited as 45m is certainly too close and will not be acceptable. I would be comfortable with atleast 200m away or more will be great. Primarily for the reasons attributed to dust, considering the height of the stockpile, and the blow out of ur conductors. * Very important to revisit this point**

The comment of the Engineer was noted. To accommodate this, the Applicant concedes to keep all stockpiles at least 200 m away from the power line. See attached a schematic representation of the proposed areas where the stockpiles will be placed (orange shading).

3. *How often will this be done? And does this comply with dust control standards?*

Site management will daily monitor the dust suppression equipment, and a water truck will daily moisten the road and denuded areas around the sites. The fallout dust levels of the site will be evaluated in terms of the fall-out standards of the National Dust Control Regulations, 2013. Should Eskom have additional standards in this regard, please do not hesitate to provide those to us.

4. *Who will ensure this?*

The on-site ECO (environmental control officer) will be responsible for the day to day compliance of the site with the conditions of the EMPR (environmental management programme). The site will further be audited by an external Environmental Assessment Practitioner that will annually report on the compliance of the site to the DMRE and DEDTEA.

5. Yes this monitoring will assist to ensure flashovers do not occur, or even the degradation of our lines due to the increased presence of dust/pollution.

Comment noted. Fallout-dust monitoring will be added as an additional condition/requirement to the EMPR.

6. Logically, it will be fine, however for audit purposes if you are crossing a transmission line, it can not be implied that if distribution approve then its automatic that transmission will approve. The committee's are different and carry responsibility and accountability for the traversing of their own infrastructure. It therefore must be brought to transmission as well.

Comment noted, applications will be submitted to both Transmission and Distribution.

The comments received from Eskom will be incorporated into the final Basic Assessment Report to be submitted to the DMRE for decision making. A copy of the comments will also be forwarded to the DEDTEA for their perusal and record keeping.

Kind Regards / Vriendelike Groete

Christine Fouche



Cell: 082 811 8514
Fax: 086 546 0579
www.greenmined.com

Head Office:
106 Baker Square, Block 1, Paardevlei
De Beers Avenue
Somerset West
7130
Tel: 021 851 2673

"the goal isn't to live forever, it is to protect a planet that will"



**SAFEGUARDING THE EARTH AND
ITS RESOURCES FOR 10 YEARS**

From: Nomzamo Mdunyelwa <MdunyeNC@eskom.co.za>
Sent: Wednesday, 07 December 2022 10:51
To: Christine Fouche <Christine.F@greenmined.co.za>
Subject: FW: FW: - Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)

Good Day Christine

Please see below follow up comments (highlighted in blue) from our Engineer Clinton

Also see attached approval in principle for the application subject to the comments from our Engineers addressed and, a blasting design and the stockpile area revised as recommended.

Regards 

Nomzamo Mdunyelwa

Tel: 053 830 5947

Mobile: 081 046 5341

Fax: 086 577 663

Email: MdunyeNC@eskom.co.za

Website: www.eskom.co.za

1 Maxwell Drive, Sunninghill, Sandton,
2157

From:

Clinton Chetty <ChettyAC@eskom.co.za>

Sent: Wednesday, 07 December 2022 09:32

To: Nomzamo Mdunyelwa <MdunyeNC@eskom.co.za>

Cc: Dan Dukhan <DukhanDA@eskom.co.za>; Siyabonga Dubazana <siyabongad@taprojects.co.za>; Sicelo Khumalo <KhumalS31@eskom.co.za>

Subject: RE: FW: - Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)

Hi Nomzamo,

Please see my initial comments.

Rgds
Clinton

From: Nomzamo Mdunyelwa <MdunyeNC@eskom.co.za>

Sent: Wednesday, 07 December 2022 09:13

To: Clinton Chetty <ChettyAC@eskom.co.za>

Subject: FW: FW: - Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)

Hi Clinton

Please find below response from the applicant to your initial comments

Regards
Nomzamo

From: Christine Fouche <Christine.F@greenmined.co.za>

Sent: Tuesday, 06 December 2022 10:47

To: Nomzamo Mdunyelwa <MdunyeNC@eskom.co.za>

Cc: JT Enslin <JT.E@raubex.com>

Subject: [CAUTION:EXTERNAL EMAIL] - RE: FW: - Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP)

Dear Nomzamo,

We would herewith like to thank you for your interest in this application. Herewith please find our response to your comment listed below:

- The application has no blast design – please include*

Seeing that this application is still pending approval at the DMRE, the mine does not yet have a blast design. The Applicant will however submit all appropriate applications and designs to Eskom once the mining permit application was approved and the proposed mining activity may continue. No blasting will take place at the mine prior to receipt of the applicable permits/permissions from Eskom.

We need this to be finalized and submitted to approve. We will have to wait for this. Please submit upon receipt.
- How high is the stockpile and what measures are in place to ensure that there is dust suppression. It seems like a very large area marked out, we do not want any pollution settling on the powerlines which could cause flashovers*

If approved the mining permit area will be 4.9 ha in total, and the proposed stockpile area (adjacent to the mining permit area) will be 10.5 ha. None of the application areas require the stockpiling of material

2. *How high is the stockpile and what measures are in place to ensure that there is dust suppression. It seems like a very large area marked out, we do not want any pollution settling on the powerlines which could cause flashovers*

If approved the mining permit area will be 4.9 ha in total, and the proposed stockpile area (adjacent to the mining permit area) will be 10.5 ha. None of the application areas require the stockpiling of material underneath or within 45 m of the power line. The maximum height of the stockpiles will be 10 m. The potential dust impact of material stockpiled in the mining permit area on the nearby power line is deemed of low probability as the prevalent wind direction of the region is in a north-western direction for most of the year. This means that the wind will carry dust that may be generated at the mining area away from the power line. Dust will daily be mitigated at the stockpile area through the following means that were included in the EMPR to be implemented during the operational phase of the project: *Im still not comfortable with the 45m distance being at a height of 10m. This stockpile is therefore in an adjacent servitude to the powerline (since every 400kV powerline servitude is about 55m and 275kV about 40m). Our line conductors blow out quite significantly almost to the end of the servitude which in other words could come swing very close to the stockpile. This really needs to be revisited as 45m is certainly too close and will not be acceptable. I would be comfortable with atleast 200m away or more will be great. Primarily for the reasons attributed to dust, considering the height of the stockpile, and the blow out of ur conductors. * Very important to revisit this point**

- The liberation of dust into the surrounding environment must be effectively controlled using, inter alia, straw, water spraying and/or environmentally friendly dust-allaying agents that contains no PCB's (e.g. DAS products).
- The site manager must ensure continuous assessment of all dust suppression equipment to confirm its effectiveness in addressing dust suppression. *How often will this be done? And does this comply with dust control standards?*
- Speed on the haul roads must be limited to 20 km/h and 40 km/h on the access road to prevent the generation of excess dust.
- Areas devoid of vegetation, which could act as a dust source, must be minimized and vegetation removal may only be done immediately prior to mining.
- The crusher plant must have operational water sprayers to alleviate dust generation from the conveyor belts.
- Fines, blowing from the drop end of the crusher plant, can be minimized by attaching strips of used conveyor belts to the conveyor's end.
- Compacted dust must weekly be removed from the crusher plant to eliminate the dust source. *Who will ensure this?*
- Loads must be flattened to prevent spillage during transportation on public roads.
- Weather conditions must be taken into consideration upon commencement of daily operations. Limiting operations during very windy periods would reduce airborne dust and resulting impacts.
- All dust generating activities shall comply with the National Dust Control Regulations, GN No R827 promulgated in terms of NEM:AQA (Act 39 of 2004) and ASTM D1739 (SANS 1137:2012).
- Best practice measures shall be implemented during the stripping of topsoil, excavation, and transporting of material from site to minimize potential dust impacts.

If required the monitoring of fallout dust levels could also be implemented at the stockpiling area to ensure adequate dust levels that complies with Eskom standards to prevent flashovers. Yes this monitoring will assist to ensure flashovers do not occur, or even the degradation of our lines due to the increased presence of dust/pollution.

3. *Will our grid persons have access to do maintenance?*

The grid personnel will at all times have access to the power line and servitude to do maintenance. (great!)

4. *Is the applicant planning to use any large machinery in our servitude or near the powerline? If so, they must state it so that we can check clearances*

The operation of the mining area does not require any large machinery to be moved underneath the powerline. The machinery will enter the site from the Collings Pass Road onto the farm road and then enter the mining permit area without crossing the power line.

Should the stockpile area be approved and established, the mobile crusher plant will be the highest machine that would need to cross below the power line (once during site establishment). The crusher will also have to be removed at the end of the project. The height of the crusher plant (in transit) is ± 4.5 m. During the operational phase only tipper trucks and a front end loader will need to traverse the power line. The clearances between Eskom's live electrical equipment and any project related machinery shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act 85 of 1993. Equipment shall be regarded electrically live and therefore dangerous at all times. No large equipment will be moved underneath the power line without written permission from Eskom. It must also be mentioned that the adjacent 11 kV power line will dictate the maximum height of machinery that can pass underneath the power line infrastructure, once the machinery are cleared to pass underneath the 11 kV power line, it will easily comply with the ground clearance requirements for a 275 kV power line. Logically, it will be fine, however for audit purposes if you are crossing a transmission line, it can not be implied that if distribution approve then its automatic that transmission will approve. The committee's are different and carry responsibility and accountability for the traversing of their own infrastructure. It therefore must be brought to transmission as well.

5. *I'm also not sure if this is shallow mining or deep mining, nevertheless no mining under the powerline is allowed. Around the towers we should ensure a 20m radius*

All mining will be confined to the actual footprint of the application (4.9 ha) that does not extend into, or nearer than ± 45 m to the power line. There will be no excavations nearer than 20 m to the power line towers. (OK so no mining within 20m radius around the tower is good)

We trust you will find this in order. Please do not hesitate to contact me in the event of any uncertainties.

Kind Regards / Vriendelike Groete

Christine Fouche



Cell: 082 811 8514

Fax: 086 546 0579

www.greenmined.com

Head Office:

106 Baker Square, Block 1, Paardevlei

De Beers Avenue

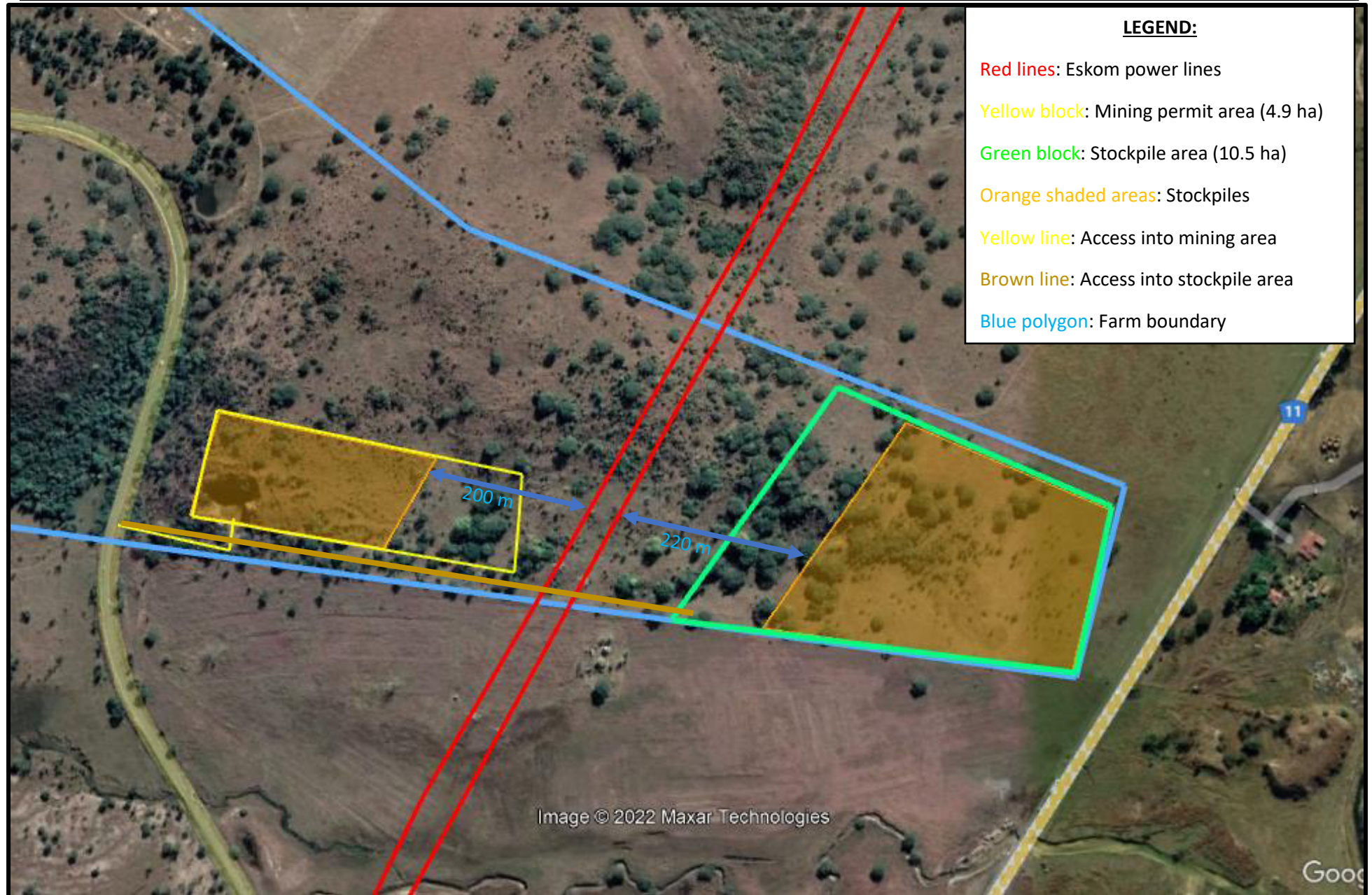
Somerset West

7130

Tel: 021 851 2673

"the goal isn't to live forever, it is to protect a planet that will"

SCHEMATIC REPRESENTATION OF THE POWER LINE INFRASTRUCTURE CROSSING THE REMAINING EXTENT OF THE FARM ELANDS SPRUIT NO 5523 IN RELATION TO THE PROPOSED MINING PERMIT AND STOCKPILE AREAS



NOTIFICATION OF INTERESTED AND AFFECTED PARTIES

Number	Organisation	Contact Person
15.	Landowner	Mr Pieter Francois Oosthuizen
16.	Surrounding Landowner	Mr IF Mitchell-Innes
17.	Matiwane Trust	Mr Swazi Nkosi Shabalala
18.	Rotimode (Pty) Ltd	Ukhozi-Enviro
19.	Surrounding Landowner	Me Z Khumalo
20.	Bukhali Group (Afrimat)	Mr Daniel Cillie
21.	I&AP	Mr S Zwane

**PROOF THAT THE ERRATUM NOTICE WAS SENT TO
ALL THE I&APS ON 11 NOVEMBER 2022**

Marlene van den Berg

From: Greenmined Comments
Sent: Friday, 11 November 2022 11:16
To: 'lihandrie@fsbulk.co.za'; 'nbsbabalala@alfredduma.gov.za';
'tpdlamini@alfredduma.gov.za'; 'fodofarm@gmail.com'; 'inus@ukhozi-enviro.co.za';
'zwanesibusiso@gmail.com'; 'daniel@bukhali.group'
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - I&APS

Dear Sir/Madam,

RE: ERRATUM NOTICE FOR THE RAUBEX CONSTRUCTION (PTY) LTD MINING PERMIT APPLICATION (KZN 30/5/1/3/2/10817 MP) OVER THE REMAINING EXTENT OF THE FARM ELANDS SPRUIT NO 5523, UTHUKELA DISTRICT, KZN

Please take note of an erratum notice to correct the public documents regarding the Raubex Construction (Pty) Ltd mining permit application (**KZN 30/5/1/3/2/10817 MP**) submitted over the Remaining Extent of the farm Elands Spruit No 5523, uThukela Magisterial District, KZN. The purpose of this erratum is to revise the description of the NEMA EIA Regulations, 2014 (as amended) Listing Notice 3 activities:

- **GNR 324 Listing Notice 3 Activity 4:**
The development of a road wider than 4 metres with a reserve less than 13.5 metres.
d. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.
- **GNR 324 Listing Notice 3 Activity 12:**
The clearance of an area of 300 square metres or more of indigenous vegetation.
d. KwaZulu-Natal: v. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.
- **GNR 324 Listing Notice 3 Activity 18:**
The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.
d. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.

Interested and Affected Parties are also invited to comment on the updated Terrestrial Biodiversity Impact Assessment and 2022 Wetland Opinion available from the company website at www.greenmined.com/mining-permit/ or the consultant. The contact consultant is Greenmined Environmental (Pty) Ltd, Postnet Suite 62, Private Bag X15, Somerset West, 7129 or contact Christine Fouche at (082) 811 8514 or Tel (021) 851 2673, (email) christine.f@greenmined.co.za.

Closing date for submission of comments is 12 December 2022.

Kind Regards/Vriendelike Groete

Marlene van den Berg
Project Administrator

Marlene van den Berg

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
Sent: Friday, 11 November 2022 11:17
To: Greenmined Comments
Subject: Delivery Status Notification

Content-Type: multipart/report; report-type=delivery-status; boundary=1668158203-eximdsn-1003183201
MIME-Version: 1.0
--1668158203-eximdsn-1003183201
Content-type: text/plain; charset=us-ascii

This message was created automatically by SMTP2Go.

----- The following addresses had successful delivery notifications ----- <lihandrie@fsbulk.co.za> (relayed to non-DSN-aware mailer)

<tpdlamini@alfredduma.gov.za> (relayed to non-DSN-aware mailer)

<fodofarm@gmail.com> (relayed to non-DSN-aware mailer)

<daniel@bukhali.group> (relayed to non-DSN-aware mailer)

--1668158203-eximdsn-1003183201
Content-type: message/delivery-status

Reporting-MTA: dns; mail.smtp2go.com

Action: delivered
Final-Recipient: rfc822;lihandrie@fsbulk.co.za
Status: 2.0.0
Remote-MTA: dns; mail.fsbulk.co.za
Diagnostic-Code: smtp; 250 Ok

Action: delivered
Final-Recipient: rfc822;tpdlamini@alfredduma.gov.za
Status: 2.0.0
Remote-MTA: dns; za-smtp-inbound-2.mimecast.co.za
Diagnostic-Code: smtp; 250 Ok

Action: delivered
Final-Recipient: rfc822;fodofarm@gmail.com
Status: 2.0.0
Remote-MTA: dns; gmail-smtp-in.l.google.com
Diagnostic-Code: smtp; 250 Ok

Action: delivered
Final-Recipient: rfc822;daniel@bukhali.group
Status: 2.0.0
Remote-MTA: dns; smtp.secureserver.net
Diagnostic-Code: smtp; 250 Ok

--1668158203-eximdsn-1003183201
Content-type: text/rfc822-headers

Return-path: <comments@greenmined.co.za>
Received: from [10.66.228.43] (helo=SmtprCorp)
by smtpcorp.com with esmtpsa (TLS1.3:ECDHE_SECP256R1__RSA_PSS_RSAE_SHA256__AES_256_GCM:256)
(Exim 4.94.2-S2G)
(envelope-from <comments@greenmined.co.za>)
id 1otQ8f-TRjzX-MJ; Fri, 11 Nov 2022 09:15:54 +0000
Received: from [41.0.104.130] (helo=webmail.raubex.com)
by smtpcorp.com with esmtpsa (TLS1.2:ECDHE_SECP384R1__RSA_SHA256__AES_256_GCM:256)
(Exim 4.96-S2G)
(envelope-from <comments@greenmined.co.za>)
id 1otQ8d-wSL3yv-35;
Fri, 11 Nov 2022 09:15:52 +0000
Received: from 01-EXCH01-INF.RBX.Raubex.com (10.1.0.211) by 01-EXCH02-INF.RBX.Raubex.com (10.1.0.212) with
Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.2.1118.12;
Fri, 11 Nov 2022 11:15:46 +0200
Received: from 01-EXCH01-INF.RBX.Raubex.com ([169.254.46.224]) by 01-EXCH01-INF.RBX.Raubex.com
([10.1.0.214]) with mapi id 15.02.1118.012; Fri,
11 Nov 2022 11:15:46 +0200
Content-Type: multipart/mixed;
boundary="_000_b182aefd983046769e34106392579b52greenminedcoza_"
From: Greenmined Comments <comments@greenmined.co.za>
To: "lihandrie@fsbulk.co.za" <lihandrie@fsbulk.co.za>,
"nbsbabalala@alfredduma.gov.za" <nbsbabalala@alfredduma.gov.za>,
"tpdlamini@alfredduma.gov.za" <tpdlamini@alfredduma.gov.za>,
"fodofarm@gmail.com" <fodofarm@gmail.com>, "inus@ukhozi-enviro.co.za"
<inus@ukhozi-enviro.co.za>, "zwanesibusiso@gmail.com"
<zwanesibusiso@gmail.com>, "daniel@bukhali.group" <daniel@bukhali.group>
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN
30/5/1/3/2/10817 MP) - Erratum Notice - I&APS
Thread-Topic: Raubex Construction (Pty) Ltd Mining Permit Application (KZN
30/5/1/3/2/10817 MP) - Erratum Notice - I&APS
Thread-Index: AQHY9a4tVM7AOeXqqUq6U6GbGt6pPg==
Disposition-Notification-To: Greenmined Comments <comments@greenmined.co.za>
Return-Receipt-To: <comments@greenmined.co.za>
Date: Fri, 11 Nov 2022 09:15:46 +0000
Message-ID: <b182aefd983046769e34106392579b52@greenmined.co.za>
References: <18c36c1499b04afd9cdc5e094101f6b4@greenmined.co.za>
<b43d5876c02b47aa9683b2990331d917@greenmined.co.za>
<100ce1d39bd2453bbaf17b3107632c16@greenmined.co.za>
<a6eddf3a128d42c79796723325ea3d5@greenmined.co.za>
<b0a35772f356452e9a20255a09557e45@greenmined.co.za>
In-Reply-To: <b0a35772f356452e9a20255a09557e45@greenmined.co.za>
Accept-Language: en-ZA, en-US
Content-Language: en-US
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator: <b182aefd983046769e34106392579b52@greenmined.co.za>
x-ms-exchange-messagesentrepresentingtype: 1
x-originating-ip: [10.1.0.198]
x-ms-exchange-sharedmailbox-routingagent-processed: True
x-c2processedorg: 39f78260-89a2-449c-ab7d-2869b9c2d75f
MIME-Version: 1.0

--1668158203-eximdsn-1003183201--

Marlene van den Berg

From: THOBANI PRINCE DLAMINI <TPDlamini@alfredduma.gov.za>
To: Greenmined Comments
Sent: Tuesday, 15 November 2022 13:54
Subject: Read: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - I&APS

Your message

To:
Subject: Raubex Construction (Pty) Ltd Mining Permit Application (KZN 30/5/1/3/2/10817 MP) - Erratum Notice - I&APS
Sent: Tuesday, November 15, 2022 1:54:01 PM (UTC+02:00) Harare, Pretoria

was read on Tuesday, November 15, 2022 1:53:48 PM (UTC+02:00) Harare, Pretoria.

19.

**PROOF THAT THE ERRATUM NOTICE WAS SENT
TO ME KHUMALO ON 11 NOVEMBER 2022**



Zama khumalo LDS...
online



Today

Messages and calls are end-to-end encrypted. No one outside of this chat, not even WhatsApp, can read or listen to them. Tap to learn more.



ERRATUM NOTICE

This serves to correct the advert issued 30 September 2022 regarding the Raubex Construction (Pty) Ltd mining permit application ([KZN 3054/2021/0817 MP](#)) over the Remaining Extent of the farm Etlands Spruit No 5523, uThukela Magisterial District, KZN.

The purpose of this erratum is to revise the description of the NEMA EIA Regulations, 2014 (as amended) Listing Notice 3 activities:

- **QNR 324 Listing Notice 3 Activity 4:**
The development of a road wider than 4 metres with a reserve less than 13.5 metres.
d. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.
- **QNR 324 Listing Notice 3 Activity 12:**
The clearance of an area of 300 square metres or more of indigenous vegetation.

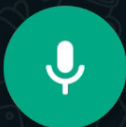
PDF Erratum On site notice - Ladysmith...

1 page • 37 kB • PDF 13:33 ✓✓

Good day Zama, Christine from Greenmined here. Please receive the following notice for you attention. 13:33 ✓✓



Message



21.

**PROOF OF CORRESPONDENCE WITH MR S ZWANE
ON 11 NOVEMBER 2022**

Christine Fouche

From: Christine Fouche
Sent: Friday, 11 November 2022 09:26
To: 'zwanersibusiso@gmail.com'
Cc: Marlene van den Berg
Subject: Mining Permit Application: KZN 30/5/1/3/2/10817 MP by Raubex Construction (Pty) Ltd
Attachments: Draft Basic Assessment Report - KZN 30-5-1-3-2-10817 MP.pdf; Executive summary - MP Translated.pdf

Dear Sir,

RE: MINING PERMIT APPLICATION SUBMITTED BY RAUBEX CONSTRUCTION (PTY) LTD OVER THE REMAINING EXTENT OF THE FARM ELANDS SPRUIT NO 5523, UTHUKELA DISTRICT, KZN

Our telephonic discussion of yesterday refers.

As requested herewith please find a copy of the draft Basic Assessment Report (DBAR) for the abovementioned project for your perusal and commenting. Due to email size limitations, I only attach the main document to this email, however, please feel free to download the relevant report attachments from our website at www.greenmined.com/mining-permits/ under the heading *Raubex Construction (Pty) Ltd*. Alternatively the documents can also be emailed to you as a link or in separate emails should you prefer this.

In answer to your query regarding the public participation process that was followed in the Matiwane area, I herewith confirm that:

1. an isiZulu on-site notice was placed in the Matiwane area on 20 September 2022 (approximate GPS coordinates of notice 28°21'07.38"S; 29°55'24.33"E);
2. Vibrant Direct (professional distributor) distributed 2 500 flyers explaining the project in isiZulu in the Matiwane area on 27 September 2022;
3. The ward councillors of both Ward 23 and 24 were emailed directly to invite comments on the project on 29 September 2022; and
4. An advertisement (isiZulu & English) appeared in the Ladysmith Gazette on 30 September 2022.
5. The executive summary of the DBAR, also attached to this email, was also translated to isiZulu and made available with the DBAR at the Ladysmith Library until 31 October 2022.

Subsequently, it came to our attention that there was a *bona fide* mistake on the public documents and this is now being corrected with the erratum notice you saw yesterday at the Ladysmith Library. The Terrestrial Biodiversity Impact Assessment and the Wetland Study/Opinion were also updated. As a result the commenting period for the project was extended until 12 December 2022.

Please feel free to contact me should you like to discuss any of the above further, and/or provide us with your comments on the project by 12 December 2022.

Kind Regards / Vriendelike Groete

Christine Fouche



Cell: 082 811 8514
Fax: 086 546 0579
www.greenmined.com

Head Office:
106 Baker Square, Block 1, Paardevlei
De Beers Avenue
Somerset West
7130
Tel: 021 851 2673

Christine Fouche

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
Sent: Friday, 11 November 2022 09:27
To: Christine Fouche
Subject: Delivery Status Notification

Content-Type: multipart/report; report-type=delivery-status; boundary=1668151624-eximdsn-395129869
MIME-Version: 1.0
--1668151624-eximdsn-395129869
Content-type: text/plain; charset=us-ascii

This message was created automatically by SMTP2Go.

----- The following addresses had successful delivery notifications ----- <zwanersibusiso@gmail.com> (relayed to non-DSN-aware mailer)

--1668151624-eximdsn-395129869
Content-type: message/delivery-status

Reporting-MTA: dns; mail.smtp2go.com

Action: delivered
Final-Recipient: rfc822;zwanersibusiso@gmail.com
Status: 2.0.0
Remote-MTA: dns; gmail-smtp-in.l.google.com
Diagnostic-Code: smtp; 250 Ok

--1668151624-eximdsn-395129869
Content-type: text/rfc822-headers

Return-path: <Christine.F@greenmined.co.za>
Received: from [10.45.79.114] (helo=SmtpCorp)
by smtpcorp.com with esmtpsa (TLS1.3:ECDHE_SECP256R1__RSA_PSS_RSAE_SHA256__AES_256_GCM:256)
(Exim 4.94.2-S2G)
(envelope-from <Christine.F@greenmined.co.za>)
id 1otORF-TRk4oO-Bh
for zwanersibusiso@gmail.com; Fri, 11 Nov 2022 07:26:58 +0000

Received: from [41.0.104.130] (helo=webmail.raubex.com)
by smtpcorp.com with esmtpsa (TLS1.2:ECDHE_SECP384R1__RSA_SHA256__AES_256_GCM:256)
(Exim 4.96-S2G)
(envelope-from <Christine.F@greenmined.co.za>)
id 1otORA-g38WB5-3A
for zwanersibusiso@gmail.com;
Fri, 11 Nov 2022 07:26:56 +0000

Received: from 01-EXCH02-INF.RBX.Raubex.com (10.1.0.212) by 01-EXCH03-INF.RBX.Raubex.com (10.1.0.216) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.2.1118.12; Fri, 11 Nov 2022 09:26:47 +0200

Received: from 01-EXCH02-INF.RBX.Raubex.com ([169.254.164.88]) by 01-EXCH02-INF.RBX.Raubex.com ([10.1.0.212]) with mapi id 15.02.1118.012; Fri, 11 Nov 2022 09:26:46 +0200

Content-Type: multipart/mixed;
boundary="_000_797dd3cb81454526afb3590537243d1bgreenminedcoza_"

From: Christine Fouche <Christine.F@greenmined.co.za>
To: "zwanersibusiso@gmail.com" <zwanersibusiso@gmail.com>

**PROOF OF THE ENGLISH AND ISIZULU ERRATUM
NOTICE PLACED IN THE LADYSMITH GAZETTE ON
11 NOVEMBER 2022**

LEGAL NOTICES



To Place all your Legals, Public Notices, Auctions and Tender Notices, Please Contact Minky on: 036 637 6801

NOTICE TO CREDITORS AND DEBTORS

ESTATE NUMBER: 003136 / 2022 ESTATE LATE: PATRICK MTHOKOZI NTANZI. IDENTITY NUMBER: 6403105886089 DATE OF DEATH: 20 NOVEMBER 2021 ADDRESS : 4 UMTHOLO CRESCENT, UMKHAMBA GARDENS, LADYSMITH, 3370. Creditors and Debtors in the above estate are hereby required to file their claims with and pay their debts to the undersigned within 30 days from 10 November 2022. SURVIVING SPOUSE: PHETHILE LADYFAIR NTANZI (MARRIED IN COMMUNITY OF PROPERTY) Maree & Pace, Mpulo P.O. BOX 200 LADYSMITH 3370 TEL: 036-6311131 REF: JH PITOUT/Im / EN0021

First and Final Liquidation and Distribution Account in the Deceased Estate lying for Inspection

ESTATE NUMBER: 5397/2022. In terms of section 35(4) and (5) of Act 66 of 1965, Notice is hereby given that copies of the First and Final Liquidation and Distribution Account in the Estate of the LATE DAWOOD SEEDAT, IDENTITY NUMBER 250923 5046 08 1, who died at LADYSMITH on the 01 MAY 1997 and who was married Out of Community of Property to MIRIAM SEEDAT, IDENTITY NUMBER 311122 0029 08 8 of 25 SIMLA ROAD, LADYSMITH, KWAZULU NATAL, will lie open for inspection for all persons with an interest therein at the Magistrates Court, Estcourt and at the offices of the Master of the High Court, Pietermaritzburg, for a period of twenty one (21) days from the date of publication hereof. Should no objection thereto be lodged with the Master concerned during the specified period, the executors will proceed in accordance with the accounts. Attorneys for Executor, ATTORNEYS FAROUK KHAN, 64 CONVENT ROAD P.O BOX 4111 LADYSMITH 3370 REF: MR KHAN / SHAINAZ

NOTICE TO CREDITORS IN DECEASED ESTATES

In the Estate of the Late: Frances Audrey Zeiler. Estate Number: 8278/2022 Identity Number: 510204 0163 18 9. Last Address: 8 Moth Cottages, Dovetree Lane, Estcourt. Date of Death: 10 September 2022. All persons having claims against the Estate are required to lodge their claims with the undersigned, within 30 (Thirty) days from the date of publication hereof. Name and address of Agent: J V Hart CC, P.O. Box 13571, Cascades, 3202. Tel: 033 347 1099. Email: reception@jvhart.co.za. Ref: J Kitching/nn/Zeil02E

NOTICE TO CREDITORS IN DECEASED ESTATE

All persons who have claims against the under-mentioned Estate must lodge their claims with the Executrix concerned within 30 days (or as indicated) from date of publication hereof. Estate no.: 003405/2021. Master's Office: PIETERMARIITZBURG. Estate of the Late Thabo Sydwell Mbatha. Identity No.: 790917 5951 08 1 Date of death: 11 January 2022. Last address: 746 Lime Hill Area WASBANK. Executrix: Phumelele Mbatha. Address: NA MAVIMBELA ATTORNEYS; Suite 2, Queens Office Park, 61 Queen Street Ladysmith 3370; Tel: 036 940 0065 Email: info@mavimbelalegal.co.za

NOTICE TO CREDITORS AND DEBTORS

All persons who have claims against the under-mentioned Estate must lodge their claims with the Executrix concerned within 30 days (or as indicated) from date of publication hereof. Estate no.: 007395/2022. Master's Office: PIETERMARIITZBURG. Estate of the Late ISIAH SIPHO MNYONI. Identity No.: 631211 5424 08 0 Date of death: 26 JUNE 2022. Surviving spouse: Revival Elizabeth Zesuliwe Mnyoni Identity No.: 680629 0596 08 3 Executrix: NA MAVIMBELA ATTORNEYS Address: Suite 2, Queens Office Park 61 Queen Street Ladysmith 3370; Tel: 036 940 0065 Email: info@mavimbelalegal.co.za.

NOTICE TO CREDITORS AND DEBTORS

In the estate of the late ROMEELADEVI SHEWNIARIAN, NUMBER 8036/2022, IDENTITY NUMBER 440829 0433 08 6, who was ordinarily resident at 21 SAFFA STREET, LADYSMITH, KWAZULU NATAL and who died at LADYSMITH on 13 JANUARY 2008. All persons having claims against the above estate are hereby called upon to file their claims with the undersigned within 30 days from the date of publication hereof. Signed at LADYSMITH. FAROUK KHAN ATTORNEYS 64 CONVENT ROAD P.O. BOX 4111 LADYSMITH, 3370 TEL: (036) 631 2231 FAX: (036) 637 2545 Our ref: Mr Khan / Shainaz

NOTICE OF SECTION 24G RECTIFICATION PROCESS AND INTEGRATED WATER USE LICENSE APPLICATION

Notice is hereby given that an application will be lodged with the KZN Department of Economic Development, Tourism & Environmental Affairs (edtea) in terms of (i.t.o) Section 24G of the National Environmental Management Act (NEMA) (Act No. 107 of 1998) for the rectification of unlawful commencement of Activity 12, 19, and 48 i.t.o. Listing Notice 1 of 2017, published under - G.N.R. 327 in Gazette No. 40772 (As amended); Activity 15 i.t.o. Listing Notice 2 of 2017, published under - G.N.R. 325 in Gazette No. 40772 (As Amended); and Activity 12 (d)(v) and 14(i)(d)(vii) i.t.o. Listing Notice 3 of 2017, published under - G.N.R. 324 in Gazette No. 40772 (As Amended) under the Environmental Impact Assessment (EIA) Regulations published in Government Notice (G.N.) No. 326 (As Amended).

Notice is hereby given in terms of Section 21 and Section 41(4) of the National Water Act (Act 36 of 1998) (As Amended) as well as in terms of Section 17, 18 and 19 of the Regulations Regarding the Procedural Requirements for Water Use License Applications (WULA) and Appeals (GN 267 of 24 March 2017) that a Water Use License Application (WULA) will be submitted for the abstraction of surface water, the storage of water in earth dams and the construction of dams within a watercourse. The water uses being applied for include Section 21(a),(b),(c) and (i).

Description of unlawful activity: Several dams and cultivation fields are found on the applied for properties, of which some of them are unlawful. The dams are being used for irrigation and stock watering purposes. The dams and agricultural field are located on the Sankulwane River, a tributary of the Venterspruit River, which is a tributary of the Tugela River, and is situated on the Remaining Extent of the farm Roodebult 2187, GS and Portion 1 of the farm Nineveh 12164, GS.

Applicant: Mr Gareth Lindsay Dicks	Consultant EIA: Danie Labuschagne Kuhle Environmental Consult (Pty) Ltd Tel: 061 970 2449 E-mail: danie.kuhle@outlook.com	Consultant WULA: SJ Jansen van Rensburg IWULA Integrated Water Use License Application Management (Pty) Ltd Cell: 072 132 5544 Email: sj@iwula.org
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Co-ordinates:

28°37'1.12"S, 29°22'18.20"E	28°40'14.09"S, 29°20'52.17"E
28°38'5.17"S, 29°20'54.10"E	28°39'36.57"S, 29°20'17.91"E

The 24G Application and Report will be submitted to the KZN Department of Economic Development, Tourism & Environmental Affairs (edtea). Interested and/or affected parties (I&APs) are invited to provide their comments on the application. In order to ensure that you are identified/registered as an I&AP in relation to the 24G Application please submit your name, contact information and interest in the matter, in writing (electronically) or verbally (telephonically) to the contact person given above, within 30 days of this advertisement. The application will be made available upon request.

The Water Use License Application (WULA) will be submitted to the Durban Regional Office of the Department of Water and Sanitation (DWS). Interested and/or affected parties (I&APs) are invited to provide their comments on the application. In order to ensure that you are identified/registered as an I&AP in relation to the WULA please submit your name, contact information and interest in the matter, as well as any comments or objections to the application, in writing (electronically) or verbally (telephonically) to the contact person given above, within 60 days of this advertisement. The application will be made available upon request.

PUBLIC NOTICE

We have had 2 x Mobile Cold Rooms at our workshop since 2016.

If they are not paid for and collected within 21 days, they will be sold to defray expenses.

RPS Freeze Master (PTY) Ltd
35 O Diamana Road
Ladysmith
KZN
036 637 3232

Get into the Christmas Spirit and send your blessings to your Family and Friends through a Personal Christmas Message...

Contact:
Minky on 036 637 6801
or
classifieddy@dbn.caxton.co.za

ERRATUM NOTICE

This serves to correct the advert issued on 30 September 2022 regarding the Raubex Construction (Pty) Ltd mining permit application (KZN 30/5/1/3/2/10817 MP) over the Remaining Extent of the farm Elands Spruit No 5523, uThukela Magisterial District, KZN.

The purpose of this erratum is to revise the description of the NEMA EIA Regulations, 2014 (as amended) Listing Notice 3 activities:

• GNR 324 Listing Notice 3 Activity 4:

The development of a road wider than 4 metres with a reserve less than 13.5 metres. d. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.

• GNR 324 Listing Notice 3 Activity 12:

The clearance of an area of 300 square metres or more of indigenous vegetation. d. KwaZulu-Natal: v. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.

• GNR 324 Listing Notice 3 Activity 18:

The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre. d. KwaZulu-Natal: viii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans. Interested and Affected Parties are also invited to comment on the updated Terrestrial Biodiversity Impact Assessment and Wetland Opinion available from the consultant if interested. The contact consultant is Greenmined Environmental, Suite 62, Private Bag X15, Somerset West, 7129 or contact Christine Fouche at (082) 811 8514 or Tel (021) 851 2673, (email) christine.f@greenmined.co.za. Closing date for submission of comments is 12 December 2022.

ISAZISO SE-ERRATUM

Lokhu kwenzelwa ukulungisa isikhangiso esakhihwa ngomhla zingama-30 kuMandulo wezi-2022 mayelana nesicelo semvume yezimayini (KZN 30/5/1/3/2/10817 MP) esithunyelwe ngabakwa-Raubex Construction (Pty) Ltd mayelana Nengxenye Esole yepulazi i-Elands Spruit No 5523, eSifundankantolo uThukela, eKZN.

Inhloso yalesi sinqumo ukubuyekeza incazelo yeMithetho ye-NEMA EIA, 2014 (njengoba ichitshiyelwe) Imisebenzi yeSaziso soHlu 3:

• I-GNR 324 Isaziso Sokufakwa Ohlwini 3 Umsebenzi 4:

Ukwakhiwa komgwaqo obanzi ngamamitha angu-4 kodwa onomkhawulo ongaphansi kwamamitha angu-13.5. d. KwaZulu-Natal: viii Izindawo ezinesimo semvelo esibucayi njengalokho zikhonjiswe ezinhlelweni zesimo semvelo ezihlelekile ezamukelwe ngabanegunya elifanele noma ezisezinhlwini zesimo semvelo yesifunda.

• I-GNR 324 Isaziso Sokufakwa Ohlwini 3 Umsebenzi 12:

Ukuvulwa kwendawo enezihlahla zendabuko engu-300m² noma ngaphezulu. d. KwaZulu-Natal: v Izindawo ezinesimo semvelo esibucayi njengalokho zikhonjiswe ezinhlelweni zesimo semvelo ezihlelekile ezamukelwe ngabanegunya elifanele noma ezisezinhlwini zesimo semvelo yesifunda.

• I-GNR 324 Sokufakwa Ohlwini Isaziso 3 Umsebenzi 18:

Ukunweba umgwaqo ngobude obungaphezulu kwamamitha angu-4, noma ukwelula umgwaqo ngebanga elingaphezulu kwekhilomitha. d. KwaZulu-Natal: viii Izindawo ezinesimo semvelo esibucayi njengalokho zikhonjiswe ezinhlelweni zesimo semvelo ezihlelekile ezamukelwe ngabanegunya elifanele noma ezisezinhlwini zesimo semvelo yesifunda. Abanentshisekelo Nabathintekayo bayaminywa futhi ukuba baphawule kwi dokhumenti i-Terrestrial Biodiversity Impact Assessment nombono wamaxhaphozi okutholakala kumxhumanisi. Ungaxhumana ne khonsalithenti engumxhumanisi i-Greenmined Environmental (Pty) Ltd, Suite 62, Private Bag X15, Somerset West, 7129 noma uthinte uChristine Fouche ku-(082) 811 8514 noma ocingweni oluthi (021) 851 2673, (email) christine.f@greenmined.co.za. Usuku lokugcina lokwamukela ukuphawula ngumhla Mhlaka 12 December 2022.

**PROOF OF SITE NOTICES PLACED AT THE
ENTRANCE TO THE SITE ON 10 NOVEMBER 2022**



**PROOF OF SITE NOTICES PLACED AT THE
MATIWANE COMMUNITY ON 10 NOVEMBER 2022**



**PROOF OF SITE NOTICES PLACED AT THE
TURNOFF FROM THE N11 ONTO COLLINGS PASS
ROAD ON 10 NOVEMBER 2022**

ERRATUM NOTICE

The notice is issued to correct the advert issued 30 September 2022 regarding the Raubex Construction (Pty) Ltd mining permit application (SZN 1051032/10817 MP) for the Remaining East of the farm Elands Spruit No 5623, uThukela Magisterial District, KZN.

The purpose of this erratum is to revise the description of the NEMA EIA Regulations, 2014 (as amended) Listing Notice 3 activities.

- **Listing Notice 3 Activity 4:**
The distance of a road wider than 4 metres with a reserve less than 13.5 metres.
4. Raubex-Note: vii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in landscape plans.
- **Listing Notice 3 Activity 12:**
The clearance of an area of 300 square metres or more of indigenous vegetation.
4. Raubex-Note: vii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in landscape plans.
- **Listing Notice 3 Activity 18:**
The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.
4. Raubex-Note: vii. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in landscape plans.

Interested and Affected Parties are also invited to comment on the updated Terrestrial Biodiversity Impact Assessment and Wetland Open Condition from the consultant if interested. The contact consultant is Greenmined Environmental, Suite 62, Private Bag X15, Somerset West, 7129 or contact Christine Fouché at (062) 811 8514 or Tel: (021) 861 2673, (email) christine@greenmined.co.za. Closing date for submission of comments is 12 December 2022.

ISAZISO SE-ERRATUM

Ukuxinikezela okungama isihlangano esakhiweyo ngomhla ngomhla 30 kuMandulo wezi-2022 mayelana nesicelo semumsele weNEMA **SZN 1051032/10817 MP** esithuyelwe ngabawo Raubex Construction (Pty) Ltd mayelana Nongonyeni Esise yepulazi i-Elands Spruit no 5623 eMantankantolo uThukela, eKZN.

Ukuxinikezela okungama isihlangano esakhiweyo ye-NEMA EIA, 2014 (njengoba khatelweyo) lisebenzi yeSaziso soLwazi 3.

- **Isaziso soLwazi 3 Umsebenzi 4:**
Ukukhuluphisa okanye ngamamitha angu-4 kodwa onomkhawulo ongaphansi kwamamitha angu-13.5.
4. Raubex-Note: vii. Iindawo ezisemimo semvelo esibucayi njengakho zikhawuleyo ezinhlaweni zesimo semvelo esizolileleko ezinokuba ngaminyaka efanenile noma ezisazininhlaweni zesimo semvelo yesifundo.
- **Isaziso soLwazi 3 Umsebenzi 12:**
Ukukhuluphisa okanye ngamamitha angu-300 noma ngaphezulu.
4. Raubex-Note: vii. Iindawo ezisemimo semvelo esibucayi njengakho zikhawuleyo ezinhlaweni zesimo semvelo esizolileleko ezinokuba ngaminyaka efanenile noma ezisazininhlaweni zesimo semvelo yesifundo.
- **Isaziso soLwazi 3 Umsebenzi 18:**
Ukukhuluphisa okanye ngamamitha angu-4 noma ukwela umgawo ngabanga elingaphezulu.
4. Raubex-Note: vii. Iindawo ezisemimo semvelo esibucayi njengakho zikhawuleyo ezinhlaweni zesimo semvelo esizolileleko ezinokuba ngaminyaka efanenile noma ezisazininhlaweni zesimo semvelo yesifundo.

Kunokuba ngaminyaka efanenile bayaminyaka efanenile ukuba bagqeniseke kwi-dokumentu i-Terrestrial Biodiversity Impact Assessment and Wetland Open Condition kumkhawulo. Ungaphumani ne khawuleyo ngamamitha angu-13.5 noma ngaphezulu okanye ngamamitha angu-300 noma ngaphezulu. Ungaphumani ne khawuleyo ngamamitha angu-4 noma ukwela umgawo ngabanga elingaphezulu ngomhla ngomhla 12 December 2022.

Author/Okuqinisekisa:
Raubex Construction Pty Ltd
P.O. Box 8112
Somerset West
7129
Tel: 021 861 2673
Email: christine@greenmined.co.za







NOTICE TO THE PUBLIC
REGARDING THE PROPOSED
CONSTRUCTION OF A
NEW HIGH-VOLTAGE
ELECTRIC TRANSMISSION
LINE ALONG THE
WESTERN BOUNDARY OF
THE [REDACTED] TRACT,
COUNTY OF [REDACTED],
STATE OF [REDACTED].

The proposed project consists of the construction and installation of a new high-voltage electric transmission line along the western boundary of the [REDACTED] tract, located in the County of [REDACTED], State of [REDACTED]. The project is being undertaken by [REDACTED], a duly licensed contractor in the State of [REDACTED].

The proposed project is subject to the provisions of the [REDACTED] Act, Chapter 100, [REDACTED] of the [REDACTED] Code of Ordinances, which requires the project proponent to provide notice to the public regarding the proposed project. This notice is being provided to the public in accordance with the provisions of the [REDACTED] Act.

The proposed project is expected to be completed within [REDACTED] months of the start of construction. The project will involve the construction and installation of a new high-voltage electric transmission line, which will be used to transmit electricity from the [REDACTED] power plant to the [REDACTED] substation.

The proposed project is expected to have a beneficial impact on the local economy and the environment. The project will create jobs and provide a source of revenue for the local government. The project will also improve the reliability of the electric power supply in the area.

If you have any questions or concerns regarding the proposed project, please contact [REDACTED] at [REDACTED] or [REDACTED] at [REDACTED].

[REDACTED]

[REDACTED]





Elandslaagte →
← Collings Pass

Red and white striped signpost

**PROOF OF SITE NOTICES PLACED AT THE
LADYSMITH LIBRARY ON 10 NOVEMBER 2022**

IZIMPAHLA UZISHIYA
NGOKWAKHO
NKE E
SIZETHWESE
NGOKULAHLEKA
KWEZIMPAHLA

ALL BAGS & PARCELS
LEFT IN THE FOYER
ARE LEFT AT YOUR
OWN RISK.

BLACK HISTORY MONTH

"I HAVE DECIDED TO STICK

WITH LOVE

HATE IS TOO GREAT A

BURDEN TO BEAR" -MLK JR



**PROOF OF SITE NOTICES PLACED AT THE STOLO
PHEZULU SHOP ON 10 NOVEMBER 2022**



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STOLO PHEZULU



STOLO PHEZULU



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STOLO PHEZULU
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Advertisement posters on the window:

- MOORE FUN
- 777
- 1400
- CUSTOM 677's





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FLASH
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NOTICE
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FLASH
4GB
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everyone
needs a
WIN

MONSTER
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MONSTER
4GB
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CUSTOM
BITTS

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STOLO PHEZULU

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20.

**RESPONSE RECEIVED FROM BUKHALI
ENVIRONMENTAL RESOURCE CONSULTING ON
BEHALF OF AFRIMAT AGGREGATES (PTY) LTD ON
13 DECEMBER 2022**



13 December 2022

**SUPPLEMENT OBJECTION TO PROPOSED MINING ON A PORTION OF THE REMAINING
EXTENT OF THE FARM ELANDS SPRUIT NO 5523, ALFRED DUMA MUNICIPAL AREA,
KWAZULU-NATAL PROVINCE**

Objector: Afrimat Aggregates KZN (Pty) Ltd.

Respondent: Greenmined Environmental (Pty) Ltd and the
Department of Mineral Resources and Energy (DMRE)

Subject of the objection: Supplement to an objection raised against the current
application for Environmental Authorisation (EA)
prepared by Greenmined Environmental (Pty) Ltd for
the proposed mining activity on the Farm Elands Spruit
No. 5523, Alfred Duma Municipal Area, KwaZulu-Natal
Province, and registered with Reference Number: KZN
30/5/1/3/2/10817 MP dated September 2022.

Ms C Fouché
Unit MO1, Office No 107
AECI Site, Baker Square
Paardevelei
De Beers Avenue
Somerset West
7130

Dear Ms Fouché,

SUPPLEMENT TO COMMENTS AND OBJECTION TO PROPOSED MINING ON A PORTION OF THE REMAINING EXTENT OF THE FARM ELANDS SPRUIT NO 5523, ALFRED DUMA MUNICIPAL AREA, KWAZULU-NATAL PROVINCE

Introduction

1. This supplementation to the objection raised by our client Afrimat Aggregates KZN (Pty) Ltd (**'Afrimat'**) is based on your reply email of 11 November 2022 wherein you have provided the following:
 - 1.1. Your Response Letter – KZN 30/5/1/3/2/10817 MP dated 11 November 2022
 - 1.2. Wetland opinion by Mr Gerhard Botha dated 1 November 2022
 - 1.3. Terrestrial Biodiversity Impact Assessment ("**TBIA**") by MORA Ecological Services (Pty) Ltd dated November 2022.
2. Firstly, we will deal with the particulars of your response to our initial objection; secondly, we will deal with the particulars of the Wetland opinion and the TBIA respectively, whereafter the objection will be supplemented by additional substantive merits against mining taking place on-site without further detailed information being provided as to the cumulative impacts of site activities on the receiving environment.
3. Our client reserves the right to appeal any decision taken by the Competent Authority ("**CA**") in granting an Environmental Authorisation ("**EA**") and resultant Mining Permit ("**MP**") in the absence of sufficiently detailed and scientifically derived information pertaining to the negative environmental impacts on site.

Your reply to the objection

4. It is not our intention to respond to your reply letter paragraph by paragraph and our failure to do so should not be construed as an admission of the correctness of any submissions made by you in said letter.
5. In response to your paragraph 5.1: Our comment was based on **your own version** as it appeared in the advertisement which explicitly indicated “...*proposed mining footprint will be 4.9 ha and will entail the expansion of the existing quarry on the property.*” Your clarification on this point is noted.
6. In response to your paragraph(s) 5.3 – 5.6: Please see attached **Annexure A**.
7. In response to your paragraph 6: We are aware that the DMRE are not able to make a determination at this stage, however, the objection forms part of the public record of this application, and the ground for objection is supplemented by this supplementation.
8. In response to your paragraph 6.1 and 6.2: Please see attached **Annexure A**.
9. In response to your paragraph 6.5 – 6.15: Your responses are noted; however, some further related issues will be discussed in our response to the amended TBIA below. Please see attached **Annexure A**.
10. In response to your paragraphs 6.6 – 6.20: We will reply to these paragraphs as part of the response to the comments from the wetland specialist below.
11. In response to your entire paragraph 6.4: We will reply to these paragraphs as part of the response to the amended TBIA below. Please see attached **Annexure A**.

Response to the amended TBIA

12. We have obtained an independent opinion from Rautenbach Biodiversity Consulting (**'Rautenbach Report'**) on the substantive elements of the amended TBIA attached as (**'Annexure A'**) to this supplementation objection.
13. The CA cannot decide on the application in its current form as there are too many gaps in the TBIA that were not sufficiently addressed. We request that the concerns raised by the Rautenbach Report be adequately addressed by the EAP and Mora Ecological Services, respectively. We maintain our position that this TBIA does not conform to the minimum reporting standards for the CA to consider this report in its current form as part of your application.
14. The Revised National List of Ecosystems that are Threatened and in Need of Protection, 2022 (GN R No. 2747 published in Government Gazette No. 47526), wherein Northern KwaZulu-Natal Moist Grasslands' threat status (2021) is declared as "**Vulnerable**". The assessment summary for this grassland type states the following: "*Northern KwaZulu-Natal Moist Grassland is narrowly distributed with high rates of habitat loss in the past 28 years (1990-2018), placing the ecosystem type at risk of collapse.*"
15. This report, based on a single-line transect, is wholly inadequate considering the Vulnerable nature of the vegetation type and the need to investigate further the impacts of the mining operation as a contributing factor towards further habitat loss of this vegetation type.
16. It is submitted that this report, in its current form, is fatally flawed and that this TBIA should be re-commissioned to fulfil all the legislated requirements for preparing and drafting these types of assessments.

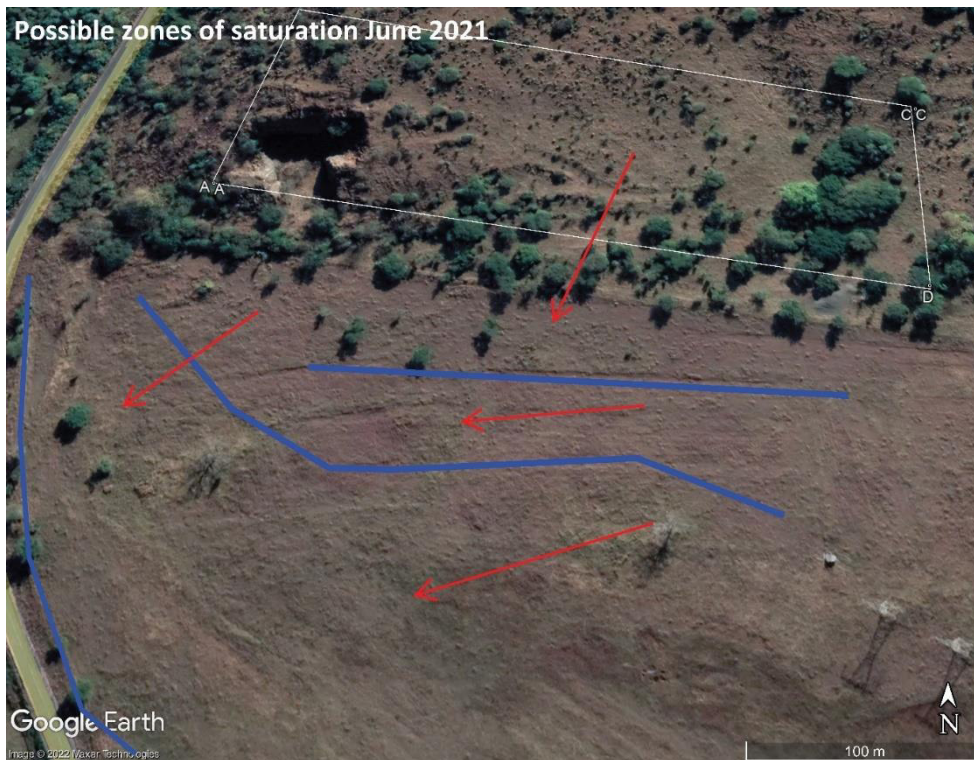
Wetland Report (2017) and Wetland Opinion (2022)

17. Your Final Basic Assessment Report ('**FBAR**') for the proposed stockpiling on a portion of the remaining Extent of the Farm Elands Spruit No. 5523 registered under Reference Number: DC23/0005/2022: KZN/EIA/0001820/2022 dated November 2022 refers.
18. Again, it is not our intention to respond to every paragraph by paragraph of the Wetland/Aquatic Comments (2022), and our failure to do so should not be construed as an admission of the correctness of the information presented therein.
19. Your comment in paragraph 6.2.1 that there is "no need for a new Freshwater Ecological Assessment..." is respectfully rejected. We submit that the DMRE cannot make an informed decision on the extent of the proposed mining operation's impacts, nor the other cumulative impacts that the stockpiling area located towards the east of the mining operation will have on the freshwater ecology (wetland).
20. Under the limitations section of the wetland report (2017), the wetland specialist stated that a "*single survey **limited** the amount of biota identified at the site*"; and "*While every care is taken to ensure that the data presented are qualitatively adequate, **inevitably conditions are never such that that is possible***"; and "*This specific study area is affected by a variety of disturbances (historic and active) which **restricts** the use of available wetland indicators such as hydrophytic vegetation or soil indicators. Hence, a wide range of available indicators including historic aerial photographs are considered to help determine boundaries as accurately as possible.*"
21. In Figure 18 of the Wetland Report (2017), the author provides a Google map "*indication the boundaries and wetland area of HGM 2 (Channelled Valley Bottom Wetland)*", however, it is assumed that this should refer to the identified Hillslope Seepage Wetland instead. Please see image below from their report.



22. This HGM is described by the author as *“This HGM is not an isolated system be is connected to the Channelled Valley Bottom wetland, however outflow is not contained within a channel (Without Channelled Outflow) but occur as diffuse surface flow. **The entire HGM is Never / Rarely Inundated with surface water.** The bulk of the HGM is Intermittently / Temporarily Inundated with only a small portion being Seasonally Inundated.”*
23. The wetland specialist further indicates that according to Ollis *et al* (2013), one of the dominating zones found within this wetland is *“Never / rarely inundate zone: Covered by water for less than a few days at a time (up to one week at most), if ever.”* The veracity of this statement is then confirmed by the wetland specialist in that *“**This is applicable for the entire HGM.**”* If this is applicable for the entire HGM, how did the wetland specialist determine whether water covered this area for less than a few days, if only a single survey was undertaken by him during 02 January 2017?
24. The wetland specialist determines that the bulk of the study area comprises a *“temporary (outer) zone of a wetland, according to the terminology used in the DWAF (2005) wetland delineation manual.”* We have included (below) two (2) Google Earth

images of January 2017 and June 2021 respectively, clearly indicating saturated zones far exceeding the boundaries of their Figure 18 presented as the Hillslope Seepage wetland.



25. On p48 of the Wetland Report (2017), the author indicates that the *“hillslope seepage is not as much affected by the greater catchment area of the delineated wetland, but rather by the more immediate surroundings **especially the dolerite koppie’s south facing midslope and crest as well as in situ impacts**. Hydrological inputs have been slightly affected by the presence of the quarry (probably resulted in a slight/unnoticeable decrease).*
26. Considering the above, the wetland report (2017) is silent on the location (GPS coordinates) of the auguring positions as it relates to the wetland soils of the study area, specifically concerning the wetland boundaries of the identified hillslope seepage wetland. Please kindly provide us with these auguring positions to determine the extent of this part of the assessment.
27. It is common cause that blasting activities will cause a direct increase in the bioavailability of salts resulting from the blasting of the earth's crust material which poses a risk of increasing salt loading in the receiving environment. Inevitably, this blasting residue and the build-up of nitrates in the water accumulating in the quarry must be investigated as part of the direct impacts this will have on the Hillslope Seepage wetland with the commencement of site operations. The author did not identify and assess the possible effects on the receiving wetland systems.
28. To precisely identify the impacts of blasting and mining activities on the wetland systems, a hydrogeology assessment must, as a minimum, supplement the application for an environmental authorisation. Being cognisant of not oversimplifying the aim of a hydrogeological evaluation, such a study aims to explain how pedology, groundwater, surface water and wetlands interact to conceptualise the hydrological processes spatially. To protect these wetland systems from degradation, a conceptual understanding of the hydrogeological conditions, the interaction between the surface and groundwater systems, and the impacts of mining activities on sensitive receptors such as rivers, wetlands and groundwater is critical.

29. We submit, considering the presence of this hillslope seepage wetland so close to blasting activities taking place, that the applicant commission a Hydropedological Assessment to, among other things, identify the dominant hillslopes of the quarry site, determine the hydropedological soil types of the quarry site and conceptualize the hillslope hydropedological responses, and assess the significance of the potential impacts on sensitive receptors arising from the site activities.
30. On p83 of the wetland report (2017), the author states that the *“proposed footprint area for the quarry is located almost **more than 170m** from the outer boundary of the Hillslope Seepage”* however, according to to point 2.3.1 of the Wetland/Aquatic comments (2022), the *“nearest aquatic/wetland feature is a seepage wetland located **approximately 156 m** to the south of the project site (outside of the development footprint).”* This supports our claim and our insistence that an updated and revised Freshwater Ecological Assessment, including a more detailed site assessment of the Hillslope Seepage wetland, should be commissioned, as, on your own version, there are discrepancies as to the relevant distances of this wetland to the proposed site activities.

Cumulative impacts

31. The wetland specialist should have addressed cumulative impacts in the original wetland report (2017). However, the wetland specialist briefly addressed these impacts on p29 of the Wetland/Aquatic comments (2022). The author refers to the assessment of cumulative impacts concerning *“mining projects in an approximate 30km radius of the proposed aggregate mining”*.
32. The Impact Nature of the cumulative impacts addressed on p29 of the Wetland/Aquatic comments (2022), includes the *“Transformation of intact freshwater resource habitat could potentially compromise ecological processes as well as ecological functioning of important habitats and would contribute to habitat fragmentation and potential disruption of habitat connectivity and furthermore impair their ability to respond to environmental fluctuations. This is especially of relevance for larger watercourses and*

wetlands serving as important groundwater recharge and floodwater attenuation zones, important microhabitats for various organisms and important corridor zones for faunal movement.”

33. The wetland specialist failed to consider the cumulative impacts of the proposed mining operation comparatively concerning the proposed stockpile (crushing and screening) area approximately 200 m away from each other. It is further evident that this additional stockpiling area of approximately 10.5 ha will include “rock crushing” activities and will greatly exacerbate noise and dust impacts on the identified freshwater ecology.
34. On p29 of the Wetland/Aquatic comments (2022), the author determines that the *“Overall impact of the proposed project considered in isolation”* has a significance rating of Low. In contrast, the cumulative impact on other projects within the area is Moderate. We submit that the wetland assessment report failed to address identified cumulative impacts sufficiently, especially considering that the specialist was aware of the additional stockpiling area forming part of their assessment. This leads to a misrepresentation of crucial facts about impacts on the wetlands.
35. As part of the key findings of your Draft Basic Assessment Report (**‘DBAR’**) with Reference Number: KZN 30/5/1/3/2/10817 MP, you indicate that *“Although the proposed activity will have a cumulative impact on the ambient noise levels, the development will not take place in a pristine environment”*, failing to recognise and consider the overall setting of the proposed development concerning CBAs and identified wetlands.
36. In your DBAR, you briefly describe cumulative impacts on “broad-scale ecological processes” yet fail to identify and describe the cumulative impacts of the mining operation and the related crushing, screening and stockpile area on the identified wetlands.

Crushing and screening activities at the proposed additional site as part of the same mining operations

37. Your DBAR as part of the MP application and the FBAR for a separate EA on the screening, crushing and stockpiling operation approximately 200 m from each other has reference.
38. In relation to “*mining operation*”, **DALE, SOUTH AFRICAN MINERAL AND PETROLEUM LAW ISSUE 24** at paragraph 42.8, Dale adds the following:
- 38.1. ‘As was held in Commissioner of Taxes vs Nyasaland Quarries and Mining Co Limited 24 SATC 579 at 583, in the context of fiscal legislation, the intention of the legislator in enacting the definitions of mine and mining operations is to give those expressions an extended meaning which would cover the processing by the mining company of the mineral into its pure form.
- 38.2. ...On an analysis of the phrase “including any operation or activity incidental thereto” in the definition of mine as a verb it appears that any such operations or activities **which are directly or indirectly incidental thereto will be included**, and then by reference to the definition of mining operations, additionally to the direct and indirect operations and activities covered by the definition of mine as a verb will be matters.
- 38.3. **At 45.2 Dale adds:** ‘As pointed out in the commentary on the definition of mine as a verb in paragraph 42.8 above, **that definition also expressly includes any operation or activity incidental thereto**, so that although the intention of the legislature may have been to attribute a broader meaning to the term mining operation than to the term mine, in fact the distinction is difficult to discern, particularly since the definition of mining operation restricts such matters to those “directly” incidental thereto. As there submitted, the correct interpretation is probably that mining includes any operation or activity incidental thereto and additionally the term “mining operation” includes matters directly incidental to

such incidental operations or activities. Both terms would, it is submitted, include prospecting in connection with mining as **also processing of the mineral or metal into its pure form**, but neither term would include use of the mineral in manufacturing process.'

38.4. In *TERRA BRICKS AND ANOTHER V REGIONAL MANAGER, LIMPOPO REGION, DEPARTMENT OF MINERALS AND ENERGY AND OTHERS*: Case Number 5246/05 (TPD) delivered on 12 April 2007 Fourie AJ stated at page 12:

38.4.1. 'The meaning of the definition is clearly not the whole of the mining area. Only if part of the mining area or buildings etc. are used or intended to be used in connection with searching, winning, exploiting or processing of the mineral, do they form part of the mine. I am of the view that this phrase qualifies both mining area and the buildings situated in or on the mining area. On the basis set out above, I am of the view that the brick making activities are not activities aimed at searching or winning a mineral or exploiting a mineral deposit. The clay is searched for, where and exploited at the clay quarry.

38.4.2. **The next question is whether the activities at the brick factory are not possibly connected with "processing" of a mineral processing. The word "process" is defined in the Minerals Act to mean "in relation to any mineral the recovery, extracting, concentrating, refining, calcining, classifying, crushing, screening, washing, reduction, smelting or gasification thereof.**

39. On p18 of your FBAR under Project Proposal you state that: *"In addition to the mining of the quarry (to be approved by DMRE), the Applicant also intends to establish an area for **stockpiling and crushing** (when needed) of the material that is mined at the quarry, on 10.5 hectares of the abovementioned property."*

40. On p22 of the FBAR you describe the operational phase of the activity as follows: *"The Applicant will transport the material from the quarry into the stockpile area. The rock will then be delivered to the crushing and screening plant where it will be reduced to various sized gravels. The screened material will be delivered to various size category*

stockpiles. Transportation of the final product will be from the stockpile area to the end point by means of trucks.”

41. Based on the aforementioned, it is our submission that the inclusion of “*crushing and screening*” as an activity at the proposed stockpile area, somewhat 200 m apart from each other, is an operation and activity directly linked and incidental to your proposed mining operation.
42. It is submitted that the applicant should have accommodated your application for the additional crushing and screening operation at the proposed stockpiling area within the MP footprint area. By adding a separate crushing and screening activity incidental to the mining operation, you have increased the footprint of the mining permit application beyond the legislated footprint of 5 ha.
43. The applicant reserves their right to obtain further legal advice on this matter, and retain the right to appeal the granting of the permit and its antecedent environmental processes undertaken as part of the administrative authorisation process.

Conclusion on supplementation objection and relief sought

44. We request that the Department of Mineral Resources and Energy (DMRE) refuse the current application for an EA, on the following grounds:

TBIA is fatally flawed

- 44.1. The amended TBIA lacks sufficient minimum required information, with significant omissions, unsubstantiated and contradicting statements, and does not provide adequate information to the relevant authorities to make an informed decision. Therefore, it is recommended that the entire study (desktop as well as field surveys) be repeated and the report as a whole revised to comply with national and provincial requirements and guidelines.

Wetland Report (2017) and Wetland/Aquatic Comments (2022) lacks proper impact identification and assessment

44.2. It is evident that the Wetland Report (2017) and subsequent Wetland/Aquatic Comments (2022) addressed some of the aspects identified during our first objection, however, it is our opinion that this assessment is incomplete for the following reasons:

44.2.1. The wetland specialist failed to consider the impacts related to blasting activities in the vicinity of the identified wetland systems;

44.2.2. The wetland specialist failed to substantively address cumulative impacts on the identified wetlands of the proposed mining operation and the proposed additional crushing and screening area;

44.2.3. It is clear from the Google Earth images that there are distinct drainage areas falling outside of the assessed and delineated area, and in the absence of detailed wetland and soil transects of the identified Hillslope Seepage Wetland, raise suspicion as to the exact nature and size of this wetland; and

44.2.4. There are discrepancies between the relevant distance of the Hillslope Seepage Wetland and the proposed mining operations.

Hydropedological Assessment as a minimum requirement

44.3. It is submitted that the applicant should conduct the necessary Hydropedological Assessment to explain how pedology, groundwater, surface water and wetlands interact to conceptualise the hydrological processes spatially. To protect these wetland systems from degradation, a conceptual understanding of the hydropedological conditions, the interaction between the surface and groundwater systems, and the

impacts of mining activities on sensitive receptors such as rivers, wetlands and groundwater is critical.

Mining operations

44.4. It is submitted that your application for the additional crushing and screening operation at the stockpiling area should have been accommodated within the MP footprint area, and by the addition of a separate crushing and screening activity you have increased the footprint of the mining permit application beyond the legislated footprint of 5 ha.

Conclusion

45. Based on the foregoing, we submit that we have made a compelling case for the Competent Authority (CA) to request further detailed and updated information to supplement the current application, and that the application in its current form is not sufficiently detailed to address the gaps in knowledge on the receiving environment of the proposed mining operation.

Yours truly,



Daniél Cillié (LLB)



**Comments on the
report titled:
Terrestrial biodiversity
impact assessment for
the mining permit
application on portion
of the Farm Elands
Spruit No 5523 within
Uthukela District
Municipality in
KwaZulu-Natal
Province.
Report reference
GM/TBIA – MORA
Ecological Services
(Pty) Ltd**

Prepared for:

Bukhali Environmental Resource Consulting
Mr Daniel Cilliers
P.O. Box 21030
Newcastle
2940

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1. INTRODUCTION

Rautenbach Biodiversity Consulting was contracted by Bukhali Environmental Resource Consulting to comment on the following specialist report:

Name of the report:	Terrestrial Biodiversity Impact Assessment for The Mining Permit Application on Portion of the Farm Elands Spruit No 5523 within Uthukela District Municipality in the KwaZulu-Natal Province.
Project location:	Uthukela District Municipality; KwaZulu-Natal Province.
Report reference:	GM/TBIA1122
Report authors:	Kyrone Josiah (Junior Ecologist) Mokgatla Molepo (Principal Ecologist) Pr. Nat. Sci. (009509)
Report date:	November 2022

2. REPORT COMMENTS

1. With reference to the following sentence extracted from the report in the Introduction section (page 11 of the report), under the heading 'Proposed development': "*Greenmined Environmental (Pty) Ltd has been appointed by Raubex Construction (Pty) Ltd to undertake the required environmental impact assessment process for the proposed mining application on portion of the Farm Elands Spruit No 5523 in Alfred Duma Local Municipality within uThukela District Municipality in the KwaZulu-Natal Province*".

1.1. No details with regards to the proposed development was provided. As a minimum, the following information should have been included in the description:

- Type(s) of mineral(s) to be extracted.
- The proposed mining processes.
- Description of activities to be undertaken and infrastructure required during the mining operations.
- Estimated duration of the mining operations.
- The size of the area that will be affected.
- The geographic location of the application area.

This information is required in terms of the EIA process and is also critical to inform the impact assessment. Without this information, the environmental impact assessment is fatally flawed.

1.2. Figure 1: The locality of the application area is unclear since no geographic reference was provided; this image can be from any locality on earth. The specific mapping standards for specialists as described in the following documents should have been followed: Guideline: Biodiversity Impact Assessment in KwaZulu-Natal, and the Species Environmental Assessment Guideline (South African National Biodiversity Institute 2020).

2. With reference to the section of the report titled **Site description of the affected environment**' (pages 11-21 of the report), the following sections are incomplete.

2.1. The project area of influence (PAOI) was not defined, and the assessment was limited to the application area.

2.2. Northern KwaZulu-Natal Moist Grassland Distribution – The description of the main vegetation type was limited to a description of its geographical extent. Critical information that was NOT reported included the following:

- That the vegetation type is Endemic to KZN
- The historical and remaining extent of the vegetation type in KZN (in ha)

- A description and list of important taxa associated with this vegetation type. This list should be used for comparative purposes (i.e., taxa of local vegetation communities compared to important taxa of the reference vegetation type).
- 2.3. Under the heading 'Vegetation', no clear differentiation was made between ecosystems and vegetation types. It should be noted that based on the 2018 vegetation dataset South African National Biodiversity Institute (2006- 2018), the Vegetation Map of South Africa, Lesotho and Swaziland, Mucina, L., Rutherford, M.C. and Powrie, L.W. (Editors), Online, <http://bgis.sanbi.org/SpatialDataset/Detail/18>, Version 2018), the threat status for this vegetation type is listed as Least Threatened, while in the latest available dataset for ecosystems South African National Biodiversity Institute & Department of Forestry, Fisheries and the Environment (2021) Red List of Terrestrial Ecosystems of South Africa June 2021. South African National Biodiversity Institute. Pretoria, South Africa.
- 2.4. For threatened ecosystems, results from the original extent datalayer as well as the results from the remnants datalayers (2021 dataset) should be reported. This was not included in the report.
- 2.5. The report referenced the 2011 Threatened Ecosystem assessment, this is incorrect and the report, including the maps, should be updated.
- 2.6. Also under the heading 'Vegetation', the following brief comment was made with regards to CBA areas: *'a portion of the site located on the west, falls within KZN CBA: Optimal'*.
- 2.6.1. For ease of interpretation, it is recommended that CBA areas are reported under a separate section.
- 2.6.2. No reference was provided for the CBA datalayer, and it was assumed that the data layer was extracted from district scale datasets available for KZN.
- 2.6.3. Should this be the case, then no consideration was given to national and provincial scale CBA datalayers.
- 2.6.4. The following required information with regards to CBA areas was not included in the report:
- The extent of national and provincial scale CBA areas relative to the application area and its PAOI (this should have been mapped).
 - The reason for the inclusion of this area(s) into the CBA maps (i.e., sensitive features). For example, on a national scale, sensitive biodiversity features include CBA2 and Strategic water source areas for the application area, and on provincial scale, the presence of the Northern KZN Moist Grassland vegetation type, and the potential occurrence of the invertebrate *Cochlitoma simplex*.
 - The management objectives for the particular CBA area such as the management objectives that is listed in the uThukela Biodiversity Sector Plan.
- 2.7. In addition to the above, the following baseline descriptions, which is the MINIMUM criteria for reporting on Terrestrial Biodiversity in terms of Sections 24(5)(a) and (h) and 44 of NEMA (GNR 320), as gazetted on 20 March 2020 was not included in the application area and its PAOI:
- The presence, or absence of ESA areas on the application area and surrounding landscape;
 - The presence or absence of protected areas on the application area, or in the vicinity of the application area;
 - The geographic location of priority areas for protected expansion (NPAES focus areas) relative to the application area;
 - Strategic Water Source areas;
 - FEPA sub catchments;
 - Indigenous forests.
 - Rivers
 - Wetlands. It should be noted that a seep wetland is located approximately 700 m to the south-east of the application area.

- 2.8. In the event that none of these sensitive environmental features were present on the application area or surrounding landscape (i.e., PAOI), this should have been clearly stated in the report.
- 2.9. The authors also failed to identify the application area and PAOI as falling within an important and significant landscape feature. The application area is located on a ridge, and generally ridges and the areas immediately surrounding ridges, provide habitat for a wide variety of fauna and flora, some of which are Red Listed, Rare or Endemic species. Ridges also fulfil functions that are necessary for the sustainability of ecosystems such as recharging of wetlands and rivers, wildlife dispersal and providing essential habitats for pollinators.
- 2.10. Figure 2 – Outdated map and reference (i.e., Low & Rebelo). The most recent vegetation/biome delineations must be provided and properly referenced.
3. With reference to the section of the report titled 'Site Sensitivity Assessment' (page 18 of the report), and the following paragraph (extracted directly from the report) '*The DFFE screening tool outputs (Figure 7, 8 & 9) highlighted the site as having Medium plant sensitivity, High animal sensitivity and Very High terrestrial biodiversity sensitivity. However, on site assessment revealed that the High animal and Medium Plant sensitivity were not accurate due to the extent of habitat disturbance, which include quarry, alien invasion, and livestock grazing. Although the site was visited in August and November, no potential habitats for the sensitive rock nesting avian species were observed or nesting areas for the large grassland avian species. None of the sensitive plant species were observed*'.
- 3.1. The evaluation of Red Listed flora was limited to species identified by the DFFE screening tool. Although the authors acknowledged that the application area is located in an area of Medium sensitivity, details with regards to the species, such as species names, habitat requirements, flowering time and tolerance to disturbance was not provided. Without this information, it is impossible to predict if the species could potentially be present on the application area or its PAOI.
- 3.2. The species list provided in the screening tool should have been updated from very recently published literature sources, information from provincial management authorities, and online resources that are constantly updated with new observations.
- 3.3. Information sources that should have been checked as a minimum include the following:
- iNaturalist
 - Botanical Database of Southern Africa (NEWPOSA);
 - Global Biodiversity Information Facility (GBIF);
 - Atlas of African Orchids (OrchidMAP);
 - Review of EIA studies in the vicinity of the application area.
 - uThukela Biodiversity Sector Plan
- 3.4. In addition to the above, the authors did not consider endemic, near-endemic, range restricted, rare, data deficient or provincial protected flora species.
- 3.5. Similar to the flora, evaluation of Red Listed fauna was limited to species identified by the DFFE screening tool and species accounts from the VMS database (Animal Demographic Unit).
- 3.6. Species lists obtained from the screening tool and the Animal Demographic Unit (ADU) are incomplete, and should have been updated against all very recently published literature sources, information from provincial management authorities, and online resources that are constantly updated with new observations, specifically:
- iNaturalist;
 - Co-ordinated Avifaunal Roadcounts;
 - Birds in Reserves Project;

- Global Biodiversity Information Facility (GBIF);
 - The African Chiroptera Report (for bats);
 - Review of EIA studies and findings in the vicinity of the application area.
 - uThukela Biodiversity Sector Plan
- 3.7. The Threat Status for many of the species listed in the ADU's database is outdated and should always be updated with the most recent Threat Assessments. This was not done in the species lists attached as appendices in the report.
- 3.8. In addition to the above, the the authors did not consider endemic, near-endemic, range restricted, rare, data deficient or provincial protected fauna species.
- 3.9. **The following statement is therefore unsubstantiated since not all the required information was presented and appropriately evaluated:** *However, on site assessment revealed that the High animal and Medium Plant sensitivity were not accurate due to the extent of habitat disturbance, which include quarry, alien invasion, and livestock grazing. Although the site was visited in August and November, no potential habitats for the sensitive rock nesting avian species were observed or nesting areas for the large grassland avian species. None of the sensitive plant species were observed'.*
4. With reference to the Methodology section starting on page 25 of the report specifically relating to flora:
- 4.1. The following sentence was extracted directly from the report: *'comprehensive literature review of available published and unpublished literature pertaining to the current use of the land and the potential environmental sensitivity'.*
- This statement is incorrect since a comprehensive literature review was not conducted. Refer to numbers 3.1 – 3.4 of this document.
- 4.2. With reference to the following sentence extracted directly from the report: *'Part of desktop included the retrieval of previously recorded plants in the area. This data was obtained from BRAHMS Online (SANBI). The species are listed under appendix C'.*
- It should be noted that Appendix C contains a list of mammal species extracted from the website of the Animal Demography Unit of the University of Cape Town. No flora species list from the BRAHMS online database was presented anywhere in the report.
- 4.3. The methodologies used to assess the flora and vegetation does not comply with the minimum requirements on national and provincial scales. Consequently, the flora assessment does not contain adequate information needed for decision making. The flora assessment should therefore be repeated (both the desktop assessment and field survey). Based on the information provided in the project report, it appears as if the report authors do not have a clear understanding of fieldwork and reporting requirements on national and provincial scales. Prior to the repeat of the assessment, it is therefore advised that both authors familiarize themselves with the comprehensive information provided in the following documents:
- Protocol for the specialist assessment and minimum content requirements for environmental impacts on terrestrial plant species which is the MINIMUM criteria for reporting on the Plant species theme in terms of Sections 24(5)(a) and (h) and 44 of NEMA (GNR 320), as gazetted on 20 March 2020.
 - Guideline: Biodiversity Impact Assessment in KwaZulu-Natal (Version 2). This guideline outlines the sampling and reporting and mapping requirements for specialists with regards to Biodiversity, fauna and flora studies on provincial scale.
 - Species Environmental Assessment Guidelines – Guidelines for the implementation of Terrestrial Fauna and Terrestrial Flora species protocols for environmental impact assessments in South Africa. This document provides comprehensive guidelines with regards to accepted methodologies for flora and vegetation field surveys and data collections and

provide a a minimum set of assessment and reporting criteria that must form the basis of specialist investigations required for the environmental authorization process.

4.4. Similar to the flora, the methodologies used to survey fauna species does not comply with the minimum requirements on national and provincial scales. Consequently, the fauna assessment does not contain adequate information needed for decision making. The fauna assessment should therefore be repeated (both the desktop assessment and field survey). Based on the information provided in the project report, it appears as if the report authors do not have a clear understanding of fieldwork and reporting requirements on national and provincial scales. Prior to the repeat of the assessment, it is therefore advised that both authors familiarize themselves with the comprehensive information provided in the following documents to ensure that all the required information are presented in an updated report:

- Protocol for the specialist assessment and minimum content requirements for environmental impacts on animal species which is the MINIMUM criteria for reporting on the Plant species theme in terms of Sections 24(5)(a) and (h) and 44 of NEMA (GNR 320), as gazetted on 20 March 2020.
- Guideline: Biodiversity Impact Assessment in KwaZulu-Natal (Version 2). This guideline outlines the sampling and reporting and mapping requirements for specialists with regards to Biodiversity, fauna and flora studies on provincial scale.
- Species Environmental Assessment Guidelines – Guidelines for the implementation of Terrestrial Fauna and Terrestrial Flora species protocols for environmental impact assessments in South Africa. This document provides comprehensive guidelines with regards to accepted methodologies for flora and vegetation field surveys and data collections and provide a a minimum set of assessment and reporting criteria that must form the basis of specialist investigations required for the environmental authorization process.

5. With reference to the 'Results of the Ecological Assessment' section of the report starting on page 26:

5.1. The following paragraphs that were directly extracted from this section has relevance: '*Ecological function relates to the degree of ecological connectivity between systems within a landscape matrix. Therefore, systems with a high degree of landscape connectivity amongst one another are perceived to be more sensitive and will be those contributing to ecosystem service (for example wetlands for water and food) or overall preservation of biodiversity. Conservation importance relates to species diversity, endemism (unique species or unique processes) and the high occurrence of threatened and protected species or ecosystems protected by legislation.*

The site was found to be of Low Ecological Function due to the habitat fragmentation caused by the existing Collings Pass Road to Matiwane Village. The road acts as a barrier for migration by faunal species due to road kills. Although the western portion of the site falls within KZN CBA: Optimal, approximately 40% of the CBA within the site has been destroyed by the existing quarry. Furthermore, the CBA has been cut from the rest (Figure 5) by the Collings Pass Road. Roads that act as barriers that prevent movement of mammals and reptiles (Naicker et al. 2016). Furthermore, these kinds of barriers often reduce gene flow and diversity within plant populations (Browne & Karubian, 2018)'

- It should be noted that the application area is located within a rural environment, between the existing Collings Pass road (west of the application area) and the N11 highway (east of the application area), with no roads crossing the application area. Based on the most recent Google Earth imagery and South African National Landcover dataset from 2020, areas north of the application area (towards the Sundays River) is still largely untransformed. In addition to the untransformed environment north of the application area, the area is also located on a ridge, which is important for wildlife dispersal. **Habitat connectivity to untransformed areas towards the north is thus excellent, and not Low in Ecological function as reported by the authors.**

5.2. The following statement extracted from the report has relevance: '*Although the western portion of the site falls within KZN CBA: Optimal, approximately 40% of the CBA within the site has been destroyed by the existing quarry. Furthermore, the CBA has been cut from the rest (Figure 5) by the Collings Pass Road*'.

- Since the extent of the CBA: Optimal area on the application site was not reported (or measured), the reference to the 40% coverage of this area on the application site is questionable.
- Additionally, the application area is well connected to CBA: Optimal as well as CBA: Irreplaceable areas north of the application area (refer to number 7.1 of this document).

5.3. The following statement extracted from the report has relevance: '*Species recorded in the proposed development area are represented in Appendix B*'.

- Based on information provided in the specialist report, site visits were conducted from 3-4 August, and again from 4-5 November 2022, yet only 8 flora species was documented for the entire application area. Based on my own experience with regards to flora assessments in the Grassland biome, Grasslands have a high diversity of growth forms and species of grassland plants, and it is unlikely that the species documented in Appendix B is an accurate reflection of the flora diversity on the application area which is approximately 4,4 ha in extent.
- Furthermore, site coverage of the application area during the field assessment was inadequate, as vegetation sampling was only done along a single linear transect as indicated in Figure 4 of the report. A single line transect will be inadequate to detect most of the plant species present, specifically the more diminutive herbaceous and geophytic species.
- Since no PAOI was defined, the assessment was limited to the application area only.

5.4. The following statement extracted from the specialist report has relevance: '*There are no objections from an ecological perspective for the application due to the fact that the targeted area has been disturbed*'.

- This statement is a direct contradiction to the Figure displayed on page 27 of the report (Figure 11: Photographic representation of the untransformed habitat). Given the fact that the Northern KwaZulu-Natal Moist Grassland ecosystem is narrowly distributed with high rates of habitat loss in the past 28 years (1990-2018), placing the ecosystem type at risk of collapse, untransformed habitat within this ecosystem should definitely not be developed.

5.5. The following statement extracted from the specialist report has relevance: '*it is highly recommended that the Aloes be relocated outside the application footprint*'.

- This statement is entirely inappropriate since the removal of provincial protected flora is a legal requirement and cannot be referred to as a recommendation.

6. With reference to Figure 12 of the specialist report – Site sensitivity assessment.

- No methodologies were provided for the evaluation of site-based ecological importance for species. Figure 12 is therefore regarded as inappropriate. The accepted methodologies for assessing, and procedures for the mapping of sensitive habitats on the application area is provided in Chapter 8 of the Species Environmental Assessment Guidelines. The authors should familiarize themselves with this methodology and update the report accordingly.

7. With reference to the Impact assessment ratings and mitigation requirements section of the specialist report (pages 29 – 41).

7.1. The impact assessment is fatally flawed since not all the required information is available in the report. The following critical information is absent:

- Type(s) of mineral(s) to be extracted.
- The proposed mining processes.
- Description of activities to be undertaken and infrastructure required during the mining operations.
- Estimated duration of the mining operations.
- The size of the area that will be affected.
- The geographic location of the application area.
- A comprehensive desktop assessment to document all known and potential sensitive biodiversity receptors on the area.

- Data from comprehensive field assessments that document current biodiversity features/receptors on the application area and its PAOI.

7.2. The impact assessment failed to identify all the potential environmental impacts.

7.3. The impact assessment that is provided in the report is incomprehensible since the authors did not even follow their impact assessment methodology provided in Appendix A, and the impact score values and descriptions provided in Appendix A is incorrect.

- For example, the impact methodology stated that each impact identified will be assessed according to the phases of the project which was listed as planning, construction, operation, and decommissioning. Yet in the assessment tables, impacts for the following project phases were assessed: site establishment (construction phase, for site alternative 1, incidentally, no site alternatives were identified or mentioned anywhere in the entire report), operational phase, decommissioning phase, and the post-decommissioning phase.
- In Table 3 and the Impact Assessment Methodology provided in Appendix A, the impact significant ratings had similar weightings for negative as well as positive impacts, for example, if the impact point score has a value of between 74 – 96, according to the table, it can either be a very high negative impact, or a very high positive impact.

7.4. The mitigation provided was limited to simple statements, with no guidelines as to the effective implementation the required actions.

7.5. The mitigation provided is insufficient to protect surrounding habitats from degradation and reduce impacts.

7.6. Cumulative impacts were not sufficiently addressed even though the cumulative impacts of mining activities have been widely documented within the scientific literature.

8. With reference to Appendix F (SABAP 2) avifauna species list. The global threat status of species was reported, consequently regional threatened, endemic and rare species were overlooked. When reporting threat status, global, regional, provincial as well as endemism must be reported.

3. CONCLUSION

The report is poorly drafted, with significant omissions, unsubstantiated and contradicting statements, and does not provide sufficient information for the relevant authorities to make an informed decision. It is therefore recommended that the entire study (desktop as well as field-surveys) be repeated, and the entire report be revised to comply with national and provincial requirements and guidelines.

From the report content, it appeared that the authors do not have sufficient knowledge with regards to minimum requirements and accepted standards in South Africa. It would therefore be appropriate for the authors to familiarize themselves with the minimum requirements and guidelines as listed in Section 4.4 of this document prior to the repeat of the study to ensure that the revised report comply with national and provincial requirements and guidelines.

Specific attention should be paid to the identification and assessment of direct, indirect and cumulative impacts for all phases of the project. To gain a better understanding of potential environmental impacts relating to mining activities, it is further recommended that the authors familiarize themselves with the content of the following documents:

- Guidebook for Evaluating Mining Project EIAs (<https://www.elaw.org/mining-eia-guidebook>)
- Mining and Environmental Impact Guide (<https://www.scribd.com/document/271018743/Mining-and-Environmental-Impact-Guide>).

It should be noted that the evaluation of cumulative impacts for this project is not acceptable. For guidelines with regards to the assessment of cumulative impacts within the context of EIA, the following document should be consulted:

- DEAT (2004) Cumulative Effects Assessment, Integrated Environmental Management, Information Series 7, Department of Environmental Affairs and Tourism (DEAT), Pretoria.



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-END OF PUBLIC PARTICIPATION PROCESS-