

**LOMEZA OPENCAST OPERATIONS (PTY)
LTD APPLICATION FOR A PROSPECTING
RIGHT ON PORTION 5 OF THE FARM
KLOPPERSBOS 128 JR AND PORTIONS 1,
7 AND 8 OF THE FARM EKUPHUMULENI
716 JR (409.7979 HA), WHICH FALLS IN
MAGISTERIAL DISTRICT OF CULLINAN
(NOKENG TSA TAEMANE LOCAL
MUNICIPALITY), CITY OF TSHWANE,
GAUTENG PROVINCE**

PROOF OF PUBLIC PARTICIPATION

REFERENCE NUMBER: GP 30/5/1/1/2(10650)PR

MAY 2021

Part 2



**EXAMPLE OF THE NOTIFICATION OF THE DRAFT
BASIC ASSESSMENT REPORT SEND TO INFORM
THE STAKEHOLDERS AND I&AP'S ON 7
SEPTEMBER 2020**



Ref No: **GP30/5/1/1/2/10650PR**

07 September 2020

To Whom It May Concern:

Dear Sir / Madam

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

The draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments.

Acknowledgement of the application for an environmental authorisation for the proposed prospecting activities, lodged on the 9th of July 2020, in terms of Regulation 16 of the National Environmental Management Act, 1998 (Act no 107 of 1998 NEMA): Environmental Impact Assessment (EIA) Regulations, 2014, was received on the 6th of August 2020.

Acceptance in terms of Section 19 of the Minerals and petroleum Resources Development Act, 2002 (Act no 28 of 2002) for an application lodged on the 9th of July 2020 was received on the 20th of August 2020.

A copy of the document can also be obtained from Greenmined Environmental upon request, or downloaded from the company website at www.greenmined.com, from Monday 7th September 2020.

Your comments are herewith kindly requested on the DBAR & EMPR and a thirty (30)-day commenting period, ending on **08 October 2020**, will be allowed for comments. Your comments must be in writing and can be submitted via facsimile, e-mail and/or post. Please do not hesitate to contact us in the event of any uncertainties and please ensure that your contact details are included with your comments.

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, MO1 Baker Square Block, De Beers Avenue, Paardevlei, Somerset West, 7130
Postnet Suite 62, Private Bag x15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



If we do not receive any comments from you before the end of the commenting period it will be accepted that you do not have any additional objections/comments with regard to the project. We trust that you find it in order and kindly await your comments on this report.

Please contact Sonette Smit at 084 585 5706 (Cell) or 021 851 2673 (Tel), 086 546 0579 (Fax), or sonette.s@greenmined.co.za should you require any additional information.

A handwritten signature in black ink, appearing to read 'Smit', is enclosed within a light grey rectangular border.

Kind Regards

Sonette Smit

Greenmined Environmental

sonette.s@greenmined.co.za

NOTIFICATION OF STAKEHOLDERS

Number	Organisation	Contact Person
1.	Gauteng Department of Agricultural and Rural Development	Ms Matilda Gasela
2.	Department of Infrastructure Development	Mr Bethuel Netshiswinzhe
3.	Department of Labour	Head of Department
4.	Department of Roads and Transport	Mr Makhukhu Mampuru
5.	Department of Rural Development and Land Reform & Department of Agriculture, Forestry and Fisheries	Ms Thoko Didiza
6.	Department of Social Development	Ms Thembeni Mhlongo
7.	Department of Public Works	Ms Jeanette Monare
8.	Department of Water and Sanitation	Director - General Mr. Mbulelo Tshangana
9.	Nokeng Tsa Taemane Local Municipality	Mr Michael Mkhari
10.	Nokeng Tsa Taemane Local Municipality Ward 49	Councillor Ward 49
11.	City of Tshwane Region 2	Mr Godfrey Mnguni

Number	Organisation	Contact Person
12.	City of Tshwane Region 2 Section 49	Mr Frederick R. Lekwane
13.	Department of Economic Development and Tourism	Mr MW Mkhize
14.	Department of Environmental Affairs	Me Boniswa Belot
15.1	South African Heritage Resource Agency	Heritage Officer
15.2	Provincial Heritage Resource Authority Gauteng	Mr Nomzamo Gumede

**1. PROOF OF CORRESPONDENCE WITH MS
MATILDA GASELA FROM GAUTENG
DEPARTMENT OF AGRICULTURAL AND
RURAL DEVELOPMENT ON 7 SEPTEMBER
2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:41 AM
To: 'izakmofokeng@gauteng.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - GDARD
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



**1. RESPONSE RECEIVED FROM MS MASHUDU
MARUBINI FROM GAUTENG DEPARTMENT OF
AGRICULTURAL AND RURAL DEVELOPMENT ON 7
DECEMBER 2020**

Cc: PA.DLUSM (VuyiswaQ) <PA.DLUSM@Dalrrd.gov.za>; Lydia Bosoga <LydiaB@Dalrrd.gov.za>; Jabulile Mokoena <JabulileM@Dalrrd.gov.za>; Mpume Ntlokwana <MpumeN@Dalrrd.gov.za>

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Stakeholders

Dear Sonnette

Your notice dated 18 November regarding Portion 5 of the farm Kloppersbos No 128 JR and Portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR refers.

Kindly note that the property is defined as agricultural land in terms of section 1 of the Subdivision of Agricultural Land Act, Act 70 of 1970. As such, the Department is an affected party. Kindly provide the following documents for the Department to provide the formal comments in terms of the aforementioned Act.

1. Covering letter highlighting the background and the future land use.
2. Copy Deeds of Transfer
3. 1:50 000 Locality map
4. Power of attorney

Inclusive is your notice dated 18 November 2020 for easy of reference.

Regards

Mashudu Marubini

Tel: 012 319 7619

Fax: 012 329 5938

Tel: 067 411 2540

E-mail: mashuduma@dalrrd.gov.za

Postal address: Private Bag X120, Pretoria, 0001

Physical address: Delpen Building, C/o Annie Botha & Union Street, Riviera, 0084

**1. RESPONSE SEND TO MS MASHUDU MARUBINI
FROM GAUTENG DEPARTMENT OF
AGRICULTURAL AND RURAL DEVELOPMENT ON 3
FEBRUARY 2021**

***THE CONTENTS OF THIS LETTER IS NOT
INCLUDED IN THIS REPORT AS IT IS NOT FOR
PUBLIC DISTRIBUTION***



Reference No: GP 30/5/1/1/2/10650 PR

Gauteng Department of Agricultural and Rural
Development

mashuduma@dalrrd.gov.za

Delpen Building,
C/o Annie Botha & Union Street,
Riviera,
0084

3 February, 2021

Attention: Ms Mashudu Marubini

Dear Madam

RE: COMMENTS RECEIVED ON THE APPLICATION FOR PROSPECTING RIGHT APPLICATION IN TERMS OF SECTION 16 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002) AND THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO 107 OF 1998 NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED BY GNR 326 EFFECTIVE 7 APRIL 2017) BY LOMEZA OPENCAS OPERATIONS (PTY) LTD, FOR THE PROSPECTING OF COAL, ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR (409.7979 HA), WHICH FALLS IN MAGISTERIAL DISTRICT OF CULLINAN (NOKENG TSA TAEMANE LOCAL MUNICIPALITY), CITY OF TSHWANE, GAUTENG PROVINCE.

We refer to your comments received 7 December 2020. Please note that the comment period for the DBAR ended on 5 October 2020, however, your comments as well as our response will be forwarded to DMRE for their perusal.

Please see responses to your comments listed below:

■ Covering letter highlighting the background and the future land use.

All documentation, to date, was based on preliminary data, surrounding information and desktop studies. Access to the study area was denied by the landowners, resulting in limited information being provided to all commenting parties. Numerous attempts and letters requesting access to the properties by the applicant was all in vain.

As access to the site was denied at this stage no specific land use could be identified within the earmarked footprint, and the project is expected to have a negligible impact in this regard as prospecting activities will be done by drilling prospecting boreholes in phases of 4 areas consisting of a total of 9 drilling prospecting boreholes comprising and

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



area of less than 400 square meters per site with a total of less than 0.4 ha disturbed at any given time. These activities will be of short duration and will not result in a permanent change of the current land use.

The current surrounding land uses can be classified as agricultural land, chicken farming, grazing, game farming and tourism. The Kloppersbos Explosion Research facility is located to the west of the property. It was noted that there were plantations on the property

■ Copy Deeds of Transfer

Please find attached to this response the title deed documents for the properties involved

■ 1:50 000 Locality map

Please find attached to this response the 1:50 000 Locality map

■ Power of attorney

To date land owner consent has not yet been obtained. The applicant is still in consultation with the land owners.

All comments received for you as well as our response will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for consideration.

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

A handwritten signature in black ink, appearing to read "Sonette Smit", is written over a light blue rectangular background.

Kind Regards,

Sonette Smit

Greenmined Environmental

Sonette.s@greenmined.co.za

**2. PROOF OF CORRESPONDENCE WITH MR
BETHUEL NETSHISWINZHE FROM DEPARTMENT
OF INFRASTRUCTURE DEVELOPMENT ON 7
SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:42 AM
To: 'Bethuel.Netshiswinzhe@gauteng.gov.za'; 'tumelo.maimane@gauteng.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Infrastructure
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



Marlene Lingenfelder

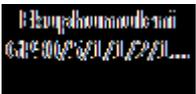
From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: Bethuel.Netshiswinzhe@gauteng.gov.za; tumelo.maimane@gauteng.gov.za
Sent: 07 September 2020 03:42 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Infrastructure

Your message has been delivered to the following recipients:

Bethuel.Netshiswinzhe@gauteng.gov.za

tumelo.maimane@gauteng.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Infrastructure



**3. PROOF OF CORRESPONDENCE WITH
DEPARTMENT OF LABOUR ON 7 SEPTEMBER 2020**



Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:43 AM
To: 'bonisile.majola@labour.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DOL
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: bonisile.majola@labour.gov.za
Sent: 07 September 2020 03:42 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - DOL

Your message has been delivered to the following recipients:

bonisile.majola@labour.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DOL



Ekuphumuleni
GP30/5/1/1/2/10650PR...

**4. PROOF OF CORRESPONDENCE WITH MR
MAKHUKHU MAMPURU FROM DEPARTMENT OF
ROADS AND TRANSPORT ON 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:44 AM
To: 'makhukhu.mampuru@gauteng.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Roads And Transport
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"

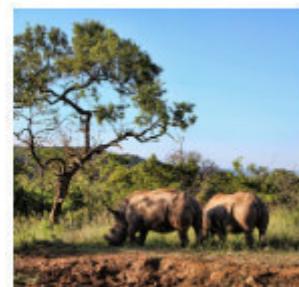


Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: makhukhu.mampuru@gauteng.gov.za
Sent: 07 September 2020 03:43 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Roads And Transport

Your message has been delivered to the following recipients:

makhukhu.mampuru@gauteng.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Roads And Transport



Ekuphumuleni
GP30/5/1/1/2/10650PR...

**5. PROOF OF CORRESPONDENCE WITH MS
THOKO DIDIZA FROM DEPARTMENT OF RURAL
DEVELOPMENT AND LAND REFORM ON 7
SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:44 AM
To: 'queries@drdlr.gov.za'; 'PA.Minister@daff.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DRDLR
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: queries@drdlr.gov.za
Sent: 07 September 2020 03:44 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - DRDLR

Your message has been delivered to the following recipients:

queries@drdlr.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DRDLR



Ekuphumuleni
GP30/5/1/1/2/10650PR...

Marlene Lingenfelder

From: PA.Minister(Nwabisa Kale) <PA.Minister@dalrrd.gov.za>
Sent: 10 September 2020 05:27 PM
To: Marlene Lingenfelder
Cc: COS Ministry (Thandi Moyo)
Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - DRDLR
Attachments: DBAR Notice.pdf

Dear Ms Lingenfelder

Your email is hereby acknowledged. The Chief of Staff in the Ministry will communicate your matter with the relevant office.

NB: COS kindly assist with the attached notice.

Thank you

Kind Regards
Ms Nwabisa Kale
Private Secretary
Minister of Agriculture, Land Reform and Rural Development
Agriculture Place
20 Steve Biko Street
Acardia
PRETORIA
Tel: 012 3196886
Email: PA.Minister@dalrrd.gov.za
Matthew 17:20 - " Faith can move Mountains"



From: Marlene Lingenfelder <admin@greenmined.co.za>
Sent: Monday, September 7, 2020 3:44 PM
To: queries@drdlr.gov.za; PA.Minister(Nwabisa Kale) <PA.Minister@dalrrd.gov.za>
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DRDLR

CAUTION FOR EXTERNAL EMAIL: This email originated outside of "DALRRD Environment".

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

**5. RESPONSE AND CONFIRMATION
RECEIVED FROM MS NWABISA KALE ON 10
SEPTEMBER 2020**

Marlene Lingenfelder

From: COS Ministry (Thandi Moyo) <COS@dalrrd.gov.za>
Sent: 10 September 2020 05:43 PM
To: DG Mdu DRDLR (Mdu.shabane@drdlr.gov.za); Ramasodi Mooketsa
Cc: PA.Minister(Nwabisa Kale); Marlene Lingenfelder; Alicia Stevens
Subject: MINISTERIAL REFERRAL - REQUEST FOR COMMENT - Ekuphumuleni
GP30/5/1/1/2/10650PR - DRDLR
Attachments: DBAR Notice.pdf

Dear Director General

Please find attached for the Department's consideration and input.

Kind regards

Nomtandazo Thandi Moyo
Ministry Chief of Staff
Ministry of Agriculture, Land Reform and Rural Development
Email: COS@dalrrd.gov.za / JacobethM@daff.gov.za
Tel: 012 319 7319
Tel: 021 467 4502



From: PA.Minister(Nwabisa Kale) <PA.Minister@dalrrd.gov.za>
Sent: Thursday, 10 September 2020 17:27
To: admin@greenmined.co.za
Cc: COS Ministry (Thandi Moyo) <COS@dalrrd.gov.za>
Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - DRDLR

Dear Ms Lingenfelder

Your email is hereby acknowledged. The Chief of Staff in the Ministry will communicate your matter with the relevant office.

NB: COS kindly assist with the attached notice.

Thank you

Kind Regards
Ms Nwabisa Kale
Private Secretary
Minister of Agriculture, Land Reform and Rural Development
Agriculture Place
20 Steve Biko Street
Acardia
PRETORIA

Tel: 012 3196886

Email: PA.Minister@dalrrd.gov.za

Matthew 17:20 - "Faith can move Mountains"



From: Marlene Lingenfelder <admin@greenmined.co.za>
Sent: Monday, September 7, 2020 3:44 PM
To: queries@drdlr.gov.za; PA.Minister(Nwabisa Kale) <PA.Minister@dalrrd.gov.za>
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DRDLR

CAUTION FOR EXTERNAL EMAIL: This email originated outside of "DALRRD Environment".

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder

Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail

**6. PROOF OF CORRESPONDENCE WITH MS
THEMBENI MHLONGO FROM DEPARTMENT OF
SOCIAL DEVELOPMENT ON 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:45 AM
To: 'thembeni.mhlongo@gauteng.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DOS
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: thembeni.mhlongo@gauteng.gov.za
Sent: 07 September 2020 03:45 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - DOS

Your message has been delivered to the following recipients:

thembeni.mhlongo@gauteng.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DOS



Ekuphumuleni
GP30/5/1/1/2/10650PR...

Marlene Lingenfelder

From: Thembeni Mhlongo (HOD GDSD) <Thembeni.Mhlongo@gauteng.gov.za>
To: Marlene Lingenfelder
Sent: 09 September 2020 05:52 PM
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - DOS

Your message

To:
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DOS
Sent: Wednesday, September 9, 2020 5:51:51 PM (UTC+02:00) Harare, Pretoria

was read on Wednesday, September 9, 2020 5:51:39 PM (UTC+02:00) Harare, Pretoria.

**7. PROOF OF CORRESPONDENCE WITH MS
JEANETTE MONARE FROM DEPARTMENT OF
PUBLIC WORKS ON 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:46 AM
To: 'jeanette.monare@dpw.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DPW
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: jeanette.monare@dpw.gov.za
Sent: 07 September 2020 03:45 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - DPW

Your message has been delivered to the following recipients:

jeanette.monare@dpw.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DPW



Ekuphumuleni
GP30/5/1/1/2/10650PR...

**8. PROOF OF CORRESPONDENCE WITH
DIRECTOR – GENERAL MR MBULELO TSHANGANA
FROM DEPARTMENT OF WATER AND SANITATION
ON 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:46 AM
To: 'tshanganam@dws.gov.za'; 'MagobaL@dws.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DWS
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"

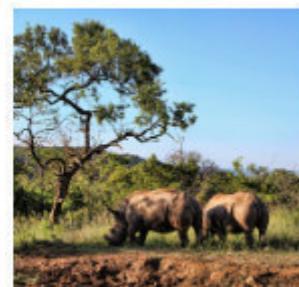


Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

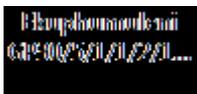
From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: tshanganam@dws.gov.za; MagobaL@dws.gov.za
Sent: 07 September 2020 03:46 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - DWS

Your message has been delivered to the following recipients:

tshanganam@dws.gov.za

MagobaL@dws.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DWS



**9. PROOF OF CORRESPONDENCE WITH MR
MICHAEL MKHARI FROM NOKENG TSA TAEMANE
LOCAL MUNICIPALITY ON 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:47 AM
To: 'marinabr@tshwane.gov.za'
Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - Nokeng Tsa Taemane Local Municipality
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



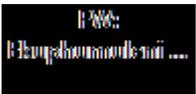
Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: marinabr@tshwane.gov.za
Sent: 07 September 2020 03:47 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Nokeng Tsa Taemane Local Municipality

Your message has been delivered to the following recipients:

marinabr@tshwane.gov.za

Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - Nokeng Tsa Taemane Local Municipality



**10. PROOF OF CORRESPONDENCE WITH
COUNCILLOR FROM NOKENG TSA TAEMANE
LOCAL MUNICIPALITY WARD 49 ON 7 SEPTEMBER
2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:48 AM
To: 'marinabr@tshwane.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Ward 49
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: marinabr@tshwane.gov.za
Sent: 07 September 2020 03:48 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Ward 49

Your message has been delivered to the following recipients:

marinabr@tshwane.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Ward 49



Ekuphumuleni
GP30/5/1/1/2/10650PR...

**11. PROOF OF CORRESPONDENCE WITH MR
GODFREY MNGUNI FROM CITY OF TSHWANE
REGION 2 ON 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:49 AM
To: 'godfrey@tshwane.gov.za'; 'customer@tshwane.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"

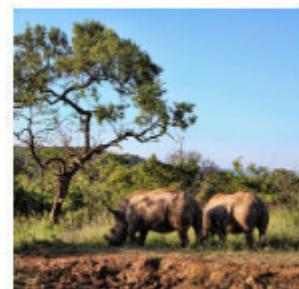


Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

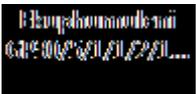
From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: godfrey@Tshwane.gov.za; customer@tshwane.gov.za
Sent: 07 September 2020 03:48 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2

Your message has been delivered to the following recipients:

godfrey@Tshwane.gov.za

customer@tshwane.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2



Marlene Lingenfelder

From: Godfrey S. Mnguni <GodfreyMn@TSHWANE.GOV.ZA>
To: Marlene Lingenfelder
Sent: 08 September 2020 01:06 PM
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2

Your message

To:
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2
Sent: Tuesday, September 8, 2020 1:06:16 PM (UTC+02:00) Harare, Pretoria

was read on Tuesday, September 8, 2020 1:05:59 PM (UTC+02:00) Harare, Pretoria.

Marlene Lingenfelder

From: Nomsa C. Mabasa <NomsaMA@TSHWANE.GOV.ZA>
Sent: 08 September 2020 09:24 PM
To: Godfrey S. Mnguni
Cc: Marlene Lingenfelder; Customer Care
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2

Received, shall attend.

Regards

Nomsa C. Mabasa

Regional Executive Director (RED) Region 5
Regional Operations & Coordination(ROC)

Regional Operations & Coordination | Rayton Municipality | Ground Floor, Corner Oakley Nad Montrose | Cullinan | Pretoria | PO Box 440 | Pretoria | 0001 | www.tshwane.gov.za

Tel: 012 358 9249 | Cell: 083 716 1848 | Email: Nomsama@tshwane.gov.za

From: Godfrey S. Mnguni
Sent: Tuesday, September 8, 2020 1:06 PM
To: Nomsa C. Mabasa <NomsaMA@TSHWANE.GOV.ZA>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>; Customer Care <CustomerS@TSHWANE.GOV.ZA>
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2

Hi Noms,

This is yours.

Thanks!



Godfrey S. Mnguni
Regional Head: Region 2

Regional Operations and Coordination | Temba Regional Offices | 4244 Unit 2 , Molefe Makinta road | www.tshwane.gov.za | Fraud Hotline: 080 874 9263

Tel: 012 358 4243 | Cell: 0723790360 | Email: godfreymn@tshwane.gov.za

From: Marlene Lingenfelder <admin@greenmined.co.za>
Sent: Monday, September 7, 2020 3:48 PM
To: Godfrey S. Mnguni <GodfreyMn@TSHWANE.GOV.ZA>; Customer Care <CustomerS@TSHWANE.GOV.ZA>
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2

Good day

**12. PROOF OF CORRESPONDENCE WITH MR
FREDERICK R. LEKWANE FROM CITY OF
TSHWANE REGION 2 SECTION 49 ON 7
SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:50 AM
To: 'Frederickl@tshwane.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2 Section 49
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



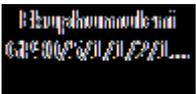
Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: Frederickl@tshwane.gov.za
Sent: 07 September 2020 03:49 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2 Section 49

Your message has been delivered to the following recipients:

Frederickl@tshwane.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - City of Tshwane Region 2 Section 49



**13. PROOF OF CORRESPONDENCE WITH MR MW
MKHIZE FROM DEPARTMENT OF ECONOMIC
DEVELOPMENT AND TOURISM ON 7 SEPTEMBER
2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:50 AM
To: 'hoddedt@mpg.gov.za'; 'MWMkhize@mpg.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DEDAT
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: hoddedt@mpg.gov.za; MWMkhize@mpg.gov.za
Sent: 07 September 2020 03:50 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - DEDAT

Your message has been delivered to the following recipients:

hoddedt@mpg.gov.za

MWMkhize@mpg.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - DEDAT



Ekuphumuleni
GP30/5/1/1/2/10650PR...

**14. PROOF OF CORRESPONDENCE WITH ME
BONISWA BELOT FROM DEPARTMENT OF
ENVIRONMENTAL AFFAIRS ON 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:52 AM
To: 'boniswa.belot@gauteng.gov.za'; 'tjatja.mosia@gauteng.gov.za';
'steven.mukhola@gauteng.gov.za'; 'maryjane.ramahlodi@gauteng.gov.za';
'Palesa.Mathibeli@gauteng.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Department of Environmental Affairs
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete
Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail

Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: boniswa.belot@gauteng.gov.za; steven.mukhola@gauteng.gov.za;
maryjane.ramahlodi@gauteng.gov.za; Palesa.Mathibeli@gauteng.gov.za;
tjatja.mosia@gauteng.gov.za
Sent: 07 September 2020 03:52 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Department of Environmental Affairs

Your message has been delivered to the following recipients:

boniswa.belot@gauteng.gov.za

steven.mukhola@gauteng.gov.za

maryjane.ramahlodi@gauteng.gov.za

Palesa.Mathibeli@gauteng.gov.za

tjatja.mosia@gauteng.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Department of Environmental Affairs



Ekuphumuleni
GP30/5/1/1/2/10650PR...

Marlene Lingenfelder

From: MATHIBELI, PALESA (GDARD) <PALESA.MATHIBELI@gauteng.gov.za>
To: Marlene Lingenfelder
Sent: 07 September 2020 03:56 PM
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - Department of Environmental Affairs

Your message

To:
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Department of Environmental Affairs
Sent: Monday, September 7, 2020 4:01:18 PM (UTC+02:00) Harare, Pretoria

was read on Monday, September 7, 2020 3:55:48 PM (UTC+02:00) Harare, Pretoria.

Marlene Lingenfelder

From: RAMAHLADI, MARYJANE (GDARD) <MaryJane.Ramahlodi@gauteng.gov.za>
To: Marlene Lingenfelder
Sent: 07 September 2020 04:22 PM
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - Department of Environmental Affairs

Your message

To:
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Department of Environmental Affairs
Sent: Monday, September 7, 2020 4:26:36 PM (UTC+02:00) Harare, Pretoria

was read on Monday, September 7, 2020 4:21:31 PM (UTC+02:00) Harare, Pretoria.

Marlene Lingenfelder

From: BELOT, BONISWA (GDARD) <Boniswa.Belot@gauteng.gov.za>
To: Marlene Lingenfelder
Sent: 08 September 2020 02:41 PM
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - Department of Environmental Affairs

Your message

To:
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Department of Environmental Affairs
Sent: Tuesday, September 8, 2020 2:50:40 PM (UTC+02:00) Harare, Pretoria

was read on Tuesday, September 8, 2020 2:40:38 PM (UTC+02:00) Harare, Pretoria.

**15.1`PROOF THAT THE DBAR WAS LOADED
ONTO THE SAHRIS WEBSITE OF THE SOUTH
AFRICAN HERITAGE RESOURCE AGENCY ON 7
SEPTEMBER 2020**

Browser tabs: New Tab, MyWay, Ekuphumuleni | SAHRA

Address bar: Not secure | sahris.sahra.org.za/cases/ekuphumuleni

Navigation: Apps, Collivery, New Tab, RSG Listen Live | RSG

Proposal Description:
Lomeza Opencast Operations (Pty) Ltd ("hereinafter referred to as "the Applicant") intends to apply for a prospecting right on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR (409.7979 ha), which falls in Magisterial District of Cullinan (Nokeng Tsa Taemane Local Municipality), City of Tshwane, Gauteng Province
Application Date: Wednesday, July 8, 2020 - 11:42
CaseID: 15238
Applicants: Simon Mkhonza
Consultants/Experts: Sonette Smit
Other References:
ReferenceList:

Additional Documents

1. [BID for Ekuphumuleni.pdf](#)
2. [Appendix A - Reguation 2.2.pdf](#)
3. [Appendix B - 1:250000 map.pdf](#)
4. [Appendix C - Prospecting Activities.pdf](#)
5. [Appendix D - Land Use Map.pdf](#)
6. [Appendix E - Rehabilitation Plan.pdf](#)
7. [Appendix F - Locality map.pdf](#)
8. [Appendix G1 - Comments and Response.pdf](#)
9. [Appendix G2 - Proof of Public Participation.pdf](#)
10. [Appendix H - Supporting Impact Assessment.pdf](#)
11. [Appendix I - Site Photo Report.pdf](#)
12. [Appendix J - Alien Invasive Management Plan.pdf](#)
13. [Appendix K - PWP.pdf](#)
14. [Appendix L1 - Acknowledgement Letter.pdf](#)
15. [Appendix L2 - Acceptance Letter.pdf](#)
16. [DBAR - Ekuphumuleni.pdf](#)

Chat (8)

**15.2 PROOF OF CORRESPONDENCE WITH MR
NOMZAMO GUMEDE FROM PROVINCIAL
HERITAGE RESOURCE AUTHORITY GAUTENG
ON 20 APRIL 2021**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 20 April 2021 03:52 PM
To: 'nomzamo.gumede@gauteng.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Stakeholders
Attachments: FBAR Notice.pdf

Good day,

Please find attached hereto correspondence for your attention.
This application was uploaded onto the SAHRIS website.
Kindly let me know if I can send you a We Transfer or electronic copy of the report.

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
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"

Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: nomzamo.gumede@gauteng.gov.za
Sent: 20 April 2021 03:53 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Stakeholders

Your message has been delivered to the following recipients:

nomzamo.gumede@gauteng.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Stakeholders



Ekuphumuleni
GP30/5/1/1/2/10650PR...

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 19 April 2021 11:21 AM
To: 'Tebogo.Molokomme@gauteng.gov.za'; 'noluthando.cembi@gauteng.gov.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Stakeholders
Attachments: FBAR Notice.pdf

Good day,

Please find attached hereto correspondence for your attention.
This application was uploaded onto the SAHRIS website.
Kindly let me know if I can send you a We Transfer or electronic copy of the report.

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
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"

Marlene Lingenfelder

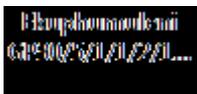
From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: Tebogo.Molokomme@gauteng.gov.za; noluthando.cembi@gauteng.gov.za
Sent: 19 April 2021 11:21 AM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Stakeholders

Your message has been delivered to the following recipients:

Tebogo.Molokomme@gauteng.gov.za

noluthando.cembi@gauteng.gov.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Stakeholders



NOTIFICATION OF OWNERS AND NEIGHBOURS

	Organisation	Name
16.	Branron Familie Trust – Landowner	Mr Chico Martins
17.	Klopperbos 128 JR - Landowner	Mr Johan Corneluis Grobler
18.	Joubert Trust - Landowner	Mr Joubert
19.1	Surrounding Landowner	Mr JDS Jardim
19.2	Jardim Familie Trust - Landowner	Mr JQS Jardim
20.	Surrounding Landowner	Mr Bezuidenhout
21.	CSIR Kloppersbos Research Center	Mr Isaac Mthombeni
22.	CSIR Paardefontein Research Center	Mr Isaac Mthombeni
23.	Eksderde Trust	The Directors
24.	Full Swing Trading	Mr Johann Gelderblom
25.	HC Loubser Testamentere Trust	Mr Theuns Loubser

26.	Pioneer Foods Pty Ltd	Me Jay-Ann Jacobs
27.	Surrounding Landowner	Kobus van der Schyff
28.	Staalboer CC	Jan Smit
29.	Surrounding Landowner	Norman Landman
30.	Surrounding Landowner	Nico Bezuidenhout
31.	Surrounding Landowner	Van Wyk Familie
32.	Monateng Safari Lodge (Pty) Ltd	Mr Johan van Niekerk
33.	Nsele Mining Pty Ltd	Mr Danie Marais

**16. PROOF OF CORRESPONDENCE WITH MR
CHICO MARTINS FROM BRANRON FAMILIE TRUST
(LANDOWNER) FROM 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:10 AM
To: 'chico@branron.co.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - BRANRON FAMILLIETRUST
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

From: postmaster@branron.co.za
To: chico@branron.co.za
Sent: 07 September 2020 03:10 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - BRANRON FAMILLIETRUST

Your message has been delivered to the following recipients:

chico@branron.co.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - BRANRON FAMILLIETRUST



Ekuphumuleni
GP30/5/1/1/2/10650PR...

Marlene Lingenfelder

From: Chico Martins <chico@branron.co.za>
To: Marlene Lingenfelder
Sent: 07 September 2020 03:21 PM
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - BRANRON FAMILLIETRUST

Your message

To:
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - BRANRON FAMILLIETRUST
Sent: Monday, September 7, 2020 3:20:48 PM (UTC+02:00) Harare, Pretoria

was read on Monday, September 7, 2020 3:20:41 PM (UTC+02:00) Harare, Pretoria.

**16. PROOF OF CORRESPONDENCE WITH GLYNIS
COHEN ATTORNEYS ACTING ON BEHALF OF
BRANRON FAMILIE TRUST (LANDOWNER) FROM 7
SEPTEMBER 2020**



Ref No: **GP30/5/1/1/2/10650PR**

Glynnis Cohen Attorneys
Attention: Me Glynnis Cohen

07 September 2020

Po Box 84620
Greenside
Johannesburg
2034

Dear Madam

YOUR CLIENT: THE BRANRON FAMILIE TRUST

OUR CLIENT: LOMEZA OPEN CAST OPERATIONS(PTY) LTD

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAS OPERATIONS (PTY) LTD

The draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments.

Acknowledgement of the application for an environmental authorisation for the proposed prospecting activities, lodged on the 9th of July 2020, in terms of Regulation 16 of the National Environmental Management Act, 1998 (Act no 107 of 1998 NEMA): Environmental Impact Assessment (EIA) Regulations, 2014, was received on the 6th of August 2020.

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, MO1 Baker Square Block, De Beers Avenue, Paardevlei, Somerset West, 7130
Postnet Suite 62, Private Bag x15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



Acceptance in terms of Section 19 of the Minerals and petroleum Resources Development Act, 2002 (Act no 28 of 2002) for an application lodged on the 9th of July 2020 was received on the 20th of August 2020.

A copy of the document can also be obtained from Greenmined Environmental upon request, or downloaded from the company website at www.greenmined.com, from Monday 7th September 2020.

Your comments are herewith kindly requested on the DBAR & EMPR and a thirty (30)-day commenting period, ending on **08 October 2020**, will be allowed for comments. Your comments must be in writing and can be submitted via facsimile, e-mail and/or post. Please do not hesitate to contact us in the event of any uncertainties and please ensure that your contact details are included with your comments.

If we do not receive any comments from you before the end of the commenting period it will be accepted that you do not have any additional objections/comments with regard to the project. We trust that you find it in order and kindly await your comments on this report.

Please contact Sonette Smit at 084 585 5706 (Cell) or 021 851 2673 (Tel), 086 546 0579 (Fax), or sonette.s@greenmined.co.za should you require any additional information.

A handwritten signature in black ink, appearing to read "Smit", is written over a light grey rectangular background.

Kind Regards

Sonette Smit

Greenmined Environmental

sonette.s@greenmined.co.za

Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: gcohenattorney@gmail.com
Sent: 07 September 2020 04:33 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Glynis Cohen Attorneys

Your message has been delivered to the following recipients:

gcohenattorney@gmail.com

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Glynis Cohen Attorneys



Ekuphumuleni
GP30/5/1/1/2/10650PR...

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 04:34 AM
To: 'gcohenattorney@gmail.com'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Glynis Cohen Attorneys
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



Marlene Lingenfelder

From: Elsaine Costerus Mohr
Sent: 07 September 2020 02:24 PM
To: Glynnis Cohen
Cc: Marlene Lingenfelder; Sonette Smit
Subject: PROSPECTING RIGHT APPLICATION - LOMEZA OPENCAST OPERATIONS (PTY) LTD
Attachments: Letter_Glynnis Cohen.07.09.20.pdf; Acceptance 10650PR Lmomeza.pdf

Good day,

Please find attached hereto correspondence for your attention.

Kind Regards/Vriendelike Groete
Mrs. Elsaine Costerus-Möhr
Legal Advisor



Tel: 021 851 2673
Cell: 082 875 1415
Fax: 086 546 0579

No 37 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"

DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.



Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



NEMA") read against the EIA Regulations Government Notice R982 in Government Gazette 38282 dated 4 December 2014 (as amended);

- 2.2 It objects to the prospecting right application in terms of Section 16 of the Mineral and Petroleum Resources Development Act, Act 28 of 2002 ("**the MPRDA**").
3. The objection seeks for: -
 - 3.1 The RoD to be refused;
 - 3.2 The prospecting right application, to be refused.
4. The formal objection is made by the Branron Familie Trust (IT3207/1997) ("**the Objector**"),
5. The objection will be submitted to both the Provincial Environmental Authority, the Department of Environmental Affairs for the attention of the Minister as well as to the Department of Mineral Resources, for the attention of the Regional Manager and Minister.

PUBLIC PARTICIPATION – NOT ALL INTERESTED AND AFFECTED PARTIES HAVE BEEN GIVEN ACCESS TO THE APPLICATION:

6. All interested and affected parties as contemplated by the MPRDA who are entitled by sections 10(1) and 22(4) thereof have not been furnished with a copy of the application as contemplated by section 22.
7. In the DBAR the Applicant asserts that the stakeholders and interested and affected parties were informed by sending the background information documents directly to the contact persons. The Applicant asserts that one advertisement was placed in Die Beeld on 8 July 2020 (being an Afrikaans medium

newspaper) and two on-site notices were placed, one at the entrance to the farm and one at the Spaza Shop at D327. The farms to whom notice was given is the Objector's property is Portions 5 of the Farm Kloppersbos 128 JR and Portions 1, 7 (the Objector's land) and 8 of the Farm Ekuphumuleni 716 JR.. The locality map (page 18) shows the land in issue which forms part of a conglomerate of at least 170 farms which together with the Provincial Government have formed a conservation area known as Dinokeng Game Reserve, which *inter alia* supports the upliftment of the community and protection of wild animals. The website of Dinokeng Game Reserve establishes that the area employs 800 permanent employees who support and sustain their families. There is no evidence that notice has been given to the surrounding communities, or the other land owners in the area, or to the Provincial Government who has formed the wildlife reserve.

INTRODUCTION

8. The preamble to NEMA reads as follows:

“To provide for cooperative environmental governance by establishing principles for decision-making on matters affecting the environment, institutions that will promote cooperative governance and procedures for coordinating environmental functions exercised by organs of State; to provide for certain aspects of the administration and enforcement of other environmental management laws; and to provide for matters connected therewith.”

9. The purpose of NEMA is to protect the rights:

“To an environment that is not harmful to his or her health or well-being”

and to

“respect, protect and promote co-operative governance and procedure.”

10. Section 24 of NEMA provides that any activities which are listed or specified by the Minister of Environmental Affairs must obtain an environmental authorization (“RoD”) before they may commence. The mining of coal is one such listed activity.
11. Section 24O(1) of NEMA imposes peremptory requirements. The decision makers who grant such authorization must consider all relevant factors stated in that section.
12. Section 24O(1) of NEMA is to be read with the relevant provisions of the Regulations, which prescribe what must be contained in an Environmental Impact Assessment Report. Regulation 31(2) provides that the Environmental Impact Assessment Report must contain all information that is necessary for the competent authority to consider the application made by the Applicant and to reach a decision.
13. The relevant information includes a description of the environment that may be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity and a description of identified potential alternatives to the proposed activity, with regard to the activities advantages and disadvantages.¹
14. Regulation 31(2)(k) requires the report also to include a description of all environmental issues identified during the assessment process and an indication of the extent to which the issues could be addressed by the adoption of mitigation measures. The report furthermore must address each identified potentially significant impact, including:
 - (i) Cumulative impacts;

¹ Regulation 31(2)(d) and (g)

- (ii) The nature of the impact;
 - (iii) The extent and duration of the impact;
 - (iv) The probability of impact occurring;
 - (v) The degree to which the impact can be reversed;
 - (vi) The degree to which the impact may cause irreplaceable loss of resources; and
 - (vii) The degree to which the impact can be mitigated.²
15. Regulation 34(2)(b) obliges the competent authority to reject the Environmental Impact Assessments Report if it does not substantially comply with the requirements in regulation 31(2).
16. The Applicant makes application for a RoD to prospect for coal. Coal is an emissions – intensive energy carrier. The usage of coal for power and that it emits significant volumes of greenhouse gas emissions (“GHGs”) which causes climate change is a factor to be considered.
17. The Applicant's application fails to substantially comply with the requirements in regulation 31(2) and as relevant information is missing, the Environmental Impact Report must be rejected under regulation 34(2)(b) and environmental authorization should be refused.
18. Further, the Applicant's description of its overall activity are stated to be non- invasive activities and planned invasive activities. In its description of planned invasive activities, which results in land disturbances, such as sampling, drilling, bulk sampling, etc. in respect of all phases over 30 months. The Applicant states the following:

² Regulation 31(2)(1)

“The objective of the exploration drilling is to confirm the presence of coal measures, delineates the vertical and lateral extents of the coal measures, and, through suitable tests, the quality of the coal.”

19. Phase 2 (months 3 to 5) (months 6 to 15) and phase 4 (months 27 to 30) continue with the same objective. As such, from months 3 to 30 (being 27 months) there will be an involvement of an invasive activity being exploration drilling, by usage of percussion and diamond coring. The Applicant in its draft Basic Assessment Report (DBR) (page 120) states that no water will be used for all during such operation. However, should a mining right be granted, if the Applicant is successful, volumes of water will be used. This will take place in a water stressed area on agricultural land on which a wildlife reserve exists..

20.

20.1 The Closure Plan in section 10 of the application provides that:

“Prospecting activities are to be undertaken in a manner which facilitates site rehabilitation and the restoration of existing land capabilities. The primary objectives for rehabilitation include:

- (a) The facilitation of the reestablishment of the land use and capability to as close as is reasonably to the original conditions,**
- (b) Removal of all infrastructure and material introduced to site;**
- (c) Removal of all wastes and their related disposal,**
- (d) and promotion of the rapid reestablishment of natural vegetation and the restoration of site ecology.”**

20.2 The Applicant refers to a Rehabilitation Plan but does not attach it to its application. Instead, they state that:

“A site specific rehabilitation plan drawn to a suitable scale will be provided in the draft EMPr to be submitted together with the BAR.”

- 20.3 The application does not refer to "BAR", but refers to "DBAR" being the draft basic assessment report. The "DBAR" (as set out below) does not provide for a rehabilitation plan. Appendix E, being the rehabilitation map is not disclosed.
21. The application does not have attached to it the following documents referred to therein, namely:
- (a) The curriculum vitae (CV) of the Applicant
 - (b) The Applicant's Memorandum of Understanding with Imbila GEO Consultants (Appendix B);
 - (c) The curriculum vitae of the geologists being Imbila GEO Consultants (Appendix C);
 - (d) The required documentary proof of the budget and Applicant's financial ability (Appendix D).
 - (e) The details regarding the financing arrangements in terms of Appendix E.
 - (f) Evidence of available funding and/or financing arrangements referred to as Appendix F.

GROUNDINGS OF OBJECTION

DBAR fails to comply with prescribed minimum legislated requirements

22. The appointed environmental impact assessment practitioner, Greenmined ("**the EAP**"), has uploaded several documents online, under the heading EKUPHUMULENI.
23. These documents include the Draft Basic Assessment Report ("**DBAR**") and various Appendices.
24. The DBAR has the following fatal flaws: -

24.1 At page 2, the EAP makes the following concession: -

“All documentation, to date, was based on preliminary data, surrounding information and desktop studies. Access to the study area was denied by the landowners, resulting in limited information being provided to all commenting parties. Numerous attempts and letters requesting access to the properties by the Applicant was all in vain. Greenmined is unable to provide the I&AP’s and stakeholders with material information with regards to this prospecting right application and it is therefore clear that the relevant authorities will not be able to provide informed comments, irrespective should it be positive or negative. However, due to the landowners’ refusal to grant access to the properties, the proper studies could not be conducted.” (emphasis added)

24.2 This approach offends Regulation GNR982. The DBAR fails to address Regulation 19 and 20 as against Schedules 1, 4, 5 and 6.

24.3 A “desktop study” is wholly under inclusive for an assessment of this nature.

24.4 At a minimum, the assessment should include the following specialised studies:

24.4.1 Hydrogeologist and hydrogeology study: to assess wetland flows and boreholes, particularly in light of a neighbouring nature reserve;

24.4.2 Biodiversity and Surface Water study: to assess the vegetation, habitats, mammal and faunal composition of the area, particularly in light of a neighbouring nature reserve;

24.4.3 Agricultural Potential, Soil and Land Capability study: to conduct soil samples;

24.4.4 Wetland specialist study: to assess wetlands and rivers,

particularly in light of a neighbouring nature reserve;

24.4.5 Paleontological study: to assess surface geology and outcrops;

24.4.6 Noise specialist study;

24.4.7 Blasting and vibration specialist study, in particular as against legislated minimum buffer zones.

24.5 None of these studies have been conducted, and the bald, vague, unsupported and unsubstantiated conclusions drawn by the EAP are not underpinned by any fact or evidence.

24.6 It is insufficient for the EAP to merely rely on the lack consent of landowners. The MPRDA and the NEMA provides specific legislated mechanisms and the EAP, and Lomezza have failed to exhaust these mechanisms. These include *inter alia* Section 10, specifically Section 10(2) and a referral to the Regional Mining Development and Environmental Committee.

24.7 Since there are no relevant specialist studies, at all, considered and attached to the DBAR, the DBAR further fails to meet the thresholds of Government Notice R982 in Government Gazette 38282: -

24.7.1 Regulations 19(2), 19(3), 19(6), 19(7), 19(7A) and 19(8) have not been complied with, by the EAP and Applicant;

24.7.2 Appendix 1 has not been considered, since there are no specialist studies. This includes a factual, considered analysis of: -

- a) the need and desirability of the proposed alternatives; and
- b) the geographical, physical, biological, social, economic, heritage,

and cultural sensitivity of the sites and locations within sites and the risk of impact of the proposed activity and technology alternatives on these aspects;

- c) the nature, significance, consequence, extent, duration, and probability of the impacts occurring to; and the degree to which these impacts can be reversed and may cause irreplaceable loss of resources; and can be avoided, managed or mitigated (Appendix 1(Regs 2, 3)) and hence the DBAR has failed to comply with the scope of assessment and content of basic assessment reports and the objective of the basic assessment process.

24.7.3 Appendix 4 has not been properly considered, since there are no specialist studies, including:

- a) a map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers. Environmentally sensitive sites have not been identified, because there are no specialist studies, nor have buffers been employed. The maps attached to the DBAR are entirely unhelpful (Appendix 4 (Reg 1), thus the DBAR has failed to comply with the minimum requirements for the content of environmental management programme (EMPr).

24.7.4 Appendix 6 has not been complied with in its entirety, since there are no specialist studies.

24.8 The descriptions of topology, visual characteristics, air and noise quality, geology and soil, biodiversity and ground cover, fauna, cultural and heritage at pages 4 to 5 of the DBAR are based entirely on the EAP's subjective view and a "desktop study". These bald, vague assertions are not underpinned by any fact or evidence.

24.9 The financial provision for closure, is woefully low as at R 84 828.63. This is described at page 6 of the DBAR. This figure is

also, not grounded in reality since the figure has been determined without specialist studies and/or expert evidence.

- 24.10 The EAP lists the following triggered activities at page 19: GNR 327 Listing Notice 1: Activity 20, GNR 324 Listing Notice 3 of 2017 Activity 12, GNR 327 Listing Notice 1: Activity 20, GNR 324 Listing Notice 3 of 2017 Activity 12, GNR 327 Listing Notice 1: Activity 20 GNR 324 Listing Notice 3 of 2017 Activity 12. These Listed Activities would require the specialist studies set out above, in particular, a biodiversity study.
- 24.11 The planned invasive activities (page 20) and main prospecting activities (page 21) are uninformed by any physical, scientific study linked to the actual property. It is emphasised that the Applicant wishes to mine for coal, which is a notoriously dirty, polluting resource, particularly open cast coal. The tenure of a prospecting right inevitably leads to mining. It is exceptionally detrimental to economic, social and environmental concerns and interests that physical studies have not been conducted.
- 24.12 The table listing the impacts, need and desirability from page 27 of the DBAR is also, wholly lacking. The ecological integrity of the site has not been determined. The EAP has relied solely on a superficial, remote "desktop study". Hence the conclusions of "desirable and highly desirable" are once again, uninformed by factual, scientific data and are the EAP's own subjective conclusion.
- 24.13 The wholesale lack of scientific data culminates in the following bald, vague and sketchy motivation, provided by the EAP at page 36: *"Due to the remote location of the study area, the potential impacts on the surrounding environment associated with prospecting is deemed of low significance. It is proposed that all prospecting related temporary infrastructure will be contained within the boundary of the prospecting area."* With respect, it is impossible for the EAP to draw such a conclusion on an independent, objective basis because on the EAP's own submission no scientific studies have taken place at all on site. The conclusion of the activities being of "low significance" are

directly linked to the EAP's opening statement that the study has been done remotely.

- 24.14 The description of the "site specific" factors from page 47 to 74 of the DBAR is with respect, a fiction. The conclusions drawn in these paragraphs are not based on "site specific" data. Rather, they are the EAP's own conclusions drawn from various desktop studies. Not a single conclusion is grafted from a physical site inspection and report. The conclusions drawn in these paragraphs are unhelpful and meaningless without scientific studies.
- 24.15 The positive and negative impacts from page 82 to 99 of the DBAR are also, based on the EAP's own subjective views and are not underpinned by any scientific and specialist study and data. The EAP is not qualified in these broad areas to provide blanket conclusions which are not supported by scientific studies and neither do they state that they are experts.
- 24.16 The lack of scientific study is highlighted again, at page 100 of the DBAR where the EAP concedes "All documentation, to date, was based on preliminary data, surrounding information and desktop studies. Access to the study area was denied by the landowners, resulting in limited information being provided to all commenting parties. Numerous attempts and letters requesting access to the properties by the Applicant was all in vain. Greenmined is unable to provide the I&AP's and stakeholders with material information with regards to this prospecting right application and it is therefore clear that the relevant authorities will not be able to provide informed comments, irrespective should it be positive or negative. However, due to the landowners' refusal to grant access to the properties the proper studies could not be conducted. No specialist studies were conducted as a result hereof."
- 24.17 It is wholly insufficient for the Applicant and its appointed EAP to rely on bald conclusions against this concession. The MPRDA makes specific mechanisms available for disputes with landowners, and these mechanisms have not been followed by

the Applicant and its EAP.

24.18 At page 120, the EAP concludes: "***Has a water use licence has been applied for? The Applicant will not require water use authorisation in terms of the NWA, 1998.***" There is no justification for such a statement. No wetland or hydrological specialist study has been done. There is no physical or scientific data, whatsoever as to the impact of prospecting on wetlands, rivers, streams and boreholes on site. It is the objectors view that a water use authorisation may well need to be required, particularly for dust suppression and/or reducing the heat of the diamond core drill.

24.19 The EMPR is riddled with bald, vague, unsupported and very broad comment and speculation in relation to the manner in which risk will be dealt with in order to avoid pollution or the degradation of the environment. This is as from page 165 to 167 of the EMPR. There is no detail or specificity at all given. By way of example only, there is no detail or specificity on risk to biodiversity. The EAP makes the following extremely vague comment in relation to animals:

" Do not remove any plants or trees without approval of the site manager. Do not collect fire wood. Do not catch, kill, harm, sell or play with any animal, reptile, bird or amphibian on site. Report any animal trapped in the work area. Do not set snares or raid nests for eggs or young."

24.20 The EAP has not identified a single fauna, flora or biodiversity component on site because there is no biodiversity study. Hence, there is no input, clarity or information as to what types of "plants and trees" may be removed, what types of "animals, reptiles, birds and amphibians" are on site. There is no information as to whether such would constitute RED DATA species. There exists a very rare species of frog known as the Red-Banded Rubber **Frog** (*Phrynomantis bifasciatus*). This is endemic to the area and there is likely to be irreversible and permanent ecological damage and possible extinction of that species.

- 24.21 The Applicant has not undertaken a Climate Change Impact Assessment, more particularly, under circumstances when coal is an emissions – intensive energy carrier which produces GHGs and the effect on the environment from coal mining and its possible contribution to GHGs emissions from the usage of such mined coal is a matter which must be contained in the DBAR.
- 24.22 The EAP has not addressed adequately and sufficiently the impact on biodiversity, habitat destruction and the associated loss of species, fauna and flora more particularly under circumstances when the Objector's land falls within the Dinokeng Wildlife Area.
25. The applicable area is zoned Agricultural. The area however is used as a game farm and falls within the Dinokeng Game Reserve which has not yet been proclaimed as a protected wildlife area, although application has been made for such area to be so proclaimed. The Dinokeng Game Reserve was formed under the initiative under the Gauteng Provincial Government and 170 land owners, as a conservation area, supporting the upliftment of the community through eco-tourism; providing rural communities in the area with sustainable employment and protecting wild animals. It is anticipated that the area will be proclaimed as a wildlife area by the Provincial Government. The area presently employs 800 permanent employees who support and sustain their families.
26. Reference is made to the final draft (October 2009) published by the Department of Economic Development in respect of Environmental Management Framework and Environment Management Plan for the Dinokeng Project Area. The executive summary reads as follows:

“The Dinokeng Project aims to create a self-sustaining local economy in the North-Eastern reaches of the Gauteng Province. Core to the project is the establishment of a Big-5 collaborative game reserve, with a mix of land uses in the surrounding area ranging from high density urban development to diverse tourism establishments.”

Clause 5.5.5.4 thereof provides that mining and prospecting is an incompatible land use.

Clause 5.5.6.3 thereof provides that a compatible land use includes *inter alia* conservancies; tourism and recreational facilities; grazing farms; private nature reserves and protected areas.

Contraventions with the relevant town planning legislation

- 27. The area of jurisdiction is Tshwane and the City of Tshwane Land Use Management By-Law, 2016 will apply in conjunction with the City of Tshwane Planning Scheme 2008 (revised 2014) (“the Scheme”).
- 28. According to the Scheme, Agriculture is defined as:

AGRICULTURE

Means land and buildings used for any bona fide farming activities such as inter alia market gardens, game farming, cattle and sheep farming, bee farming, bird breeding, plant nursery, plantations, aquaculture and orchards and activities normally regarded as incidental thereto, but excludes abattoirs, cattle feeding lots, poultry farming and pig farming.

- 28.1 Mining does not form part of this definition.
- 28.2 The uses of such zoning are described as follows in the Scheme:

Use zones	Purpose for which buildings may be erected or used or land used	Purposes for which buildings may be erected or used or land used only with the consent of the Municipality	Purposes for which buildings may not be erected or used or land used
AGRICULTURAL	Agriculture	Agricultural Industry Airfield	Uses not in

	Farm Stall subject to Schedule 10 One Dwelling house	Animal Boarding Place Camping Site Commune Equestrian School Garden Centre Guest-house Institution Lodge Mining Parking Site Petting Zoo Picnic Place Place of Child Care Place of Instruction Place of Public Worship Place of Refreshment Recreation Resort Social Hall Sports Ground Sport and Recreation Club Telecommunication Mast Wall of Remembrance in conjunction with a Place of Public Worship	Columns 3 and 4
--	---	--	-----------------

- 29. The prospecting right application cannot be granted until the Applicant has obtained the correct zoning on the respective properties.

- 30. The EAP indicates in the DBAR that zoning and town planning should fall within the ambit of another Department. Town planning may be a municipal concern. However, the town planning provisions cannot be looked at in isolation. They are an important factor to consider in terms of the Section 2 principles of the NEMA and no prospecting or mining can take place without municipal approval.

CONCLUSION

- 31. The application for a prospecting right as well as the DBAR for an environmental approval are:
 - 31.1 Problematic; and
 - 31.2 Do not meet the minimum legislated thresholds.

- 31.3 Do not comply substantially with the requirements in Regulation 31(2) promulgated under NEMA.
32. The Environmental Impact Assessment Report must be rejected under regulation 34(2)(b).
33. The environmental authorization (RoD) should be refused.
34. Neither administrative action should be decided in favour of the Applicant.

DATED AT JOHANNESBURG ON THIS THE 1ST DAY OF OCTOBER 2020.


ON BEHALF OF THE OBJECTOR
BEING BRANRON FAMILIES TRUST
DULY AUTHORISED THERETO
DULY AUTHORISED BY ITS TRUSTEES,
REPRESENTED BY ITS ATTORNEY,
GLYNNIS CHARL COHEN
DULY AUTHORISED THERETO

TO:
MINERAL RESOURCES REPUBLIC
OF SOUTH AFRICA
CARE OF REGIONAL MANAGER
GAUTENG REGION
BRAAMFONTEIN
Shirley.matjomane@dmr.gov.za
REF: GP30/5/1/1/2(10650)PR
ATTENTION: S MATJOMANE

AND TO:
THE DEPARTMENT OF ENVIRONMENTAL
AFFAIRS
ATTENTION: THE MINISTER

AND TO:
THE REGIONAL MANAGER

**AND TO:
GREEN MINED ENVIRONMENTAL**



Glynnis Cohen Attorney

P.O Box 84620, Greenside, Johannesburg, 2034

T: +27 11 646 4662

C: +27 83 441 5440

F: +27 11 646 7640

E: gcohenattorney@gmail.com

Date: 14 October 2020

DELIVERED: BY
EMAIL

**GREENMINED ENVIRONMENTAL
(PTY) LIMITED**

REF: Elsaine Costerus-Möhr
Elsaine.cm@greenmined.co.za

Dear Sirs,

**RE: YOUR CLIENTS – THE JOUBERT TRUST IT 4791/2001; THE BRANRON
FAMILIE TRUST IT 3207/1997; THE JARDIM FAMILY TRUST IT 9689/1999**

1. In response to your client's application for a prospecting rights licence, I confirm that my client's objection was served on you by email on 6 October 2020. Please will you confirm per return your acknowledgment of receipt of my client's objection.
2. As I do not have the contact details of the regional manager of the Department: Mineral Resources so that my client's objection can be served on him/her as well please can you furnish these to me, thank you.
3. My client's objection was served on the Department: Mineral Resources at their dedicated address being corner De Kort and De Beer Street, 78 Mineralia Building, Braamfontein on 8 October 2020.
4. I await your urgent response.

Yours faithfully,

GLYNNIS COHEN ATTORNEY

Marlene Lingenfelder

From: Elsaine Costerus Mohr
Sent: 15 October 2020 10:10 AM
To: Glynnis Cohen; Sonette Smit
Cc: Marlene Lingenfelder
Subject: RE: THE BRANRON FAMILIE TRUST / LOMRXS OPRNVSDY OPRTSYIOND A

Good day,

The above matter as well as your correspondence dated 06 October 2020 and 14 October 2020 respectively refers.

Herewith we confirm receipt of your client's objections, which objections will be addressed in due course.

The Regional Manager's details are as follows:

Mr Sunday Mabaso
011 358 9700/9758
sunday.mabaso@dmre.gov.za

P/A Ms C Khanyile
Carol.Khanyile@dmre.gov.za

Kind Regards/Vriendelike Groete

Mrs. Elsaine Costerus-Möhr
Legal Advisor



Tel: 021 851 2673
Cell: 082 875 1415
Fax: 086 546 0579

No 37 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"

DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.



Please consider the environment before printing this e-mail



Less ocean trash

Help us save ocean life!

More marine life

**IN THE APPLICATION FOR AN ENVIRONMENTAL AUTHORISATION IN TERMS
OF A PROSPECTING RIGHT APPLICATION BY LOMEZA OPENCAST OPERATIONS
(PTY) LTD**

REFERENCE: GP 30/5/1/1/2/10650 PR

LOMEZA OPENCAST OPERATIONS (PTY) LTD

APPLICANT

AND

THE BRANRON FAMILIE TRUST

OBJECTOR

**APPLICANT'S RESPONSE TO OBJECTIONS BY THE BRANRON FAMILIE TRUST
(IT3207/1997) TO THE PROSPECTING RIGHT APPLICATION AND APPLICATION
FOR ENVIRONMENTAL AUTHORISATION SUBMITTED BY THE APPLICANT FOR
THE PROSPECTING OF COAL ON A PORTION OF PORTION 5 OF THE FARM
KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM
EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, CITY OF
TSHWANE, GAUTENG PROVINCE**

1. The formal objection of the objector is hereby noted by the applicant.
2. Failure by the applicant to respond to each and every objection and/or allegation made by the objector should not be construed as confirmation thereof, but rather repudiation thereof. The applicant reserves its rights and also its right to fully respond, or supplement this response, at a later stage and at the appropriate forum should the need arise.

APPLICANT'S RESPONSE TO OBJECTORS GROUNDS FOR OBJECTION

PUBLIC PARTICIPATION – NOT ALL INTERESTED AND AFFECTED PARTIES HAVE BEEN GIVEN ACCESS TO THE APPLICATION

Ad Paragraph 6 – 7

3. Prior to commencing with the Public Participation Process (hereinafter referred to as “PPP”) the applicant’s consultant contacted all landowners and Interested and Affected Parties (hereinafter referred to as I&AP’s) known at the time to procure relevant contact details as well as additional details should the I&AP’s wish the consultant to contact additional I&AP’s. No additional information was received from any of the landowners nor the I&AP’s.

4. The objector’s averment that Provincial Government was not contacted as part of the public participation process is incorrect. All relevant Provincial Government Departments were contacted, which is evident from the Comments and Response Report annexed to the Draft Basic Assessment Report (hereinafter referred to “DBAR”), which DBAR availability was made known to all I&AP’s. In the event that the objector was of the opinion that additional I&AP’s need to be contacted as part of the PPP the objector, or its representative, should have provided the consultant with the information.

Ad Paragraph 8 - 17

5. The applicant notes the objector’s quotes in terms of the National Environmental Management Act, 1998 (as amended) (hereinafter referred to as “NEMA”) and the Environmental Impact Assessment Regulations. However, it seems that the objector quoted and based its grounds for objections on the Environmental Impact Assessment Regulations, 2010 published under Government Notice No. R.543 in Government Gazette No. 33306 dated 18 June 2010, which Regulations were repealed by the Environmental Impact Assessment Regulations, 2014 published under Government Notice No. 986 in Gazette No. 3822 of 04 December 2014, as amended under Government Notice No. 326 in Gazette No. 40772 of 07 April 2017 (hereinafter

referred to as the “EIA Regulations”). Therefore, the regulations quoted by the objector is not applicable to this application, nor can it be enforced as grounds for objection.

6. It is correct that the applicant applied for authorisation in terms of the EIA Regulations and Section 16 of the Mineral and Petroleum Resources Development Act, 2002 (as amended) (hereinafter referred to as the “MPRDA”) to prospect for coal on the application areas.
7. The objector’s statement that the usage of coal for power production emits GHG’s is also not disputed. However, it should be noted that this application is an application for a prospecting right to enable the applicant to ascertain whether there are any coal deposits within the application area. It is clear that the objector confuses this prospecting right application with a Mining Right application in terms of Section 22 of the MPRDA, or an application for an Atmospheric Emissions License in terms of the National Environmental Management: Air Quality Act, 2004 (as amended). No atmospheric emissions will be released through the proposed prospecting right activities.
8. The objector fails to clarify as to what extent the applicant *“fails to substantially comply with the requirements of Regulation 31(2)”* and the objector also fails to clarify what relevant information of the application is missing. It should again be noted that no Regulation 31(2) exist under the EIA Regulations. Regulation 31 of the EIA Regulations refers to the amendment of an environmental authorisation where a change of scope occurs, which is not applicable to the circumstances of this application.

Ad Paragraph 19 - 21

9. It is correct that no water will be used by the holder for the prospecting right activities, which phases of operation is more fully set out in the DBAR. The objector once again infers that *“should a mining right be granted, if the applicant is successful, volumes of*

water will be used.” Once again it should be noted that this application is not for a mining right, but for a prospecting right.

10. The Background Information Document was sent to all known I&AP’s on 08 July 2020 to inform the I&AP’s of the proposed project, which application was at that stage yet to be submitted to the DMRE. The DBAR was subsequently provided to all I&AP’s, which report contained all relevant and available aspects of the project. The Final Basic Assessment Report will be submitted to the DMRE, for their evaluation and consideration, once all the comments and/or objections from all the landowners, stakeholders and I&AP’s have been incorporated into the report.

DBAR fails to comply with prescribed minimum legislated requirements

Ad Paragraph 22 - 30

11. The landowners were consulted with regards to access to the properties to enable the specialists to conduct the required and/or necessary studies on the application areas. These requests for access were denied and up to date hereof no specialists were able to conduct comprehensive studies on the application area.
12. As access to the site has been denied by the landowners and with only the desktop studies conducted to date, no resident protected or red data faunal species could be identified within the earmarked footprint. The project is expected to have an insignificant impact in this regard as prospecting activities will be done by drilling prospecting boreholes in phases of 4 areas consisting of a total of 9 drilling prospecting boreholes comprising an area of less than 400 square meters per site with a total of less than 0.4 ha disturbed at any given time. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in the Basic Assessment Report, as well as in consultation with the landowners. The study area falls over properties that is noted to be operational game farms. Should this prospecting right be granted farm owners will be consulted prior to commencement of any activities to ensure that safety of animals and workers.

13. Based on the above a site walk through will have to be conducted by the specialists prior to the commencement of prospecting activities, in order to eliminate any impacts the prospecting activities might have on the proposed drilling sites. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in the DBAR, including specialist findings, as well as in consultation with the landowner / landowners.

14. Section 10(2) of the MPRDA provides for objections to be referred by the Regional Manager to the Regional Mining Development and Environmental Committee to consider the objections and to advise the Minister thereon. It is quite absurd that the objector would include this section as part of the mechanisms allegedly not utilised by the applicant, as the applicant is not objecting to its own prospecting right application, nor does the applicant wish to object to its own application.

15. The objector's averment that the MPRDA mechanisms available to the applicant for disputes with landowners, which allegedly have not been followed by the applicant, is false. Section 54(1) of the MPRDA provides as follows:

*"The **holder** of a prospecting right must notify the relevant Regional Manager if the **holder** is prevented from commencing or conducting any prospecting operations because the owner or the lawful occupier of the land in question-*
*(a) Refuses to allow such **holder** to enter the land;"*

It should be noted that the applicant is not yet the holder of a prospecting right, as only once the right has been granted and executed the applicant becomes the holder. Therefore, this option is not available to the applicant, hence its requests directly addressed to the landowners for access to the properties.

16. The applicant notes the objectors reference to the Dinokeng Game Reserve Draft Environmental Management Framework dated October 2009. However, the Dinokeng Game Reserve has not yet been proclaimed as such and therefore the objector's

reference to clause 5.5.5.4 in that prospecting is an incompatible land use should be disregarded, until such time of proclamation.

17. The objector's reference to the zoning of the application area is noted. The applicant is already in the process of liaising with the applicable municipality with regards to the temporary rezoning of the application areas.

APPLICANT'S CONCLUSION TO THE OBJECTOR'S OBJECTIONS

18. The objector based its grounds for objections on repealed legislation; and

19. Therefore, the objector's objections should be disregarded.

SIGNED AT SOMERSET WEST ON THIS THE 03rd DAY OF NOVEMBER 2020.



**ELSAINÉ COSTERUS-MÖHR
LEGAL ADVISOR (GREENMINED ENVIRONMENTAL (PTY) LTD)
DULY AUTHORISED THERETO, ON BEHALF OF THE APPLICANT
LOMEZA OPENCAST OPERATIONS (PTY) LTD**

**TO:
THE DEPARTMENT OF MINERAL RESOURCES AND ENERGY
GAUTENG REGIONAL OFFICE, BRAAMFONTEIN
ATTENTION: THE REGIONAL MANAGER
BY EMAIL: shirley.matjomane@dmre.gov.za
REF: GP 30/5/1/1/2/10650 PR**

**AND TO:
THE DEPARTMENT OF ENVIRONMENTAL AFFAIRS
ATTENTION: BONISWA BELOT
BY EMAIL: boniswa.belot@gauteng.gov.za**

**AND TO:
GLYNNIS CHARL COHEN ATTORNEYS
ATTORNEY OF THE OBJECTOR (THE BRANRON FAMILIE TRUST)
BY EMAIL: gcohenattorney@gmail.com**

**17. PROOF OF CORRESPONDENCE WITH MR
JOHAN CORNELUIS GROBLER (LANDOWNER)
FROM KLOPPERBOS 128JR FROM 7 SEPTEMBER
2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:14 AM
To: 'johan@wuhlf.co.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Grobler
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: johan@wuhlf.co.za
Sent: 07 September 2020 03:14 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Grobler

Your message has been delivered to the following recipients:

johan@wuhlf.co.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Grobler



Ekuphumuleni
GP30/5/1/1/2/10650PR...

Marlene Lingenfelder

From: Elsaine Costerus Mohr
Sent: 28 October 2020 01:48 PM
To: Liezl de Beer
Cc: Shirley.Matjomane@dmre.gov.za; Sonette Smit; Marlene Lingenfelder
Subject: JOHAN CORNELIUS GROBLER & THE JOUBERT FAMILY TRUST/LOMEZA OPENCAST OPERATIONS (PTY) LTD - OBJECTIONS TO PROSPECTING RIGHT APPLICATION (GP 10650 PR)
Attachments: JordaanSmit_Lomeza_Objections_Reply_28.10.20.docx.pdf
Importance: High

Good day,

Please find attached hereto correspondence for your attention.

Kind Regards/Vriendelike Groete

Mrs. Elsaine Costerus-Möhr
Legal Adviser



Tel: 021 851 2673
Cell: 082 875 1415
Fax: 086 546 0579

www.greenmined.com

Unit MO1, No 37 AECl site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

Marlene Lingenfelder

From: Elsaine Costerus Mohr
Sent: 11 November 2020 02:02 PM
To: Sonette Smit
Cc: Marlene Lingenfelder
Subject: FW: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - JOUBERT TRUST

From: Johan Grobler [mailto:johan@wuhlf.co.za]
Sent: Wednesday, 11 November 2020 13:29
To: Elsaine Costerus Mohr <Elsaine.CM@greenmined.co.za>; Gerhard <joubertg@drstech.co.za>
Subject: Re: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - JOUBERT TRUST

I refer to your letter dated 03 November 2020.

1 We are still represented by Jordaan Smit Inc.

2 Our objection is still valid.

3 We do object to the prospecting right application. We are however willing to assist your client to determine whether there is any possibility of coal in the area by drilling some water boreholes before proceeding with the application. We are confident that no coal reserve that could be mined exists. We are of opinion that your client could save himself a lot of trouble and money if he determines with one or two boreholes that there is no coal. It would then not be in his interest to further pursue the matter. If your client however wants to proceed with the prospecting application without the knowledge that he could gain from such boreholes we definitely object to the application.

4 Our neighbours decided to oppose the application through their own lawyers.

5 We are willing to negotiate with your client prior to a prospecting right being granted about water boreholes. If the application is ever granted we will at that stage decide on how to proceed.

6 It is obvious that a determination about the viability of a resource can never be determined from water boreholes only. It is however also clear that the absence of coal could be proven by water boreholes. This is what we are suggesting as we think that there is no coal on the properties.

7 We can discuss what happens after a prospecting license is granted, if it is granted.

8 We are aware of what we are busy with.

Regards

Johan Grobler

On Wed, 11 Nov 2020 at 08:29, Elsaine Costerus Mohr <Elsaine.CM@greenmined.co.za> wrote:

Good day,

Herewith we would like to follow up on our correspondence dated the 3rd of November 2020, to which we have not yet received your feedback.

Your urgent response will be appreciated.

Kind Regards/Vriendelike Groete

Mrs. Elsaine Costerus-Möhr

**18. PROOF OF CORRESPONDENCE WITH MR
Joubert (Landowner) FROM Joubert Trust
FROM 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:08 AM
To: 'joubertg@drstech.co.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - JOUBERT TRUST
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: joubertg@drstech.co.za
Sent: 07 September 2020 03:08 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - JOUBERT TRUST

Your message has been delivered to the following recipients:

joubertg@drstech.co.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - JOUBERT TRUST



Ekuphumuleni
GP30/5/1/1/2/10650PR...



Glynnis Cohen Attorney

P.O Box 84620, Greenside, Johannesburg, 2034

T: +27 11 646 4662

C: +27 83 441 5440

F: +27 11 646 7640

E: gcohenattorney@gmail.com

Date: 14 October 2020

DELIVERED: BY
EMAIL

**GREENMINED ENVIRONMENTAL
(PTY) LIMITED**

REF: Elsaine Costerus-Möhr
Elsaine.cm@greenmined.co.za

Dear Sirs,

**RE: YOUR CLIENTS – THE JOUBERT TRUST IT 4791/2001; THE BRANRON
FAMILIE TRUST IT 3207/1997; THE JARDIM FAMILY TRUST IT 9689/1999**

1. In response to your client's application for a prospecting rights licence, I confirm that my client's objection was served on you by email on 6 October 2020. Please will you confirm per return your acknowledgment of receipt of my client's objection.
2. As I do not have the contact details of the regional manager of the Department: Mineral Resources so that my client's objection can be served on him/her as well please can you furnish these to me, thank you.
3. My client's objection was served on the Department: Mineral Resources at their dedicated address being corner De Kort and De Beer Street, 78 Mineralia Building, Braamfontein on 8 October 2020.
4. I await your urgent response.

Yours faithfully,

GLYNNIS COHEN ATTORNEY

From: Sonette Smit
Sent: Thursday, October 29, 2020 10:53 AM
To: 'DRS Technology ' <joubertg@drstech.co.za>
Cc: johan@wuhlf.co.za; Marlene Lingenfelder <admin@greenmined.co.za>; Elsaine Costerus Mohr <Elsaine.CM@greenmined.co.za>
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR - JOUBERT TRUST

Good day Mrs Joubert,

Kindly indicate whether you are still making use of Glynnis Cohen Attorney, we received an objection from them dated 14 October 2020 on behalf of (THE JOUBERT TRUST IT 4791/2001; THE BRANRON FAMILIE TRUST IT 3207/1997; THE JARDIM FAMILY TRUST IT 9689/1999). This objection did not make mention of the meeting held.

The matter is unclear to us. Please could you clarify which response we should take into consideration?

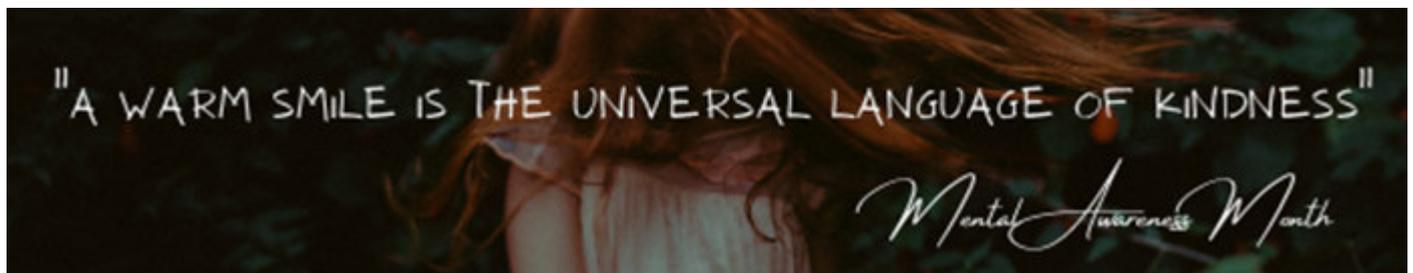
Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579
www.greenmined.com
Unit MO1, No 37 AECl site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: DRS Technology [<mailto:joubertg@drstech.co.za>]
Sent: Wednesday, October 28, 2020 6:58 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: johan@wuhlf.co.za; Marlene Lingenfelder <admin@greenmined.co.za>; Elsaine Costerus Mohr <Elsaine.CM@greenmined.co.za>
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR - JOUBERT TRUST

Goeie dag,

Vind aangeheg skrywe na aanleiding van ons vergadering verlede maand.
Geliewe kennis te neem dat ons ook nog nie die notules van die vergadering ontvang het nie.

Marlene Lingenfelder

From: Gerhard Joubert <joubertg@drstech.co.za>
Sent: 29 October 2020 03:35 PM
To: Sonette Smit
Cc: Marlene Lingenfelder
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR - JOUBERT TRUST

Dear Sonette,

I really do apologise for any inconvenience caused and busy taking this matter up with Glynnis.

Have a wonderful day,
Ina

From: Sonette Smit
Sent: 29 October 2020 02:09 PM
To: DRS Technology <joubertg@drstech.co.za>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR - JOUBERT TRUST

Good day Mrs Joubert,

Please find attached correspondence as discussed telephonically.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579
www.greenmined.com

Unit MO1, No 37 AECI site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

GREENMINED ENVIRONMENTAL

BY EMAIL: Elsaine.CM@greenmined.co.za

SIRS

IN RE: LOMEZA OPENCAST OPERATIONS / THE JOUBERT TRUST AND JOHAN GROBLER

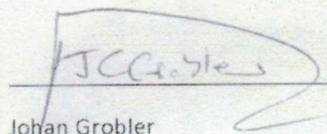
We refer to the abovementioned matter as well as our meeting held on Tuesday, 29th September 2020 @ 09:00.

We hereby provide you with the information as per our meeting in order to reach an agreement:

- 1) We are not able to reach an agreement with our neighbours as they are going to oppose the application.
- 2) We realize that prospecting may only take place with a prospecting license.
- 3) The whole process of getting the license in view of the opposition is going to cost time and money
- 4) We are however still willing to assist Lomeza so that they do not waste too much money.
- 5) We are also convinced that here is no or little (not enough to mine) coal in the area.
- 6) We each would like a borehole or boreholes for additional water. We did not intend to do this immediately but would allow Lomeza to drill a borehole for each of us for water. They can then use information they get from the boreholes to determine whether they want to proceed with the prospecting application.
- 7) We also want to put on record that we will strongly appose any mine license application in future
- 8) We will negotiate with Lomeza about the exact location of the boreholes.
- 9) We also want to confirm that the drilling contractors will have to operate according to our rules.

We look forward to your response herein.

Kind regards,


Johan Grobler


Gerhard Joubert

**MINUTES OF MEETING HELD ON 29 SEPTEMBER
2020**

GREENMINED ENVIRONMENTAL:

SONETTE SMIT

ELSAINÉ COSTERUS-MOHR

MARLENE LINGENFELDER

APPLICANT:

SIMON MKONZA (LOMEZA)

LAND OWNERS:

INA JOUBERT

GERHARD JOUBERT

JOHAN GROBLER

Minutes of Meeting held on 29 September 2020

Re: Lomeza Opencast Operations (Pty) Ltd

Prospecting Right Application

Attendees:

- Mrs Ina Joubert (Joubert Trust)
- Mr Gerhard Joubert (Joubert Trust)
- Mr Johan Grobler (neighbour of Joubert Trust)
- Mrs Sonette Smit (Environmental Consultant- Greenmined Environmental (“GE”) responsible for the application)
- Mrs Elsaine Costerus Mohr (Legal Advisor - GE)
- Mrs Marlene Lingenfelder (administrator responsible for PPP - GE)
- Mr Simon Mkonza (Lomeza - Applicant)

1. Mrs Smit starts the meeting by greeting the attendees as host of the meeting.

2. She requests that all attendees introduce themselves:
Mrs Ina Joubert and her husband Mr Gerhard Joubert (Joubert Trust),
Mr Johan Grobler (neighbour of Joubert Trust),
Mrs Sonette Smit (Environmental Consultant responsible for the application),
Mrs Elsaine Costerus Mohr (Legal Advisor),
Mrs Marlene Lingenfelder (responsible for PPP),
Mr Simon Mkonza (Lomeza Applicant).
The land owners had no lawyer present, as this is only seen as a discussion

3. Mrs Smit acknowledging the fact that the application was not executed in the manner it is usually done due to the national state of disaster. She thanks them for their time set aside for the meeting. Most of the documentation is only desktop at the moment as it is only a draft still and access to the farms was not yet granted.

Concerns:

- a. Johan Grobler informs that personally he thinks that the application done up to now is not done according to the law. Notices put up were inadequate and therefore they were not in a position to submit their objections with the DMRE until the application was submitted. Johan says they should have been in the position to submit comments from the beginning. It is confirmed that they have appointed a lawyer, who is busy with this matter. Johan feels that it's a waste of money from his point of view. If the applicant wants to mine for coal, in his opinion, there is no coal in that region, and says the application is a waste of time. Johan wants to know from Lomeza Mining what exactly they are looking for, so that the landowners can understand if they are interested in open cast mining or underground mining, because the kind of deposits you need for these applications are different.
- b. Mr Mkonza appreciate the remarks from Mr Grobler. The name of the applicant is Lomeza Opencast Operations (Pty) Ltd for the sake of this application. He also says that there could be a possibility of coal. but they don't know how deep they'll have to drill and in which areas of the farms they'll have to drill. Mr Mkonza states that their intentions are very simple Irrespective of what they find in the ground if they start the drilling program, it will determine Lomeza's appetite to pursue the coal reserve, if they find any. And if they don't find any coal bearing formation in the ground, by all means, they will obviously stop the project, because it will not make any financial sense to continue. In the event that Lomeza do find coal, the mining method which will apply, will depend on:
1. How deep the coal reserve is.
 2. How viable the coal reserve is.
- In Mr Mkonza's opinion it's premature to say whether it will be open cast mining or underground mining. Even if there is coal, the more determining fact is still how viable it is to mine the coal. There's a lot that goes into determining whether an area can be mined or not.

- c. Mr Grobler says that Mr Mkonza has answered his questions to a certain extent, and he understands that Lomeza as a mining company needs to explore the possibility. He suggests that Lomeza make contact with the drilling contractor (Herman Labuschagne) that did most boreholes on the farms, discuss with him whether he's found coal and where he's found it. Mr Grobler said that obviously the DBAR must've been copied from some other place that is not applicable by them. The whole area is not agricultural area that is used for diverse agricultural. The whole area is basically a game area, both him and the Joubert farm is game fenced. He does game farming, not as farming, but as reservation of the area. Most of the people in that area are doing the same. And any activity whatsoever, is going to be a disruption, and they don't welcome that. Furthermore, another thing to take into

account with the whole application, is that businesses there, farming included employees/workers, and the mining will destroy the employment, but also the environment where the exotic mushrooms being farmed are planted. Mr Grobler stated clearly that they are opposed to the mining, and they will obviously oppose an eventual mining application, if that happens, which he thinks won't. A prospecting application can be negotiated on a basis of a few holes being drilled that is not disrupting their game farming environment. They would insist on a situation where drilling be done on the farms in the morning and ends in the afternoon. Poaching being a problem, they do not want people running around or staying on the farm, it will be difficult to contain should there be other people on the farm. But, they are open to negotiate.

d. Mr Joubert says his farm is Ekuphumuleni portion one, which forms a huge game farm along with other farms. They are registered at the Department of Nature Conservation. They bought the farm as their retirement place. He supports everything Mr Grobler has said.

e. Mrs Smit acknowledges their concerns and thoughts. She reminds them that it is ONLY a draft and that it was mentioned that Greenmined did not have access to the farm. Nowhere was it said that there will be people staying on the farms, the drilling will only be like Mr Grobler said, people are going to come in with field vehicles, drill a site, and that will be a negotiation with the landowner, at the end of the day the people will leave the site. The landowner will determine the area that's open for prospecting.

f. Mr Grobler disagrees with the statement of Mrs Smit that there is nothing in the DBAR of people staying on the farms. According to him, he might've misread, but he saw that they requested a 200m² where people can stay and some equipment can be stored and toilets.

g. Mrs Smit explains the drilling site - the drilling site is more or less like you would have when you drill for water, so you'll have a vehicle coming in containing the equipment, which leaves every day, no site camp, they'll have their own ablution facility, in the form of a chemical toilet, and that would be the area that has been identified for drilling. There will be no camping or staying, they'll be coming and going. Mrs Smit request that Mr Mkonza explains a typical drill site, so that they can understand how it works.

h. Mrs Smit suggests that Mr Grobler, Mrs Joubert and Mr Joubert send a proposal to Mr Mkonza on what would be acceptable to them, which areas approved, any no-go areas etc.

i. Mr Grobler suggests that at this stage he, Mr. Joubert and Mrs. Joubert will negotiate, but the neighbours are not on board. He requested to extend the deadline with 2 weeks, to negotiate with the neighbours to come on board. They will then submit a document with their suggestions on how they think this can happen. At the moment they are not at the place where they can make any suggestions.

j. Mrs Smit informs Mr Mkonza that it will be in order to extend the PPP comment date that ends on the 8th of October 2020 with 2 weeks. She proposes the new end date to be the 22nd of October 2020, which is still in their timeframe.

k. Mr Mkonza confirms that he agrees with the new date.

l. Mrs Smit informs Mr Grobler that she'll send them a letter that gives them extension till the 22nd of October 2020. She also makes it clear to them that even though she's extending PPP for the landowners until the 22nd of October 2020, however, no new PPP advertising will be done, the advertisements that went out already stopped on the 8th of October 2020, but she will accept comments and suggestions until the 22nd of October 2020. She then explains the process: the landowner consent is not something that stops now, during the process the landowner still have time to draw up landowner consent, it's part of the application, but even if the prospecting right gets granted, it's subjected to the landowner consent being finalized. That part is an ongoing process, the agreement does not have to be reached by the 22nd of October 2020.

m. Mr Grobler confirms that they understand it.

4. Mrs Smit ends the meeting with appreciation for their time and openness.

**18. PROOF OF CORRESPONDENCE WITH
JORDAAN EN SMIT ATTORNEYS FROM 7
SEPTEMBER 2020 ACTING ON BEHALF OF**

- **MR JOHAN CORNELUIS GROBLER
(LANDOWNER) FROM KLOPPERBOS 128JR**
- **MR JOUBERT (LANDOWNER) FROM JOUBERT
TRUST**



REF: GP 30/5/1/1/2/10650 PR

07 September 2020

Glynnis Cohen Attorneys
Attention: Me. Glynnis Cohen
PO Box 84620
Greenside
Johannesburg
2034

By email: gcohenattorney@gmail.com

Dear Madam,

**YOUR CLIENTS: THE JOUBERT TRUST IT 4791/2001; THE BRANRON FAMILIE TRUST IT 3207/1997; THE JARDIM FAMILY TRUST IT 9689/1999 AND JOHAN GROBLER OF THE FARM PORTION 5 KLOPPERBOS 128 JR
OUR CLIENT: LOMEZA OPENCAST OPERATIONS (PTY) LTD**

1. The above matter as well as your letters dated 23 July 2020 and 4 August 2020, respectively, refers.
2. In the meantime, our client received acceptance of its application for a prospecting right in terms of Section 16 of the MPRDA, for the prospecting of coal over Portion 5 of the Farm Klopperbos 128 JR and Portions 1, 7 and 8 of the Farm Ekuphumuleni 716 JR, Magisterial District of Cullinan. Kindly find attached hereto copy of the acceptance letter dated 20 August 2020, which was received by our office on 02 September 2020.
3. We herewith confirm that the Draft Basic Assessment Report (DBAR) will be available for comments from **07 September 2020 to 08 October 2020** and is currently available under the folder Ekuphumuleni at the following web page [Greenmined Environmental](#).
4. Please note that your clients have been registered as Interested and Affected Parties, and both your clients and yourself will be notified and consulted during this public participation process.
5. You are welcome to contact writer directly in the event that you require any additional information.

Kind Regards,

A handwritten signature in black ink, appearing to read "Elsaine", written over a light blue horizontal line.

Elsaine Costerus-Mohr
Greenmined Environmental
Elsaine.cm@greenmined.co.za

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, Baker Square Block 1, De Beers Avenue, Paardevlei, Somerset West, 7130
Postnet Suite 62, Private Bag X15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



Ref No: **GP30/5/1/1/2/10650PR**

Jordaan Smit Inc.
Attention: Mr. Jp\Johan Jordaan
Brookfield Office Park, 2nd Floor, South Block
272 Bronkhorts Street
Nieuw Muckleneuk
Pretoria

07 September 2020

Dear Sir,

YOUR CLIENTS: THE JOUBERT (FAMILY) TRUST AND JOHAN GROBLER

OUR CLIENT: LOMEZA OPENCAST OPERATIONS(PTY) LTD

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

The draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments.

Acknowledgement of the application for an environmental authorisation for the proposed prospecting activities, lodged on the 9th of July 2020, in terms of Regulation 16 of the National Environmental Management Act, 1998 (Act no 107 of 1998 NEMA): Environmental Impact Assessment (EIA) Regulations, 2014, was received on the 6th of August 2020.

Acceptance in terms of Section 19 of the Minerals and petroleum Resources Development Act, 2002 (Act no 28 of 2002) for an application lodged on the 9th of July 2020 was received on the 20th of August 2020.

A copy of the document can also be obtained from Greenmined Environmental upon request, or downloaded from the company website at www.greenmined.com, from Monday 7th September 2020.

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, MO1 Baker Square Block, De Beers Avenue, Paardevlei, Somerset West, 7130
Postnet Suite 62, Private Bag x15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



Your comments are herewith kindly requested on the DBAR & EMPR and a thirty (30)-day commenting period, ending on **08 October 2020**, will be allowed for comments. Your comments must be in writing and can be submitted via facsimile, e-mail and/or post. Please do not hesitate to contact us in the event of any uncertainties and please ensure that your contact details are included with your comments.

If we do not receive any comments from you before the end of the commenting period it will be accepted that you do not have any additional objections/comments with regard to the project. We trust that you find it in order and kindly await your comments on this report.

Please contact Sonette Smit at 084 585 5706 (Cell) or 021 851 2673 (Tel), 086 546 0579 (Fax), or sonette.s@greenmined.co.za should you require any additional information.

A handwritten signature in black ink, appearing to read 'Smit', is written over the typed name 'Sonette Smit'.

Kind Regards

Sonette Smit

Greenmined Environmental

sonette.s@greenmined.co.za

Marlene Lingenfelder

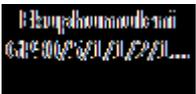
From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: admin@jordaansmit.co.za; ldebeer@jordaansmit.co.za
Sent: 07 September 2020 04:17 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Jordaan Smit Inc

Your message has been delivered to the following recipients:

admin@jordaansmit.co.za

ldebeer@jordaansmit.co.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Jordaan Smit Inc



Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 04:17 AM
To: 'admin@jordaansmit.co.za'; 'ldebeer@jordaansmit.co.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Jordaan Smit Inc
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month





mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

DMR 10

Private Bag X 5, Braamfontein, 2017 Cnr De Korte and De beer Street, 78 Mineralia Building, Braamfontein, 2017.
Tel: 011 358 9782, Fax (011) 339 1084, Email: Shirley.Matjomane@dmr.gov.za Ref No: GP30/5/1/1/2 (10650) PR
From: Mineral Regulation: Gauteng Office, Enquiries: S.M. Matjomane

Lmomeza Opencast Operations (Pty) Ltd
Postnet Suite 398
Private Bag X7297
WITBANK
1035

Attention: Sonette Smit

Email: sonette.s@greenmined.co.za
simon@lomeza.co.za

APPLICATION FOR PROSPECTING RIGHT IN TERMS OF SECTION 16 IN TERMS OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (THE ACT) (AS AMENDED); PORTION 5 OF THE FARM KLOPPERBOS 128 JR AND PORTIONS 1, 7, AND 8 OF THE FARM EKUPHUMLENI 716 JR JR, IN THE MAGISTERIAL DISTRICT OF CULLINAN.

1. This is to inform you that your application for a prospecting right in terms of section 16 of the Act to prospect coal in the abovementioned properties has been accepted.
2. You are therefore required in terms of section 16 (4) (b) as amended by section 12 of the MPRDA Amendment Act read with Regulation 52 (1) of the Act to:
 - 2.1 consult in the prescribed manner with the landowner, lawful occupier and any interested and affected party(ies) including **Nsele Mining (Pty) Ltd** and include the result of the consultation in the relevant environmental reports.

3. The Minister has, after having had regard to and considered the type of mineral that you applied for and the extent of your proposed prospecting activity decided to direct you to give effect to the objects of section 2(d) of the MPRDA. You are therefore directed to submit the following documents within **60 days** [i.e. on or before _____] from the date of this letter, namely;
- a. Share certificates;
 - b. Details relating to the equity by the BEE shareholders;
 - c. Any other agreement relating to the BEE shareholding including the voting pool agreement where applicable; and
 - d. Your articles and memorandum of association.
4. Acceptance of your application does not grant you the right to commence with any prospecting and/or mining activities. It only signifies that your application will be processed in order for the Minister or his delegate to consider same and make a decision within **197** days from the date of acceptance of your application.

Regards


Regional Manager
Gauteng Region
BRAAMFONTEIN
Date: 20/08/2020



Ref No: **GP30/5/1/1/2/10650PR**

Jordaan Smit Inc.
Attention: Mr. Jp\Johan Jordaan
Brookfield Office Park, 2nd Floor, South Block
272 Bronkhorts Street
Nieuw Muckleneuk
Pretoria

07 September 2020

Dear Sir,

YOUR CLIENTS: THE JOUBERT (FAMILY) TRUST AND JOHAN GROBLER

OUR CLIENT: LOMEZA OPENCAST OPERATIONS(PTY) LTD

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

The draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments.

Acknowledgement of the application for an environmental authorisation for the proposed prospecting activities, lodged on the 9th of July 2020, in terms of Regulation 16 of the National Environmental Management Act, 1998 (Act no 107 of 1998 NEMA): Environmental Impact Assessment (EIA) Regulations, 2014, was received on the 6th of August 2020.

Acceptance in terms of Section 19 of the Minerals and petroleum Resources Development Act, 2002 (Act no 28 of 2002) for an application lodged on the 9th of July 2020 was received on the 20th of August 2020.

A copy of the document can also be obtained from Greenmined Environmental upon request, or downloaded from the company website at www.greenmined.com, from Monday 7th September 2020.

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, MO1 Baker Square Block, De Beers Avenue, Paardevlei, Somerset West, 7130
Postnet Suite 62, Private Bag x15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



Your comments are herewith kindly requested on the DBAR & EMPR and a thirty (30)-day commenting period, ending on **08 October 2020**, will be allowed for comments. Your comments must be in writing and can be submitted via facsimile, e-mail and/or post. Please do not hesitate to contact us in the event of any uncertainties and please ensure that your contact details are included with your comments.

If we do not receive any comments from you before the end of the commenting period it will be accepted that you do not have any additional objections/comments with regard to the project. We trust that you find it in order and kindly await your comments on this report.

Please contact Sonette Smit at 084 585 5706 (Cell) or 021 851 2673 (Tel), 086 546 0579 (Fax), or sonette.s@greenmined.co.za should you require any additional information.

A handwritten signature in black ink, appearing to read 'Smit', is written over the typed name 'Sonette Smit'.

Kind Regards

Sonette Smit

Greenmined Environmental

sonette.s@greenmined.co.za

Marlene Lingenfelder

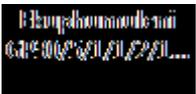
From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: admin@jordaansmit.co.za; ldebeer@jordaansmit.co.za
Sent: 07 September 2020 04:17 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Jordaan Smit Inc

Your message has been delivered to the following recipients:

admin@jordaansmit.co.za

ldebeer@jordaansmit.co.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Jordaan Smit Inc



Marlene Lingenfelder

From: Francoise Viljoen <admin@jordaansmit.co.za>
To: Marlene Lingenfelder
Sent: 07 September 2020 04:22 PM
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - Jordaan Smit Inc

Your message

To:
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - Jordaan Smit Inc
Sent: 08 September 2020 07:59:03 AM (UTC+02:00) Harare, Pretoria

was read on 07 September 2020 04:21:52 PM (UTC+02:00) Harare, Pretoria.

TEL: 012 940 3579
FAX: 012 346 3550
EMAIL: info@jordaansmit.co.za
WEBSITE: www.jordaansmit.co.za
YOUR REFERENCE: GP30/5/1/1/2/10650PR
OUR REFERENCE: JOHAN JORDAAN/A3162
DATE: 6 OCTOBER 2020

ADDRESS:
Brookfield Office Park,
2nd Floor, South Block,
272 Bronkhorst Street,
Nieuw Muckleneuk,
Brooklyn,
Pretoria

**DEPARTMENT OF MINERAL RESOURCES
CORNER DE KORTE AND DE BEER STREET
78 MINERALIA BUILDING
BRAAMFONTEIN
BY HAND**



Sirs,

IN RE: OBJECTION IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10(2) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 28 OF 2002, AS AMENDED ("MPRDA") - APPLICATION IN TERMS OF SECTION 16 OF THE MPRD ACT FOR A PROSPECTING RIGHT BEARING DEPARTMENT OF MINERAL RESOURCES' ("DMR") REFERENCE NUMBER: GP30/5/1/1/2/10650PR FOR COAL IN RESPECT OF, KLOPPERSBOS 128 JR (PORTION 5) GAUTENG PROVINCE AND PORTION 1 OF THE FARM EKUPHUMULENI 716 JR.

1 INTRODUCTION

- 1.1 We are acting on behalf of Mr Johan Cornelis Grobler and the Joubert Family Trust.
- 1.2 Mr Grobler is the registered owner of the property known as portion 5, Kloppersbos 128 JR ("**Mr Grobler's Property**").
- 1.3 The Joubert Family Trust is the registered owner of the property known as portion 1, Ekuphumuleni 716 JR ("**Trust's Property**").

Director: Johan Jordaan B Iur LLB-LLM Law of Contract (*Cum Laude*)
Associate: Lizarié Smit Bcom LLB
Attorneys: Chanelda van Wyk LLB, Liezl de Beer LLB, Nicole Reyneke BCom LLB and Leandri Steyn LLB
Candidate Attorneys: Christoff Pretorius and Lauren Janse van Rensburg

- 1.4 On or about 7 September 2020 Mr Grobler and the Joubert Family Trust was notified by e-mail, received from Greenmined Environmental ("**Greenmined**"), of a decision ("**Acceptance Decision**") taken by the Regional Manager: Gauteng Province on 20 August 2020, to accept an application for a prospecting right lodged by Lomezza Opencast Operations (Pty) Ltd ("**the Applicant**"), duly assisted by Greenmined, as the appointed Environmental Assessment Practitioner, in accordance with the provisions of section 16 of the MPRDA, bearing DMR reference number: GP30/5/1/1/2/10650PR ("**Prospecting Right Application**"), for the minerals Bituminous coal and Torbanite coal.
- 1.5 Mr Grobler and the Joubert Family Trust only became aware of the Acceptance Decision on 7 September 2020. In this regard, we attach hereto the letter received from Greenmined, marked as **Annexure "A"**.
- 1.6 Furthermore, this objection is lodged timeously, *inter alia*, for the following reason:
- 1.6.1 In Annexure "A" the Interested and Affected Parties are, amongst others, invited to provide comments pertaining to the proposed activity (probably a reference to the proposed mining activity of the Applicant) until 8 October 2020.

2 INITIAL GROUNDS OF OBJECTION, INTER ALIA, COMPLIANCE AND IMPACT

- 2.1 The "Site Notices" placed at the entrance to the farm and at the Spaza Shop on 7 July 2020 is not "conspicuous" **as per Regulation 41(2)(a) of the Environmental Impact Assessment Regulations**, and therefore does not constitute adequate notice. There are three entrances from national roads to the properties proposed to be prospected on. No "Site Notices" were placed at any of these three

Director: Johan Jordaan B Iur LLB LLM Law of Contract (*Cum Laude*)
Associate: Lizarié Smit Bcom LLB
Attorneys: Chanelda van Wyk LLB, Liezl de Beer LLB and Nicole Reyneke BCom LLB
Candidate Attorneys: Christoff Pretorius and Lauren Janse van Rensburg

entrances to the properties.

2.2 The advertisement placed in the Beeld is defective, in that it **does not comply with Regulation 3** of the MPRDA. Regulation 3(4)(c)(i) reads as follows:

"3(4) A publication, notice or advertisement referred to in subregulation (3) must include -

...

(c) the -

...

(i) work, postal, **and** street address and..."

The advertisement placed in the Beeld only contains a postal address and no work and street address, as is required.

2.3 Further, no documentary proof of the Applicant's financial ability or access thereto, was provided, **as per Regulation 5(1)(j) of the MPRDA.**

2.4 On or about 8 July 2020 Mr Grobler and the Joubert Family Trust received an e-mail from Greenmined Environmental, containing a "Background Information Document". Said document did not contain sufficient detail to answer to. On or about 5 August 2020 our office requested, *inter alia*, the complete application, as submitted to the Department of Mineral Resources and Energy, in order for Mr Grobler and the Joubert Family Trust to lodge an objection. Said complete application was not provided to our office, to the prejudice of our clients.

2.5 In consequence, it is impossible to ascertain exactly what the impact of the proposed prospecting will be on the inhabitants of the Properties and, in

Director: Johan Jordaan B Jur LLB LLM Law of Contract (*Cum Laude*)
Associate: Lizarié Smit Bcom LLB
Attorneys: Chanelida van Wyk LLB, Liezl de Beer LLB and Nicole Reyneke BCom LLB
Candidate Attorneys: Christoff Pretorius and Lauren Janse van Rensburg

particular, what impact the proposed prospecting will have on the environment. This statement is made having regard to the following:

- 2.5.1 It is stated by the Applicant that the existence of coal in the area applied for is deduced from “*All documentation, to date, was based on preliminary data, surrounding information and desktop studies*” (ad page 2 of the Draft Basic Assessment Report). This is wholly insufficient.
- 2.5.2 The closest coal mining operations are more than 50 kilometres away from the Property.
- 2.5.3 Clearly the existence of coal in the proposed prospecting area is purely speculation, having no factual basis.

3 AD MR GROBLER’S PROPERTY

- 3.1 Mr Grobler conducts mushroom farming activities on his Property, which provides gainful and sustainable employment to members of the local community. The proposed mining operations will make it impossible to continue with the aforesaid farming activities.
- 3.2 Mushroom farming, by nature, is delicate, and the farming activities will undoubtedly be negatively affected by any prospecting on the Property. (See, in this regard, “Listed and specified Activities” ad page 19 of the Draft Basic Assessment Report, being *inter alia*, stripping and stockpiling of topsoil, and drilling).

Director: Johan Jordaan B Jur LLB LLM Law of Contract (*Cum Laude*)
Associate: Lizarié Smit Bcom LLB
Attorneys: Chanelda van Wyk LLB, Liezl de Beer LLB and Nicole Reyneke BCom LLB
Candidate Attorneys: Christoff Pretorius and Lauren Janse van Rensburg

- 3.3 It is submitted that prospecting for which the Applicant have applied, will only create short term employment, as prospecting is, by nature, of short term.
- 3.4 However, the mushroom farm activities, on Mr Grobler's Property, is creating long term, sustainable and gainful employment to his employees. These employees' employment, and their means to support their families, will be negatively affected by the proposed prospecting. The proposed prospecting will therefore affect not only Mr Grobler, but also his employees and their extended families.
- 3.5 It follows, that same will infringe on Mr Grobler's and his employees' Constitutional Rights.

4 AD THE JOUBERT FAMILY TRUST'S PROPERTY

- 4.1 There is a Game Farm situated on the Trust's Property. The proposed mining operations will negatively affect the wildlife and *flora* on said Property, also, under circumstances where the drastic, and potential negative, impact on the area (and wildlife and *flora*) have not been duly assessed.
- 4.2 It is also submitted, as concerning Mr Grobler, that prospecting, for which the Applicant have applied, will only create short term employment, as prospecting is, by nature, of short term.
- 4.3 However, the Game Farm on The Joubert Family Trust's Property, is creating long term, sustainable and gainful employment to its employees. These employees' employment, and their means to support their families, will be negatively affected by the proposed prospecting.

Director: Johan Jordaan B Jur LLB LLM Law of Contract (*Cum Laude*)
Associate: Lizarié Smit Bcom LLB
Attorneys: Chanelda van Wyk LLB, Liezl de Beer LLB and Nicole Reyneke BCom LLB
Candidate Attorneys: Christoff Pretorius and Lauren Janse van Rensburg

4.4 It also follows that same infringes on various rights (legal and other) of the Joubert Family Trust, and its employees.

5 RESERVATION OF RIGHTS AND RIGHT TO SUPPLEMENT

All of Mr Grobler's and the Joubert Family Trust's rights are reserved, including the right to supplement the content of this objection, should same be necessary.

We trust you find the above in order.

Regards,

JOHAN JORDAAN



Director: Johan Jordaan B Jur LLB LLM Law of Contract (*Cum Laude*)
Associate: Lizarié Smit Bcom LLB
Attorneys: Chanelda van Wyk LLB, Liezl de Beer LLB and Nicole Reyneke BCom LLB
Candidate Attorneys: Christoff Pretorius and Lauren Janse van Rensburg

"A"



REF: GP 30/5/1/1/2/10650 PR

07 September 2020

Jordaan Smit Inc.
Attention: Mr. Johan Jordaan
Brookfield Office Park, 2nd Floor, South Block
272 Bronkhorst Street
Nieuw Muckleneuk
Brooklyn
Pretoria

By email: ldebeer@jordaansmit.co.za

Dear Sir,

YOUR CLIENTS: THE JOUBERT (FAMILY) TRUST AND JOHAN GROBLER
OUR CLIENT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

1. The above matter as well as your letters dated 05 August 2020 and 2 September 2020, respectively, refers.
2. In the meantime, our client received acceptance of its application for a prospecting right in terms of Section 16 of the MPRDA, for the prospecting of coal over Portion 5 of the Farm Kloppersbos 128 JR and Portions 1, 7 and 8 of the Farm Ekuphumuleni 716 JR, Magisterial District of Cullinan. Kindly find attached hereto copy of the acceptance letter dated 20 August 2020, which was received by our office on 02 September 2020.
3. Our client's application was advertised in "Die Beeld" on 08 July 2020, which advertisement we attach hereto for your ease of reference. Please also note that site notices were placed at the entrance to the farm on 7 July 2020. Site notices were also placed at the spaza shop on D327 (Kwamahlanga and Kloppersbos Pyranid Crossing) on 7 July 2020.
4. We herewith confirm that the Draft Basic Assessment Report (DBAR) will be available for public comments from **07 September 2020 to 08 October 2020** and is currently available under the folder Ekuphumuleni at the following web page [Greenmined Environmental](#).
5. Please note that your clients have been registered as Interested and Affected Parties, and both yourself and your clients will be notified and consulted during this public participation process.
6. You are welcome to contact writer directly in the event that you require any additional information.

Kind Regards,

Elsaine Costerus-Mohr
Elsaine.cm@greenmined.co.za

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, Baker Square Block 1, De Beers Avenue, Paardevelei, Somerset West, 7130
Postnet Suite 62, Private Bag X15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

DMR 10

Private Bag X 5, Braamfontein, 2017 Cnr De Korte and De beer Street, 78 Mineralia Building, Braamfontein, 2017.
Tel: 011 358 9782, Fax (011) 339 1084, Email: Shirley.Matjomane@dmr.gov.za Ref No: GP30/5/1/1/2 (10650) PR
From: Mineral Regulation: Gauteng Office, Enquiries: S.M. Matjomane

Lmomeza Opencast Operations (Pty) Ltd
Postnet Suite 398
Private Bag X7297
WITBANK
1035

Attention: Sonette Smit

Email: sonette.s@greenmined.co.za
simon@lomeza.co.za

APPLICATION FOR PROSPECTING RIGHT IN TERMS OF SECTION 16 IN TERMS OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (THE ACT) (AS AMENDED); PORTION 5 OF THE FARM KLOPPERBOS 128 JR AND PORTIONS 1, 7, AND 8 OF THE FARM EKUPHUMLENI 716 JR JR, IN THE MAGISTERIAL DISTRICT OF CULLINAN.

1. This is to inform you that your application for a prospecting right in terms of section 16 of the Act to prospect coal in the abovementioned properties has been accepted.
2. You are therefore required in terms of section 16 (4) (b) as amended by section 12 of the MPRDA Amendment Act read with Regulation 52 (1) of the Act to:
 - 2.1 consult in the prescribed manner with the landowner, lawful occupier and any interested and affected party(ies) including Nsele Mining (Pty) Ltd and include the result of the consultation in the relevant environmental reports.

3. The Minister has, after having had regard to and considered the type of mineral that you applied for and the extent of your proposed prospecting activity decided to direct you to give effect to the objects of section 2(d) of the MPRDA. You are therefore directed to submit the following documents within 60 days [i.e. on or before _____] from the date of this letter, namely;
- a. Share certificates;
 - b. Details relating to the equity by the BEE shareholders;
 - c. Any other agreement relating to the BEE shareholding including the voting pool agreement where applicable; and
 - d. Your articles and memorandum of association.
4. Acceptance of your application does not grant you the right to commence with any prospecting and/or mining activities. It only signifies that your application will be processed in order for the Minister or his delegate to consider same and make a decision within 197 days from the date of acceptance of your application.

Regards


Regional Manager
Gauteng Region
BRAAMFONTEIN
Date: 20/08/2020

T: 087 353 1316
F: 012 485 9067
E: otx@beeld.com

KAMERS TE HUUR

VERBLYF NABY MENLYN-ENKEL Gemiddelde kamers R3 250 pm. Wlfl. W & E Ingeel. Onderdakparkering. Geskik vir onklooiende jong werkende persone en studente. n Marius by 072 499 1834 Besoek www.menlynaccommodation.com

VOERTUIG

MOTORS TE KOOP

KONTANT



VIR U
BANKIE • MOTOR • BOSSIE
• WOODWA • SLEEPWA!

EN KOM MAAL EN BETAAL!
VIR TOPPREY EN
VREYEBLIE. ENLIEKE DENS,
SKAKEL

LOUIS CONRADIE
082 445 3304
Skakel of Whats app

REGSKENNISGEWINGS & TENDERS

SLOPING

The owner of erven R/443, 1/443, R/449, 1/448, R/448, R/447, 1/447, R/446, 1/446, R/445, 1/445, 1/444, 1/446, 1/446, R/441, 1/443, R/436, R/329, R/361, 1/361, 1/460, R/360, R/359, 1/359, R/358, 1/358, 1/354, 1/353, Hatfield.

City of Tshwane is planned to do renovation, refurbishment and restoration work to the existing buildings and outbuildings. Plans can be viewed at the office of HP Architects & Heritage Architects - please arrange for viewing via E-mail: hpah@web.co.za

Any interested and affected parties who want to comment on the above-mentioned, are requested to send their comments in writing to: hpah@web.co.za

HP Architects & Heritage Architects and also Provincial Heritage Resources Authority, Private Bag 133, Johannesburg, 2000 / Telephone: (011) 355 253/878 / jasego.ramele@gauteng.gov.za & tebogo.molokomme@gauteng.gov.za

Closing date for comments: 7 August 2020
ERVEN Hatfield Tshwane. 012 2511070/5

Die venaar van erven R/443, 1/443, R/449, 1/448, R/448, R/447, 1/447, R/446, 1/446, R/445, 1/445, 1/444, 1/446, 1/446, R/441, 1/443, R/436, R/329, R/361, 1/361, 1/460, R/360, R/359, 1/359, R/358, 1/358, 1/354, 1/353, Hatfield.

ALGEMENE KENNISGEWINGS

NOTICE OF PROSPECTING RIGHT APPLICATION

Notice is hereby given in terms of Section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (MPRDA) and the National Environmental Management Act, 1998 (Act No. 103 of 1998) (NEMA) as well as the Environmental Impact Assessment (EIA) Regulations of 2014 (as amended 2017) (EIA Regulations) and the Department of Environmental Affairs (DEA) intends to consider the following applications to prospect for:

- mineral and petroleum resources in terms of section 16 of the MPRDA, 2002 in and Portion 1, 7 and 8 of the farm Klomppersbos 718 26, situated in the Common (Housing) 134 (Municipal) Local Municipality, magisterial district of the Gauteng Province;
- a prospecting right in terms of section 16 of the MPRDA, 2002 to the Department of Mineral Resources and Energy.

The proposed prospecting footprint is 409,797 ha over the above mentioned portions. Prospecting will involve delineation of the potential mineral resource and hereto relating to retrieval, geological core samples. All activities will be contained within the boundaries of the site.

The proposed project triggers the following listed activities in terms of NEMA, 1998 and the EIA Regulations 2014 (amended 2017) and therefore requires a basic assessment process to obtain environmental authorisation. GNR 327 Listing Notice 1 of 2017 Activity 20:

Any activity including the operation of that activity which requires a prospecting right in terms of Section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including:

- (1) associated infrastructure, structures and earthworks, directly related to the prospecting of a mineral resource; or
- (2) the primary processing of a mineral resource including washing, crushing, classifying, concentrating, crushing, screening or washing, but excluding the secondary processing of a mineral resource, including the smelting, beneficiating, reduction, refining, calcining or gasification of the mineral resource in which case activity 5 in Listing Notice 2 applies. GNR 327 Listing Notice 1 of 2017 Activity 22:

The decommissioning of any activity requiring:

- (a) a prospect certificate in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002); or
- (b) a prospecting right, mining right, mining permit, production right or exploration right, where the throughput of the activity has reduced by 90% or more over a period of 5 years, excluding where the competent authority has in writing agreed that such reduction in throughput does not constitute decommissioning. GNR 324 Listing Notice 3 of 2017 Activity 12:

The clearance of an area of 300 square meters or more of indigenous vegetation, an except where such clearance of indigenous vegetation is required for maintenance or pest management in accordance with a maintenance management plan.

(c) Gulating

i) Within any critically endangered or endangered ecosystem listed in terms of section 32 of the NEMA,

or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment, 2004,

ii) Within Critical Biodiversity Areas or Ecological Support Areas identified in the National Conservation Plan or biogeographical plants or

in certain, where, at the time of the coming into effect of this notice or thereof, or such land was zoned open space, conservation or rural agricultural zoning.

Interested and Affected Parties (I&APs) are invited to provide written comments. I&APs must provide their comments with their name and contact details to the environmental consultant, indicated below within 30 days from the date of this notice. Should additional information be required it could be obtained from Greenprint Environmental.

A reviewer of I&APs that submit written comments or requests to be registered will be provided. All requests of status which is prejudicial in respect of the activity will not be taken on the register. Please note that only registered I&APs will be entitled to comment on reports and plans to be submitted to the Department, provided that the party provides its name, contact details and address and declares any direct business, financial, personal or other interests which the party may have in the approval or refusal of the application. The registered I&APs will, in writing, confirm 14 days of the date of the approval or refusal of the reasons for the decision and the right to appeal.

Environmental Consultant Contact Person
Applicant:
Greenmined Environmental (Pty) Ltd
Suzette Smit
Private Suite 01, Private Bag 235
Somerset West, 780 / Tel: 021 551 2673
Fax: 021 546 0579 / Cell: 084 983 5703
E-mail: suzette@greenmined.co.za
Company Registration: 2015/005119
Business Reg. No: 2015/005119
VAT No: 453 551 012 / 551 012
GNR 327 & 324. 012 485 9067

GROEP-BEGRAFNIS ASSOSIASIE
Algemene Jaarvergadering
HOOFKANTOOR: h/v New- en
Jobberstraat 49, Germiston
POSADRES: Posbus 251, Germiston

ERF 1870 HEIDELBERG EXT 9 FORM III LOST OR DESTROYED DEED

Notice is hereby given in terms of Regulation 66 of the Deeds Registries Act, 1937, of the intention to apply for the issue of a certified copy of certificate of Registered Title (Book 15318, 1997) passed by DEON DU PLOOY (R/ 60129/2002) in favour of CHAIRMAINE ELIZABETH DU PLOOY in respect of JANTJE HATTHEM NGOWEMLA (R/ 5707/1982) & THOMASILE TRYPHINA NGOWEMLA (R/ 1022/1982) as mentioned in community of property, as well as in respect of ERF 1870 situated in HEIDELBERG EXTENSION V, Registration District 12, Province of Gauteng, which has been lost or destroyed. All interested persons having objection to the issue of such copy are hereby invited to lodge the same in writing with the Registrar of Deeds at The Deeds Office of Registration Section, Market Square, 140 Pretorius Street, Pretoria Central, Pretoria, 0002 within two weeks from date of publication of this notice.

DATED at Heidelberg on this 27th day of JULY 2020.
JEANNE LANGLEY (Jnr) 690416 0231 08 / UNMARRIED in respect of a certain (a) Section No. 19 as shown and more fully described on Sectional Plan No. SS 760/2001 in the scheme known as SILVER PARK in respect of the land and building or buildings situated at ERF 1934 ELARDUSPARK EXTENSION 26 TOWNSHIP, LOCAL AUTHORITY: CITY OF TSHWANE METROPOLITAN MUNICIPALITY of which section the floor area, according to the said sectional plan is 90 (ninetty) square metres in extent and (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan which has been lost or destroyed. All persons having objection to the issue of such copy are hereby invited to lodge the same in writing with the Registrar of Deeds at Pretoria within two weeks from the date of the publication of this notice.

DATED at PRETORIA this 2nd day of JULY 2020.
(Sgd) LANGLEY
Address: 19 SILVER PARK,
Elarduspark Pretoria
E-mail Address: Jeanne@wvabmail.co.za
Contact Number: 082-496-2524
ERF 1934 JUL 0775/4040

NOTICE OF INTENTION TO APPLY FOR THE ISSUE OF A CERTIFIED COPY OF A LOST OR DESTROYED DEED (BY VIRTUE OF REGULATION 66(1) OF THE DEEDS REGISTRIES ACT, 1937 (ACT 47 OF 1937))

Notice is hereby given in terms of Regulation 66 of the Deeds Registries Act, 1937, of the intention to apply for the issue of a certified copy of Deed of Transfer number ST73934/2008 passed by JEANNE LANGLEY (Jnr) 690416 0231 08 / UNMARRIED in respect of a certain (a) Section No. 19 as shown and more fully described on Sectional Plan No. SS 760/2001 in the scheme known as SILVER PARK in respect of the land and building or buildings situated at ERF 1934 ELARDUSPARK EXTENSION 26 TOWNSHIP, LOCAL AUTHORITY: CITY OF TSHWANE METROPOLITAN MUNICIPALITY of which section the floor area, according to the said sectional plan is 90 (ninetty) square metres in extent and (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan which has been lost or destroyed. All persons having objection to the issue of such copy are hereby invited to lodge the same in writing with the Registrar of Deeds at Pretoria within two weeks from the date of the publication of this notice.

DATED at PRETORIA this 2nd day of JULY 2020.
(Sgd) LANGLEY
Address: 19 SILVER PARK,
Elarduspark Pretoria
E-mail Address: Jeanne@wvabmail.co.za
Contact Number: 082-496-2524
ERF 1934 JUL 0775/4040

VERLORE OF VERNIETIGDE TITELBEWYS

meteen word kennis gegee dat kragtens die beoordings van Regulasie 66 van die Registrasie van Akte Wet, 1937, dat die voorneme is om aansoek te doen om 'n gesertifiseerde afskrif van Akte van Transfer: T35715/1989 oopgesluit deur ERIC GASSER, getroud op 30 Januarie 1938, getroud met CHRISTA MARTHA GASSER, welke huwelik bepalend deur die reg van Switserland, ten gunste van CHRISTA MARTHA GASSER, teidentifiseer met 360117 0996 123. Getroud met ERIC GASSER, welke huwelik bepalend deur die reg van Switserland, ten gunste van ERIC GASSER, ERIC 262 MALANSHOFF UITEREINDING 1 DORPSGEBIED, REGISTRASIE AFDELING 10, GAUTENG, wat verlore gegaan het of vernietig is. Alle belanghebbendes wat beweer dat hulle 'n aansoek vir 'n afskrif van hierdie verloop het, word hierby versoek om dit skriftelik in te dien by die Registrasie van Akte te Pretoria, Market Square, Pretoria (Post Stree 140, Pretoria, 0002) binne twee weke na datum van publikasie van hierdie kennisgewing. Geldeen te Durbanville op hende 3de dag van Junie 2020.
AGNESDEKER
ROLFE PRUKUREURS
MONACO SQUARE 2, HERKSTRAAT 15, DURBANVILLE
E-POS: sander@rolfe.co.za
TEL: 0219756101
ERF 262 JUL 08CR14040

AT
FARM DE LOZ
Notice is given in terms of the intention to apply for the issue of a certified copy of Deed of Transfer number 1001/2019 in respect of a certain (a) Section No. 19 as shown and more fully described on Sectional Plan No. SS 760/2001 in the scheme known as SILVER PARK in respect of the land and building or buildings situated at ERF 1934 ELARDUSPARK EXTENSION 26 TOWNSHIP, LOCAL AUTHORITY: CITY OF TSHWANE METROPOLITAN MUNICIPALITY of which section the floor area, according to the said sectional plan is 90 (ninetty) square metres in extent and (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan which has been lost or destroyed. All persons having objection to the issue of such copy are hereby invited to lodge the same in writing with the Registrar of Deeds at Pretoria within two weeks from the date of the publication of this notice.

DATED at PRETORIA this 2nd day of JULY 2020.
(Sgd) LANGLEY
Address: 19 SILVER PARK,
Elarduspark Pretoria
E-mail Address: Jeanne@wvabmail.co.za
Contact Number: 082-496-2524
ERF 1934 JUL 0775/4040

AT
FARM DE LOZ
Notice is given in terms of the intention to apply for the issue of a certified copy of Deed of Transfer number 1001/2019 in respect of a certain (a) Section No. 19 as shown and more fully described on Sectional Plan No. SS 760/2001 in the scheme known as SILVER PARK in respect of the land and building or buildings situated at ERF 1934 ELARDUSPARK EXTENSION 26 TOWNSHIP, LOCAL AUTHORITY: CITY OF TSHWANE METROPOLITAN MUNICIPALITY of which section the floor area, according to the said sectional plan is 90 (ninetty) square metres in extent and (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan which has been lost or destroyed. All persons having objection to the issue of such copy are hereby invited to lodge the same in writing with the Registrar of Deeds at Pretoria within two weeks from the date of the publication of this notice.

DATED at PRETORIA this 2nd day of JULY 2020.
(Sgd) LANGLEY
Address: 19 SILVER PARK,
Elarduspark Pretoria
E-mail Address: Jeanne@wvabmail.co.za
Contact Number: 082-496-2524
ERF 1934 JUL 0775/4040

LO
Notice is given in terms of the intention to apply for the issue of a certified copy of Deed of Transfer number 1001/2019 in respect of a certain (a) Section No. 19 as shown and more fully described on Sectional Plan No. SS 760/2001 in the scheme known as SILVER PARK in respect of the land and building or buildings situated at ERF 1934 ELARDUSPARK EXTENSION 26 TOWNSHIP, LOCAL AUTHORITY: CITY OF TSHWANE METROPOLITAN MUNICIPALITY of which section the floor area, according to the said sectional plan is 90 (ninetty) square metres in extent and (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan which has been lost or destroyed. All persons having objection to the issue of such copy are hereby invited to lodge the same in writing with the Registrar of Deeds at Pretoria within two weeks from the date of the publication of this notice.

DATED at PRETORIA this 2nd day of JULY 2020.
(Sgd) LANGLEY
Address: 19 SILVER PARK,
Elarduspark Pretoria
E-mail Address: Jeanne@wvabmail.co.za
Contact Number: 082-496-2524
ERF 1934 JUL 0775/4040

COM
Notice is given in terms of the intention to apply for the issue of a certified copy of Deed of Transfer number 1001/2019 in respect of a certain (a) Section No. 19 as shown and more fully described on Sectional Plan No. SS 760/2001 in the scheme known as SILVER PARK in respect of the land and building or buildings situated at ERF 1934 ELARDUSPARK EXTENSION 26 TOWNSHIP, LOCAL AUTHORITY: CITY OF TSHWANE METROPOLITAN MUNICIPALITY of which section the floor area, according to the said sectional plan is 90 (ninetty) square metres in extent and (b) An undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan which has been lost or destroyed. All persons having objection to the issue of such copy are hereby invited to lodge the same in writing with the Registrar of Deeds at Pretoria within two weeks from the date of the publication of this notice.

DATED at PRETORIA this 2nd day of JULY 2020.
(Sgd) LANGLEY
Address: 19 SILVER PARK,
Elarduspark Pretoria
E-mail Address: Jeanne@wvabmail.co.za
Contact Number: 082-496-2524
ERF 1934 JUL 0775/4040

Scanned with CamScanner

Liezl de Beer

From: Elsaine Costerus Mohr <Elsaine.CM@greenmined.co.za>
Sent: Monday, 07 September 2020 14:30
To: Liezl de Beer
Subject: PROSPECTING RIGHT APPLICATION - LOMEZA OPENCAS T OPERATIONS (PTY) LTD
Attachments: Letter_Jordaan Smit Inc.07.09.20.pdf; Acceptance 10650PR Lmomeza.pdf; Ekuphumeleni Advert Beeld 8 July 2020.pdf

Good day,

Please find attached hereto correspondence for your attention.

Kind Regards/Vriendelike Groete
Mrs. Elsaine Costerus-Möhr
Legal Advisor



Tel: 021 851 2673
Cell: 082 875 1415
Fax: 086 546 0579

No 37 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"

DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Taurisa Manth





REF: GP 30/5/1/1/2/10650 PR

28 October 2020

Jordaan Smit Inc.

Attention: Mr. Johan Jordaan

Brookfield Office Park, 2nd Floor, South Block

272 Bronkhorst Street

Nieuw Muckleneuk

Brooklyn

Pretoria

By email: ldebeer@jordaansmit.co.za

Dear Sir,

RE: YOUR CLIENTS' OBJECTIONS IN TERMS OF THE PROVISIONS OF SECTION 10(2) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 28 OF 2002 (AS AMENDED) ("MPRDA") WITH REGARDS TO OUR CLIENT'S APPLICATION FOR A PROSPECTING RIGHT FOR COAL, IN TERMS OF THE PROVISIONS OF SECTION 16 OF THE MPRDA, OVER PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716, JR, MAGISTERIAL DISTRICT OF CULLINAN, WITH DEPARTMENTAL REFERENCE NUMBER GP 30/5/1/1/2/10650 GP

1. The above matter as well as your clients' objections dated 06 October 2020, and submitted to the Department of Mineral Resources and Energy ("DMRE") on 08 October 2020 refers.
2. We herewith make use of this opportunity to respond to your clients' objections, on behalf of our client, Lomez Opencast Operations (Pty) Ltd, as follows:

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, Baker Square Block 1, De Beers Avenue, Paardevlei, Somerset West, 7130
Postnet Suite 62, Private Bag X15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



3. Ad Paragraph 1.4

Although the acceptance letter dated 20 August 2020 was only provided to you on 07 September 2020, you should note that the acceptance letter was received by us from the DMRE on 02 September 2020.

4. Ad Paragraph 1.5 – 1.6

The content hereof is noted.

5. Ad Paragraph 2.1

The site notices were placed in accordance to Regulation (2)(a) of the EIA Regulations, in that a notice board was placed on the fence of the site boundary as well as an alternative public site (the Spaza Shop).

6. Ad Paragraph 2.2

The advertisement placed in the Beeld contains all relevant contact information of both the Environmental Assessment Practitioner (“EAP”) and our client. Regulation 3(4)(c)(i) as quoted in your letter under reply relates to the Regional Manager or designated agency, not the applicant. As provided for in terms of Regulation 3A (1) of the Amendments to the MPRD Regulations, 2004 an application for a Prospecting Right and Environmental Authorisation falls within the ambit of the National Environmental Management Act, 1998 (NEMA), the EIA Regulations and the published Guidelines in this regard. In terms of Regulation 41(3) of the EIA Regulations “a notice, notice board or advertisement referred to in subregulation (2) must-

(a) Give details of the application or proposed application which is subjected to public participation; and

(b) State –

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



- (i) *Whether basic assessment or S&EIR procedures are being applied to the application;*
- (ii) *The nature and location of the activity to which the application relates;*
- (iii) *Where further information on the application or proposed application can be obtained;*
and
- (iv) *The manner in which and the person to whom representations in respect of the application or proposed application may be made....”*

7. Ad Paragraph 2.3

Regulation 5(1)(j) of the MPRD Regulations refers to the application for a prospecting right that must be submitted to the relevant Regional Manager, in terms of Section 16 of the MPRDA. The documents to be submitted in terms hereof does not refer to Interested and Affected Parties, but to the Regional Manager in whose region the land is situated.

8. Ad Paragraph 2.4

The Background Information Document was sent on 08 July 2020 to inform the Interested and Affected Parties of the proposed project, which application was yet to be submitted to the DMRE. The Draft Basic Assessment Report was subsequently provided to all Interested and Affected Parties, which report contained all relevant and available aspects of the project. The Final Basic Assessment Report will be submitted to the DMRE, for their evaluation, once all the comments and/or objections have been incorporated into the report.

9. Ad Paragraph 2.5.1.

All documentation to date, was based on preliminary data, surrounding information and desktop studies. Access to the study areas were denied by the landowners, resulting in limited information being provided to all commenting parties. Numerous attempts and letters requesting access to

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



the properties by the applicant was denied and/or refused by the landowners. Greenmined is therefore unable to provide the I&AP's and stakeholders with material information with regards to this prospecting right application.

10. Ad Paragraph 2.5.2. and 2.5.3

The content hereof is noted. It should be noted that the availability of the coal resource will only be determined should the prospecting right be granted and subsequent prospecting activities can take place under the granted right.

11. Ad Paragraph 3 and 4

11.1. Your clients' nature of its farming activities are noted.

11.2. As access to the site has been denied and with the desktop studies conducted to date, no resident protected or red data faunal species could be identified within the earmarked footprint. The project is expected to have an insignificant impact in this regard as prospecting activities will be done by drilling prospecting boreholes in phases of 4 areas consisting of a total of 9 drilling prospecting boreholes comprising an area of less than 400 square meters per site with a total of less than 0.4 ha disturbed at any given time. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in the Basic Assessment Report, as well as in consultation with the landowners. The study area falls over properties that is noted to be operational game farms. Should this prospecting right be granted farm owners will be consulted prior to commencement of any activities to ensure that safety of animals and workers.

11.3. Prospecting activities will have no impact on the current farming activities, nor will it influence employment on the farm.

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



11.4. As the prospecting activities, in the event that the right is granted, will have no effect on employment of your clients' employees nor its farming activities it is unclear on what grounds you base your allegations that your clients' (and its employees) rights will be infringed upon.

12. Our client's rights remain reserved and failure to address each and every objection and/or allegation contained in your letter under reply should not be seen as acceptance thereof, but rather repudiation thereof.

Kind regards,

A handwritten signature in black ink, appearing to read "E.C.M.", is positioned below the text "Kind regards,".

Elsaine Costerus-Mohr
Legal Advisor
Greenmined Environmental
Elsaine.cm@greenmined.co.za

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, Baker Square Block 1, De Beers Avenue, Paardevelei, Somerset West, 7130
Postnet Suite 62, Private Bag X15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032

**19.1 PROOF OF CORRESPONDENCE WITH MR JDS
JARDIM FROM MANYANE LODGE SANCTUARY
AREA FROM 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:13 AM
To: 'jardimconstruction@gmail.com'
Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - Joelwin Jardim
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



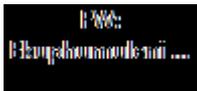
Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: jardimconstruction@gmail.com
Sent: 07 September 2020 03:12 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Joelwin Jardim

Your message has been delivered to the following recipients:

jardimconstruction@gmail.com

Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - Joelwin Jardim



19.1 PROOF OF CORRESPONDENCE WITH IVAN PAUW ATTORNEYS ACTING ON BEHALF OF

- **DEAN FRANCOIS DE KOCK AND RIANI DE KOCK**
- **DOMINGOS SARDINHA JARDIM**
- **JOELWIN DOMINGOS SARDINHA JARDIM**
- **UBUSIKA UMLIMI (PTY) LTD**
- **MANTARAY TRADING 101 (PTY) LTD**
- **GEV PROPERTY TRUST**
- **ARMANDA INVESTMENTS 001 CC**
- **V D S PROPERTY TRUST**



448C Sussex Ave, Lynnwood, Pretoria
(Cnr Sussex Ave & Rodericks Rd)

P O Box 3922, Pretoria, 0001, South Africa

Tel: +27 (0)12 369 9180

Fax: +27 (0)12 361 5591

Website: www.ippartners.co.za

Email: ivan@ippartners.co.za

OUR REF / ONS VERW : I W PAUW/kg/IJ0126
YOUR REF / U VERW :
DATE / DATUM : 8 OCTOBER 2020

GREENMINED ENVIRONMENTAL (PTY) LTD

FOR ATTENTION: MS SONETTE SMIT

**VIA E-MAIL: sonette.s@greenmined.co.za
admin@greenmined.co.za**

Dear Madam

RE: COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT SUBMITTED IN RESPECT OF THE APPLICATION IN TERMS OF SECTION 16 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002) AND THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO 107 OF 1998 NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED BY GNR 326 EFFECTIVE 7 APRIL 2017)

As you are aware, we act in this matter on behalf of the following property owners:

- (a) Dean Francois de Kock and Riani de Kock, the registered co-owners of Portion 70 of the Farm Kloppersbos 128 JR;
- (b) Domingos Sardinha Jardim, the registered owner of Portion 52 and 82 of the Farm Kloppersbos 128 JR;
- (c) Joelwin Domingos Sardinha Jardim, the registered owner of Portion 51 and 79 of the Farm Kloppersbos 128 JR;
- (d) Ubusika Umlimi (Pty) Ltd, the registered owner of Portion 71 of the Farm Kloppersbos 128 JR;
- (e) Mantaray Trading 101 (Pty) Ltd, the registered owner of Portion 77 Kloppersbos 128 JR;
- (f) The trustees for the time being of the GEV Property Trust, the registered owner of Portion 69 of the Farm Kloppersbos 128 JR;

-
- (g) Armada Investments 001 CC, the registered owner of Portion 53 Kloppersbos 128 JR, and
- (h) The trustees for the time being of the V D S Property Trust, Martha Magdalena van der Schyff, Venter Francois Marthinus and Jan Hendrik van der Walt, the registered co-owners of the Remaining Extent of Portion 75 of the Farm Kloppersbos 128 JR.

The above properties are known (collectively) as the Manyane Lodge Sanctuary Area and the above persons are hereinafter referred to as “*our clients*”.

We have been instructed by our clients to, on their behalf submit comments on the draft Basic Assessment Report , inclusive of specialist reports prepared in respect of the application for prospecting right on Portion 5 of the Farm Kloppersbos 128 JR and Portions 1, 7 and 8 of the Farm Ekuphumuleni 716 JR (“*subject property*”) by Lomezza Opencast Operations (Pty) Ltd (and prepared by Greenmined Environmental (Pty) Ltd) (*the applicant*). A copy of a plan, depicting the location of the subject property in relation to our clients’ properties is attached hereto as Annexure “**A**”.

1. **INTRODUCTION**

- 1.1 From the outset it is important to highlight that our clients were not properly notified of the application in terms of section 16 of the Minerals and Petroleum Resources Development Act, Act 28 of 2002 and the National Environment Management Act, Act 107 of 1998 (“*application*”) on the subject property and that only one of our clients was notified of the applicable application processes. The aforesaid demonstrates that potential interested and affected parties who will be impacted by the proposed prospecting may have been denied an opportunity to participate in the application process. There are many other land owners who will find themselves in the position that our clients would have founded themselves in, had they not been alerted of the pending BA process by the single land owner who indeed received notice of such process.
- 1.2 Be the above as it may, our clients became aware of the application and, on 11 August 2020 our office addressed a letter to yourselves in terms of which we requested that our clients be registered as interested and affected parties. A copy of the aforesaid letter is attached hereto as Annexure “**B**”.
- 1.3 On 7 September 2020, your office confirmed that our clients have been registered as interested and affected parties (“*IAP’s*”) and further confirmed that the draft Basic Assessment Report (“*dBAR*”) is available for comments until 8 October 2020. We attach hereto, a copy of the letter attesting to the aforesaid as Annexure “**C**”.

2. **COMMENTS ON THE DBAR:**

- 2.1 From the application documentation, it is stated that the applicant has applied for environmental authorisation (“*EA*”) and a prospecting right for coal on



Portion 5 of the Farm Kloppersbos 128 JR and Portions 1, 7 and 8 of the Farm Ekuphumuleni 716 JR. The activities that will be triggered are as follows:

2.1.1 Listing Notice 1 Activity 20:

“Any activity including the operation of that activity which requires a prospecting right in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including -

- (a) associated infrastructure, structures and earthworks, directly related to prospecting of a mineral resource[,] ; or [including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)]***
- (b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing;***

but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in Listing Notice 2 applies.”

2.1.2 Listing Notice 1 Activity 22:

“The decommissioning of any activity requiring –

- (i) a closure certificate in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002); or***
- (ii) a prospecting right, mining right, mining permit, production right or exploration right, where the throughput of the activity has reduced by 90% or more over a period of 5 years excluding where the competent authority has in writing agreed that such reduction in throughput does not constitute closure; but excluding the decommissioning of an activity relating to the secondary processing of a –***
 - (a) mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource; or***
 - (b) petroleum resource, including the refining of gas, beneficiation, oil or petroleum products; – in which case activity 31 in this Notice applies.***

2.1.3 Listing Notice 3 Activity 12:

“The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.

- i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;***
- ii. Within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans; or***
- iii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.”***

We must make it clear that, on face value, it appears that substantially more activities than only those quoted above will be triggered, but due to the rather skimpy nature of the information and, more specifically, the actual impacts of the prospecting operations that will be undertaken, it is not possible to identify those at this point in time. Our clients’ rights in the aforesaid regard are nevertheless reserved.

Hereunder, are our clients’ comments:

2.2 **Need and Desirability:**

2.2.1 The applicant has applied for a prospecting right for coal over 4 (four) properties. In order to consider and assess the geographical, physical, biological, social, economic and cultural aspects of the environment that will be affected by the proposed activity, the applicant needed to gain access to the properties in which the application relates. The landowners’ refused to grant access to the subject property.

2.2.2 In the above regard, the Guideline on Need and Desirability, Department of Environmental Affairs DEA (2017) provides that:

“During the assessment stages of an EIA process need and desirability must be specifically assessed and evaluated, including specialist input/studies as required. The EIA Regulations call for the consideration of how the “geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity”, “need and desirability” relates to all of

these considerations and not only to socio-economic considerations.”

Specialist studies must be conducted in order to consider and assess the geographical, physical, biological, social, economic and cultural aspects of the environment that will be affected by the proposed activity. The applicant cannot have succinctly proven need and desirability as contemplated in National Environmental Management Act, Act 107 of 1998 (“NEMA”) and Environmental Impact Assessment Regulations 2017 (“EIA Regulations”) and the abovementioned Guideline on Need and Desirability without access to the subject property.

- 2.2.3 Additionally, the concept of “need and desirability” relates to, amongst others, the nature, scale and location of development being proposed, as well as the wise use of land. It was indicated in the dBAR that the current land uses can be classified as agricultural land, chicken farming, grazing, game farming and tourism. The area adjacent to the application property is protected. A report by the South African Human Rights Commission states that:

“mining of necessity occurs on land, irrespective of whether it takes the form of surface or underground operations. The phases of exploration, mine development, mine operation, and rehabilitation and closure, all significantly affect economic, social and environmental land relations. Mining is not a temporary use of land: its effects are long-term and are often environmentally detrimental.”¹

- 2.2.4 Considering the above, it is clear that the proposed departure from the general land uses in the area cannot be taken lightly. The phases of exploration and mine development significantly affect socio-economic and environmental relations. A balance must be struck between mining related activities and other land use functions such as agriculture and tourism. Considering the surrounding land uses, it is clear that the preferred site for the prospecting of coal is not suitable and therefore cannot support the need and desirability for prospecting and mining related activities in the proposed area.
- 2.2.5 Need and desirability must consider the IDP (and its sector plans’ vision, objectives, strategies, indicators and targets) and any other strategic plans, frameworks of policies applicable to the area and spatial characteristics (e.g. existing land uses, planned land uses, cultural landscapes, etc.). The applicant failed to illustrate that in its

¹ South African Human Rights Commission Report (2016): National Hearing on the Underlying Socio-economic Challenges of Mining-affected Communities in South Africa at page 12.

consideration for need and desirability it considered the Municipality's IDP, and planning policies.

2.2.6 NEMA principles specifically, inter alia, require that environmental management must:

- (a) place people and their needs at the forefront of its concern and equitably serve their interests;
- (b) be integrated, acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment by pursuing the selection of the best practicable environmental option;
- (c) ensure that decisions take "into account the interests, needs and values of all interested and affected parties".

Having noted the above NEMA principles, the needs and values of all interested and affected parties must be taken into account when a decision that affects the environment is taken.

2.3 **Specialist studies not conducted at all and/or conducted poorly**

2.3.1 Section 24(1) of NEMA provides as follows:

“(1) In order to give effect to the general objectives of integrated environmental management laid down in this Chapter, the potential consequences for or impacts on the environment of listed activities or specified activities must be considered, investigated, assessed and reported on to the competent authority or the Minister responsible for mineral resources, as the case may be, except in respect of those activities that may commence without having to obtain an environmental authorisation in terms of this Act.”

Section 24(1A) provides that –

“(1A)Every applicant must comply with the requirements prescribed in terms of this Act in relation to –

- (a) steps to be taken before submitting an application, where applicable;***
- (b) any prescribed report;***
- (c) ...***

**(d) any environmental management programme;
 (e) the submission of an application for an environmental authorisation and any other relevant information; and
 (f) the undertaking of any specialist report, where applicable.**

2.3.2 Regulation 19 of the EIA Regulations also requires that where a Basic Assessment Report must be applied, the applicant must submit to the competent authority a basic assessment report inclusive of specialist reports.

“A Basic Assessment Report must contain² the information that is necessary for the competent authority to consider and come to a decision of the application...”

2.3.3 The following specialist assessments, *inter alia*, were not conducted but were identified as necessary to obtain an environmental authorisation:

- (i) Agricultural impact assessment.
- (ii) Heritage Impact Assessment.
- (iii) Hydrology.
- (iv) Plant Species Assessment.
- (v) Animal Species Assessment.
- (vi) Aquatic Biodiversity Impact Assessment.
- (vii) Terrestrial Biodiversity Impact Assessment.

2.3.4 The applicant submits in the dBAR that:

“all documentation, to date, was based on preliminary data, surrounding information and desktop studies. Access to the study area was denied by the landowners, resulting in limited information being provided to all commenting parties. Greenmined is unable to provide the I&AP’s and stakeholders with material information with regard to this prospecting right application and it is therefore clear that the

² Regulation 3, Appendix 1 of the EIA Regulations.



relevant authorities will not be able to provide informed comments³.

Due to the import of the above quotation, a copy of the extract is attached hereto as Annexure “D”.

- 2.3.5 It is manifest that NEMA envisages and requires specialists investigations and reports to be provided in order to substantiate the socio-economic and environmental impacts of the proposed activity on the surrounding environment. In the absence of such reports, it is inconceivable how the competent authorities will carry out their obligations to consider, assess and evaluate these factors.
- 2.3.6 In this regard, the competent authority will not be in a position to consider, assess and evaluate the social, economic and environmental impacts of the proposed activity in the absence of any evidence or information having been provided in respect thereof. By way of example a hydrological study was not provided, however, the dBAR mentions the potential negative impacts during planning and design phase as well as operational phase as potential hydrocarbon contamination from leaks or spills leeching into the water table. It is manifest that this evidence can only be provided by specialists in the form of a reports as contemplated under NEMA.
- 2.3.7 In view of the above, there is insufficient information before the competent authority to arrive at an informed decision and therefore, the application should be dismissed on this basis. To the aforesaid must be added the fact that the applicant/s for environmental authorisation have, at all relevant times, had legal mechanisms at their disposal that could have been employed in order that detailed studies and assessments (as prescribed by law) could have been conducted. The fact that access to the study areas could not be gained, may not in law (or otherwise) be used as grounds upon which the Environmental Assessment Practitioner (“EAP”) should be relieved or excused from the duties imposed by NEMA and its regulations to **properly** and with due care investigate, assess and report on the impacts brought about by specified listed activities.

2.4 **Environmental Management Programme:**

- 2.4.1 Section 24N(2) of NEMA provides that an environmental management plan must contain information on any proposed management, mitigation, protection or remedial measures that will be undertaken to address the environmental impacts that have been identified in a

³ Page 100 of the dBAR



report contemplated in subsection 24(1A), including environmental impacts or objectives in respect of –

- (i) planning and design;
- (ii) pre-construction and construction activities;
- (iii) the operation or undertaking of the activity in question;
- (iv) the rehabilitation of the environment; and
- (v) closure, if applicable;

2.4.2 The proposed management, mitigation, protection and/or remedial measures as proposed in the applicant's EMPr are insufficient because the specified activities were not properly considered, investigated, assessed and reported.

2.4.3 The above is premised on the fact that studies were not conducted at all and/or were poorly conducted as ***“all documentation, to date, was based on preliminary data, surrounding information and desktop studies”***. Consequently, the proposed mitigation, protection and remedial measures to be utilised to remedy environmental impacts are not definitive as there were no specialist studies to provide evidence of real environmental impacts. The considered environmental impacts, by way of a desktop assessment, without specialist studies by specialists can only be viewed as a fictional consideration of the environment and cannot be perceived as having adequately considered, investigated, assessed and reported environmental consequences

2.5 **Public participation:**

2.5.1 Regulation 41(2)(a) of the EIA Regulations, 2017 provides as follows:

“(2) The person conducting a public participation process must take into account any relevant guidelines applicable to public participation as contemplated in section 24J of the Act and must give notice to all potential interested and affected parties of an application or proposed application which is subjected to public participation by -

(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -



-
- (i) ***the site where the activity to which the application or proposed application relates is or is to be undertaken; and***
 - (ii) ***any alternative site;”***

2.5.2 Considering the above, the following is to be noted regarding the flawed public participation undertaken by the applicant:

- (a) Due to our clients’ location in relation to the subject property, it was required that the applicant provide our clients with a direct notice of the proposed activity.
- (b) Guideline 4 of the Public Participation guideline in terms of NEMA and EIA Regulations (2017) provides that all potential and I&APs have a right to be informed early and in an informative and proactive way regarding proposals that may affect their lives or livelihoods. It was submitted in the preceding paragraphs and, in our letter of 11 August 2020 (attached hereto as Annexure B) that the public participation process was flawed in that, our clients, as property owners in the same vicinity as the proposed site, some being adjacent property owners, were not given proper notice of the proposed activity and only became aware of the proposed application from other property owners. The aforesaid, does not align with the principles in NEMA with respect to interested and affected parties having a right to be informed early about the prospecting application that will certainly affect their lives and livelihoods.
- (c) The person conducting a public participation process must affix a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -
 - (i) the site where the activity to which the application or proposed application relates is or is to be undertaken.

It has been noted that the proposed application for prospecting right relates to more than 1 (one) property (i.e, Portion 5 of the Farm Kloppersbos 128 JR, Portion 1 of the Farm Ekuphumuleni 716 JR, Portion 7 of the Farm Ekuphumuleni 716 JR and Portion 8 of the Farm 716 JR).

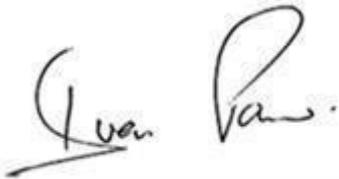
As such, the site notices, attached hereto as Annexure “E”, had to be placed not only at the Spaza shop in the area and at the entrance of one of the aforesaid farm portions but on all of the farm portions as required by the EIA Regulations, specifically, that the notice must be affixed at a place conspicuous and the site where the activity to which the proposed application relates. The application relates to more than

1 (one) property. It is submitted that the aforesaid was not complied with and as such the application ought to be refused.

In conclusion and further to the above, it is our respectful submission that the application for EA should be refused on the bases as set out above, alternatively, the Controlling Authority should refuse to accept the BA and instruct the EAP to recommence with the process and remedy the defects in the current process, referred to above. Our clients' rights to consider any additional submissions received, elaborate upon these submissions and raise any additional issues, are reserved.

Yours faithfully

IVAN PAUW & PARTNERS

A handwritten signature in black ink, appearing to read "Ivan Pauw". The signature is written in a cursive style with a large, looping initial "I".

I W PAUW

Marlene Lingenfelder

From: Elsaine Costerus Mohr
Sent: 18 November 2020 08:46 AM
To: aidan@ackermanninc.co.za
Cc: Sonette Smit; Marlene Lingenfelder
Subject: FW: JAR1-0002 // JARDIM FAMILY TRUST / GREENMINED ENVIRONMENTAL (PTY) LTD / OBJECTION IN TERMS OF THE MPRDA
Attachments: Jardim Family Trust.Ackermann Inc_Lomezza_18.11.2020.pdf

Dear Sir,

Kindly find herewith correspondence for your attention.

Kind Regards/Vriendelike Groete

Mrs. Elsaine Costerus-Möhr
Legal Adviser



Tel: 021 851 2673
Cell: 082 875 1415
Fax: 086 546 0579
www.greenmined.com

Unit MO1, No 37 AECl site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Aidan Ackermann [<mailto:aidan@ackermanninc.co.za>]
Sent: Thursday, October 8, 2020 7:56 AM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: JAR1-0002 // JARDIM FAMILY TRUST / GREENMINED ENVIRONMENTAL (PTY) LTD / OBJECTION IN TERMS OF THE MPRDA

Dear Mam

With reference to the abovementioned matter, kindly find attached a letter for your attention.

Kind Regards / Vriendelike Groete



Your Ref: JAR1-0002/A Ackermann

Our Ref: Lomezza

17 November 2020

Ackermann Inc.

Attention: Mr. Aidan Ackermann
Central Office Park Unit 17
257 Jean Avenue
Centurion
0157

By Email: aidan@ackermanninc.co.za

Dear Sir,

RE: JAR1-0002 // THE JARDIM FAMILY TRUST IT 9689/1999 / LOMEZA OPENCAST OPERATIONS (PTY) LTD / OBJECTIONS IN TERMS OF SECTION 10(1)(b) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 28 OF 2002

1. The above matter as well as your correspondence dated 08 October 2020, of which we note the content, refers.
2. We note that you act on behalf of the Jardim Family Trust in this regard. Herewith we would like to acknowledge your client's correct contact details and noted such, once again, in the Final Basic Assessment Report (FBAR). We would like to confirm that your client has been duly registered as an Interested and Affected Party (I&AP) and will be notified of the progress of this application.
3. We are however unsure as to the Section 102 notification on appendix G1 you refer to in your clauses 2.1 and 4.5 of your letter under reply, as we are unable to locate same on our documentation. Please note that this application is an application for a prospecting right and not a Section 102 amendment application.

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, Baker Square Block 1, De Beers Avenue, Paardevlei, Somerset West, 7130
Postnet Suite 62, Private Bag X15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



4. Furthermore, we note your client's objections to our client's prospecting right application, which objections have been incorporated into the Final Basic Assessment Report (FBAR) to be submitted to the DMRE for evaluation.
5. We would like to reiterate that on numerous occasions we have, on behalf of our client, requested access to the application areas, to enable our client's specialists to conduct the required specialist studies. Unfortunately, our client has been denied access to the application areas by the landowners and therefore no specialists were able to conduct site-specific studies, which studies would have been able address most of your client's concerns.
6. As access to the application areas have been denied by the landowners and with only the desktop studies conducted to date, no resident protected or red data faunal species could be identified within the earmarked footprint. The project is expected to have an insignificant impact in this regard as prospecting activities will be done by drilling prospecting boreholes in phases of 4 areas consisting of a total of 9 drilling prospecting boreholes comprising an area of less than 400 square meters per site with a total of less than 0.4 ha disturbed at any given time. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in the FBAR and specialist findings, including continuous consultation with the landowner/s. The study area falls over properties that is noted to be operational game farms. Should this prospecting right be granted farm owners will be consulted prior to commencement of any activities to ensure that safety of animals and workers.
7. Based on the above a site walk through will have to be conducted by the relevant specialists in order to eliminate any impacts the prospecting activities might have on the proposed drilling sites. Areas that should be regarded as no-go areas will be identified in consultation with the specialists and landowner/s in order to prevent any negative impact that might be of concern.

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



8. Please note that the FBAR, including all comments and objections from all I&AP's, will be submitted to the DMRE during this week, for its consideration and determination, after which the DMRE has 107 days to evaluate and make a decision on this application.

9. We trust you will find the above in order and we will keep you informed of the progress on this application.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Elsaine', is positioned above the typed name.

Elsaine Costerus-Mohr
Legal Advisor
Greenmined Environmental
Elsaine.cm@greenmined.co.za

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, Baker Square Block 1, De Beers Avenue, Paardevlei, Somerset West, 7130
Postnet Suite 62, Private Bag X15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032

**19.2 PROOF OF CORRESPONDENCE WITH MR JQS
JARDIM FROM JARDIM FAMILIE TRUST FROM 7
SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:13 AM
To: 'jardimconstruction@gmail.com'
Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - Joelwin Jardim
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: jardimconstruction@gmail.com
Sent: 07 September 2020 03:12 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Joelwin Jardim

Your message has been delivered to the following recipients:

jardimconstruction@gmail.com

Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - Joelwin Jardim



FW:
Ekuphumuleni ...

**19.2 PROOF OF CORRESPONDENCE WITH AIDEN
ACKERMAN ATTORNEYS ACTING ON BEHALF OF
MR JQS JARDIM FROM JARDIM FAMILIE TRUST**

Marlene Lingenfelder

From: Sonette Smit
Sent: 08 October 2020 08:40 AM
To: Marlene Lingenfelder
Subject: FW: JAR1-0002 // JARDIM FAMILY TRUST / GREENMINED ENVIRONMENTAL (PTY) LTD / OBJECTION IN TERMS OF THE MPRDA
Attachments: JAR1-0002 - Greenmined.PDF

FYI

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579

Unit MO1, No 37 AECl site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Aidan Ackermann [mailto:aidan@ackermanninc.co.za]
Sent: Thursday, October 8, 2020 7:56 AM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: JAR1-0002 // JARDIM FAMILY TRUST / GREENMINED ENVIRONMENTAL (PTY) LTD / OBJECTION IN TERMS OF THE MPRDA

Dear Mam

With reference to the abovementioned matter, kindly find attached a letter for your attention.

Kind Regards / Vriendelike Groete



Aidan Ackermann

Director, Ackermann incorporated

☎ 060 804 5106 ✉ aidan@ackermanninc.co.za

🏠 Unit 17, Central Office Park, 257 Jean Avenue,
Centurion, 0157

Disclaimer and Confidentiality Note: This electronic mail and any accompanying attachments may contain confidential, copyright protected and proprietary information. This electronic mail is intended solely for the use of the individual or entity to whom it is addressed to. Access to this message by anyone else is unauthorised. If you have received this electronic mail in error and you are not the intended recipient, kindly notify the sender immediately and delete this electronic mail from your system. If you are not the intended recipient, any disclosure, copying or distribution of the contents hereof, or any action or omission taken by you in reliance on the contents of this information, is strictly prohibited and may be unlawful.

Important Notice: Due to the risk of electronic mail related fraud, it is imperative that you confirm our banking details prior to making any payments to us. Kindly take note that we have not changed our banking details nor do we intend to change such banking details in future.



ACKERMANN INC.
Central Office Park | Unit 17
257 Jean Avenue, Centurion, 0157
Postnet suite 06, private bag x1015, Lyttelton, 0140
+27 60 804 5106

GREENMINED ENVIRONMENTAL (PTY) LTD

36 BAKER SQUARE | BLOCK 1
PAARDEVLEI, DE BEERS AVENUE
SOMERSET WEST
CAPE TOWN
7130

08 October 2020 **Our ref |** JAR1-0002 / A. Ackermann **Your ref |**

Per email: sonette.s@greenmined.co.za

Dear Mam

RE: JAR1-0002 // THE JARDIM FAMILY TRUST IT 9689/1999 / LOMEZA OPENCAST OPERATIONS (PTY) LTD / OBJECTION IN TERMS OF SECTION 10(1)(b) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 28 OF 2002

1. We refer to the abovementioned matter, the correspondence between yourselves and Glynnis Cohen Attorneys (specifically your letter dated 07 September 2020) and confirm that we act on behalf of the Jardim Family Trust ("our client") who has instructed us to address this letter to you.
2. We draw your attention to the following documents contained in Appendix G1 and G2 of the Ekuphumuleni public participation process uploaded on your website:
 - 2.1. Your Section 102 notification to stakeholders and interested and affected persons during the public participation phase (specifically appendix G1, page 5);
 - 2.2. The notification of owners and neighbours included under your proof that the bid was loaded onto the Sahr's website of the South African Heritage Resource Agency on 08 July 2020 (specifically appendix G2, page 79); and
 - 2.3. The email correspondence from your M. Lingenfelder to "jardimj777@gmail.com" dated 08 July 2020 (specifically appendix G2, page 88).

3. It is our instruction that the aforementioned documents cited in paragraph 2 *supra* reflect the incorrect details of our client.
4. We delineate the aforementioned point hereunder:
 - 4.1. Mr Joelwin Domingos Sardinha Jardim ("Mr JDS Jardim") is cited as the contact person for our client, with email address "jardimconstruction@gmail.com" being recorded as the contact details of our client.
 - 4.2. Mr JDS Jardim is the registered owner of Portion 51 and Portion 79 of the Farm Kloppersbos 128 JR, which property forms part of the Manyane Lodge Sanctuary Area. Save to admit that Mr JDS Jardim has also been recorded as an interested and affected party, Mr JDS Jardim is not affiliated with our client in any manner and has therefore been confused as the contact person for our client.
 - 4.3. The authorised trustee of our client is Mr Jacques Quintin Jardim, his correct contacted details being "jardimj777@gmail.com". Our client is the registered owner of Portion 8 of the Farm Ekuphumuleni, No 716, Registration Division JR, Gauteng Province, held under deed of title number T164968/2003.
 - 4.4. With reference to the aforementioned distinction drawn between the two parties, your correspondence addressed to our client dated 08 July 2020 contained the incorrect subject line, since you erroneously refer to Mr JDS Jardim who, as aforesaid, is not affiliated with our client.
 - 4.5. Further to the above, your Section 102 notification contained on page 5 of appendix G1 incorrectly cites Mr JDS Jardim as the contact person of our client, further citing the incorrect email address. Same holds true with regards to page 79 of appendix G2.
5. We have therefore been instructed to request that you amend our client's details to reflect the correct contact details of our client as stipulated in paragraph 4.3 above, in order to ensure that our client receives any/all future correspondence from your office.
6. Regarding your client's application for a prospecting right in terms of Section 16 of the Mineral and Petroleum Resources Development Act, 28 of 2002, which was accepted by the Regional Manager of the Department of Mineral Resources per their letter transmitted on 20 August 2020,

we have been instructed by our client to object to the granting of a right to commence with prospecting activities.

7. Our client's objection is recorded as follows:
 - 7.1. Our client permanently resides on the property with his family and further manages various business operations from the premises involving apiculture, goat breeding, electrical services and hunting. Should the right to commence with prospecting activities be granted, our client's privacy and/or freedom with regards to his familial and business affairs will be impeded, since our client will be obliged to restructure his affairs in order to give priority to the prospecting activities of your client;
 - 7.2. Our client is in the process of developing and/or upgrading accommodation facilities in order to accommodate more guests on the property. Any prospecting activities by your client will therefore have an adverse effect on our client's ability to accommodate guests, since the tranquility and serenity will be lost. Furthermore, our client would have to plan all accommodation arrangements according to your client's operations;
 - 7.3. Our client's property forms part of an operational game farm on which hunting activities are permitted. The prospecting operations of your client will not only adversely affect the wildlife and the quality of the environment, but will expose your client's staff and related persons to safety hazards, since the prospecting operations would be conducted amidst uncontained wildlife. Your client will further risk damage to equipment left on the premises during the course of hunting activities;
 - 7.4. The economic and social prejudice to our client therefore does not justify the potential economic benefit to your client. Our client's freedom with regards to his property, familial life and business affairs will be impeded by your client's prospecting activities, in the sense that our client will have to adjust his personal and business affairs to the benefit of your client;
 - 7.5. Of pertinent concern is the fact that a shortage of rainfall in the area has contributed greatly to the drought on the property, to the extent that the main dam has dried up. Although no water will be required for the proposed prospecting activities as mentioned in the Draft Basic Assessment Report, the drought has negatively affected the fauna and flora which could potentially worsen should prospecting activities commence;

- 7.6. Further to the above, our client's property falls within the buffer zone of the Dinokeng Game Reserve, which is home to the Big 5 animals as well as numerous bird species, including the endangered blue crane. The commencement of prospecting activities could therefore have far-reaching effects, resulting in pollution not only to the immediate environment of our client, but to the environment of the Dinokeng Game Reserve as well.
8. We kindly request that you record our client's objection accordingly and to include same in the Final Basic Assessment Report to be submitted to the Department of Mineral Resources.

Yours faithfully



ACKERMANN INC.

Per: Aidan Ackermann

 +27 60 804 5106

 aidan@ackermanninc.co.za



Your Ref: JAR1-0002/A Ackermann

Our Ref: Lomezza

17 November 2020

Ackermann Inc.

Attention: Mr. Aidan Ackermann
Central Office Park Unit 17
257 Jean Avenue
Centurion
0157

By Email: aidan@ackermanninc.co.za

Dear Sir,

RE: JAR1-0002 // THE JARDIM FAMILY TRUST IT 9689/1999 / LOMEZA OPENCAST OPERATIONS (PTY) LTD / OBJECTIONS IN TERMS OF SECTION 10(1)(b) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 28 OF 2002

1. The above matter as well as your correspondence dated 08 October 2020, of which we note the content, refers.
2. We note that you act on behalf of the Jardim Family Trust in this regard. Herewith we would like to acknowledge your client's correct contact details and noted such, once again, in the Final Basic Assessment Report (FBAR). We would like to confirm that your client has been duly registered as an Interested and Affected Party (I&AP) and will be notified of the progress of this application.
3. We are however unsure as to the Section 102 notification on appendix G1 you refer to in your clauses 2.1 and 4.5 of your letter under reply, as we are unable to locate same on our documentation. Please note that this application is an application for a prospecting right and not a Section 102 amendment application.

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, Baker Square Block 1, De Beers Avenue, Paardevlei, Somerset West, 7130
Postnet Suite 62, Private Bag X15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



4. Furthermore, we note your client's objections to our client's prospecting right application, which objections have been incorporated into the Final Basic Assessment Report (FBAR) to be submitted to the DMRE for evaluation.
5. We would like to reiterate that on numerous occasions we have, on behalf of our client, requested access to the application areas, to enable our client's specialists to conduct the required specialist studies. Unfortunately, our client has been denied access to the application areas by the landowners and therefore no specialists were able to conduct site-specific studies, which studies would have been able address most of your client's concerns.
6. As access to the application areas have been denied by the landowners and with only the desktop studies conducted to date, no resident protected or red data faunal species could be identified within the earmarked footprint. The project is expected to have an insignificant impact in this regard as prospecting activities will be done by drilling prospecting boreholes in phases of 4 areas consisting of a total of 9 drilling prospecting boreholes comprising an area of less than 400 square meters per site with a total of less than 0.4 ha disturbed at any given time. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in the FBAR and specialist findings, including continuous consultation with the landowner/s. The study area falls over properties that is noted to be operational game farms. Should this prospecting right be granted farm owners will be consulted prior to commencement of any activities to ensure that safety of animals and workers.
7. Based on the above a site walk through will have to be conducted by the relevant specialists in order to eliminate any impacts the prospecting activities might have on the proposed drilling sites. Areas that should be regarded as no-go areas will be identified in consultation with the specialists and landowner/s in order to prevent any negative impact that might be of concern.

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



8. Please note that the FBAR, including all comments and objections from all I&AP's, will be submitted to the DMRE during this week, for its consideration and determination, after which the DMRE has 107 days to evaluate and make a decision on this application.

9. We trust you will find the above in order and we will keep you informed of the progress on this application.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Elsaine'.

Elsaine Costerus-Mohr
Legal Advisor
Greenmined Environmental
Elsaine.cm@greenmined.co.za

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

**20. PROOF OF CORRESPONDENCE WITH MR
BEZUIDENHOUT FROM 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:06 AM
To: 'mjbez@telkom.net'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Mr Bezuidenhout
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: mjbez@telkom.net
Sent: 08 September 2020 03:25 PM
Subject: Delivery delayed:Ekuphumuleni GP30/5/1/1/2/10650PR - Mr Bezuidenhout

Delivery is delayed to these recipients or groups:

mjbez@telkom.net

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Mr Bezuidenhout

This message hasn't been delivered yet. Delivery will continue to be attempted.

Diagnostic information for administrators:

Generating server: mail.smtp2go.com

mjbez@telkom.net
Remote Server returned '< #4.0.0>'

Original message headers:

Return-Path: <admin@greenmined.co.za>
Received: from [10.127.0.0] (helo=SmtprCorp)
by smtpcorp.com with esmtp (Exim 4.92-S2G)
(envelope-from <admin@greenmined.co.za>)
id 1kFGvo-cp4XWK-5m
for mjbez@telkom.net; Mon, 07 Sep 2020 13:11:36 +0000
Received: from [10.176.58.103] (helo=SmtprCorp)
by smtpcorp.com with esmtpsa (TLS1.2:ECDHE_RSA_AES_256_GCM_SHA384:256)
(Exim 4.92-S2G)
(envelope-from <admin@greenmined.co.za>)
id 1kFGpi-cp4YOx-3C
for mjbez@telkom.net; Mon, 07 Sep 2020 13:05:18 +0000
Received: from [41.0.104.130] (helo=webmail.raubex.com)
by smtpcorp.com with esmtpsa (TLS1.2:ECDHE_RSA_AES_256_CBC_SHA1:256)
(Exim 4.92-S2G)
(envelope-from <admin@greenmined.co.za>)
id 1kFGpg-9EFMez-Nz
for mjbez@telkom.net; Mon, 07 Sep 2020 13:05:17 +0000
Received: from 01RX-EX-MBX01.RBX.Raubex.com (10.1.0.6) by
01RX-EX-MBX01.RBX.Raubex.com (10.1.0.6) with Microsoft SMTP Server (TLS) id
15.0.1210.3; Mon, 7 Sep 2020 15:05:13 +0200
Received: from 01RX-EX-MBX01.RBX.Raubex.com ([192.168.10.1]) by
01RX-EX-MBX01.RBX.Raubex.com ([192.168.10.1]) with mapi id 15.00.1210.000;
Mon, 7 Sep 2020 15:05:13 +0200
From: Marlene Lingenfelder <admin@greenmined.co.za>

To: "mjbez@telkom.net" <mjbez@telkom.net>
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Mr Bezuidenhout
Thread-Topic: Ekuphumuleni GP30/5/1/1/2/10650PR - Mr Bezuidenhout
Thread-Index: AdaEswQ1eIx6P5KTN+ipA6tkBIuHg==
Disposition-Notification-To: Marlene Lingenfelder <admin@greenmined.co.za>
Return-Receipt-To: <admin@greenmined.co.za>
Date: Mon, 7 Sep 2020 13:05:12 +0000
Message-ID: <1ac3e8f5e5fe45f9bbcf5a07b1c10391@01RX-EX-MBX01.RBX.Raubex.com>
Accept-Language: en-ZA, en-US
Content-Language: en-US
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator:
x-ms-exchange-transport-fromentityheader: Hosted
x-originating-ip: [10.1.0.198]
x-c2processedorg: 39f78260-89a2-449c-ab7d-2869b9c2d75f
Content-Type: text/plain
MIME-Version: 1.0



Ekuphumuleni
GP30/5/1/1/2/10650PR...

Marlene Lingenfelder

From: Elsaine Costerus Mohr
Sent: 05 October 2020 07:45 AM
To: Sonette Smit
Cc: Marlene Lingenfelder
Subject: FW: Public participation: The farm Ekuphumuleni 716 JR

From: Nico Bezuidenhout [mailto:mrnico.dev@gmail.com]
Sent: Sunday, 04 October 2020 10:35
To: Elsaine Costerus Mohr <Elsaine.CM@greenmined.co.za>
Subject: Public participation: The farm Ekuphumuleni 716 JR

Dear Madam,

Landowners: Johannes Nicolaas Bezuidenhout
Susara Johanna Dorothea Bezuidenhout

Portion 47 (a
portion of
portion 22) of
the farm
Paardefontein
282-JR

We are neighbors of: The farm
 Ekuphumuleni
 716 JR

- None of the neighbouring landowners were contacted.
- Notices were placed at locations where we do not pass during the national lock down period.

CornerShop:



Not all the landowners have access to internet, they should be able to meet with the parties involved to know more of what is planned. In this way neighbours can participate in the public participation process.

We are against the mining activities on The farm Ekuphumuleni 716 JR

Multiple families are living on these farms and can't just be relocated.

Mining activities will have a major impact on the environment as it is a small farm that will be mined.

The amount and profitability of the coal at stake needs to be determined to make sure that the environment will not be disturbed for a small amount of coal.

There is no need to mine for coal as even a big company as ESCOM are moving over to renewable energy sources to phase out coal.

Regards

JN Bezuidenhout.

Marlene Lingenfelder

From: Sonette Smit
Sent: 12 November 2020 11:26 AM
To: mrnico.dev@gmail.com
Cc: Elsaine Costerus Mohr; Marlene Lingenfelder
Subject: RE: Public participation: The farm Ekuphumuleni 716 JR
Attachments: Response Bezuidenhout.pdf

Good day Mr Bezuidenhout,

RE: COMMENTS RECEIVED ON THE APPLICATION FOR PROSPECTING RIGHT APPLICATION IN TERMS OF SECTION 16 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002) AND THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO 107 OF 1998 NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED BY GNR 326 EFFECTIVE 7 APRIL 2017) BY Lomeza Opencast Operations (Pty) Ltd, FOR THE PROSPECTING OF COAL, on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR (409.7979 ha), which falls in Magisterial District of Cullinan (Nokeng Tsa Taemane Local Municipality), City of Tshwane, Gauteng Province.

The above matter as well as email received from you dated 4 October 2020 refers.

Please find attached response to your comments received.

All comments received for you as well as our response will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for consideration.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director

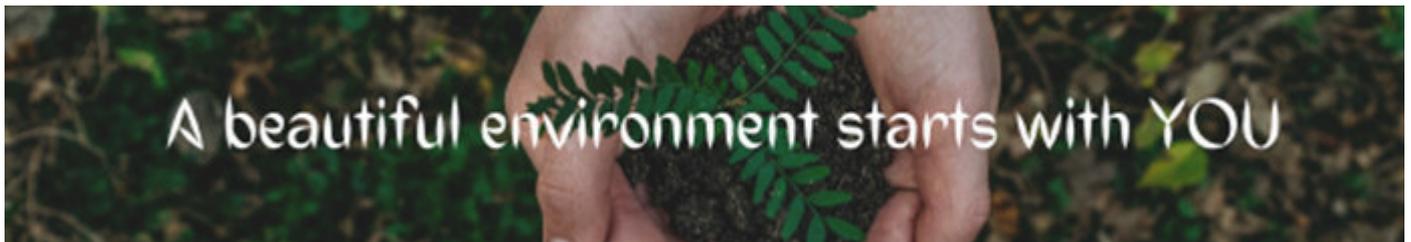


Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579
www.greenmined.com

Unit MO1, No 37 AECL site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.



Reference No: GP 30/5/1/1/2/10650 PR

Mr JN Bezuidenhout

mrnico.dev@gmail.com

Portion 47 (a portion of portion 22) of the farm
Paardefontein 282-JR

12 November, 2020

Attention: Mr JN Bezuidenhout

Dear Sir

RE: COMMENTS RECEIVED ON THE APPLICATION FOR PROSPECTING RIGHT APPLICATION IN TERMS OF SECTION 16 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002) AND THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO 107 OF 1998 NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED BY GNR 326 EFFECTIVE 7 APRIL 2017) BY LOMEZA OPENCAST OPERATIONS (PTY) LTD, FOR THE PROSPECTING OF COAL, ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR (409.7979 HA), WHICH FALLS IN MAGISTERIAL DISTRICT OF CULLINAN (NOKENG TSA TAEMANE LOCAL MUNICIPALITY), CITY OF TSHWANE, GAUTENG PROVINCE.

The above matter as well as email received from you dated 4 October 2020 refer.

Please see responses to your comments listed below:

We are neighbors of: The farm Ekuphumuleni 716 JR.

Noted

None of the neighboring landowners were contacted.

Please refer to the comment and responses report as well as appendix A for a list of neighbours and landowners contacted. Please also refer to page 15 of the Background information document that was distributed to all landowners informing them of the application requesting contact details of any other organisations or individuals that needs to be added to the contact list:

Are there any other organisations or individuals that you feel should be invited to comment? If so, please provide their contact details:

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



Contact name:
Organisation (if applicable):
Address:
Tel:
Fax
E-mail

Notices were placed at locations where we do not pass during the national lock down period.

CornerShop:

- Comment noted. Please note that the Public Participation Process was done in accordance with regulation 39 - 44 of the EIA Regulations, 2014 (as amended).

Not all the landowners have access to internet, they should be able to meet with the parties involved to know more of what is planned. In this way neighbours can participate in the public participation process.

- During the initial public participation process the stakeholders and I&AP's were informed of the project by means of background information documents that were sent directly to the contact persons. An advertisement that was placed in The Beeld on the 8th July 2020, and two on-site notices were placed one at the entrance to the farm and one at the Spaza shop at D327 (Kwamahlanga and Kloppebos Pyramid Crossing) on the 7th July 2020.
- Direct neighbours were all contacted by telephone and were informed of the project, as well as given an opportunity to inform us on additional persons or organisations that needed to be contacted. Different options of communication were provided should a party not have access to the internet.

We are against the mining activities on The farm Ekuphumuleni 716 JR.

- Comment noted and will be included in the comments and responses report which will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for consideration.

Multiple families are living on these farms and can't just be relocated.



Mining activities will have a major impact on on the environment as it is a small farm that will be mined.

- Please note that this is an application for a prospecting right. No mining may take place with a prospecting right.
- No relocation of any families will be required as result of a prospecting right.

The amount and profitability of the coal at stake needs to be determined to make sure that the environment will not be disturbed for a small amount of coal.

- This is only a prospecting right application which may allow Lomeza Opencast Operations (Pty) Ltd to survey or investigate the application area for the purpose of identifying an actual or probable coal deposit. No mining may be conducted prior to a mining right / permit which is a complete new application with its own public participation process should that be required in future. The amount and profitability cannot legally be determined without a prospecting right.

There is no need to mine for coal as even a big company as ESCOM are moving over to renewable energy sources to phase out the fossil energy.

- Comment noted and will be included in the comments and responses report which will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for consideration.

All comments received for you as well as our response will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for consideration.

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

A handwritten signature in black ink, appearing to read "Sonette Smit", is written over the text "Kind Regards,".

Kind Regards,

Sonette Smit

Greenmined Environmental

Sonette.s@greenmined.co.za

**21 - 22 PROOF OF CORRESPONDENCE WITH MR
ISAAC MTHOMBENI FROM CSIR KLOPPERSBOS &
PAARDEFONTEIN RESEARCH CENTER FROM 7
SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:23 AM
To: 'imthombe@csir.co.za'; 'sntsoelengoe@csir.co.za'; 'Enquiries@csir.co.za';
'BoardSecretary@csir.co.za'; 'sramokhoase@csir.co.za'; 'imthombe@csir.co.za';
'sntsoelengoe@csir.co.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - CSIR Kloppersbos & Paardefontein
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete
Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail

**23. PROOF OF CORRESPONDENCE WITH THE
DIRECTORS FROM EKSDERDE TRUST FROM 7
SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:18 AM
To: 'kantoor@eksderde.co.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - EKSDERDE TRUST
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



Marlene Lingenfelder

From: Annemarie Waldeck <kantoor@eksderde.co.za>
To: Marlene Lingenfelder
Sent: 07 September 2020 04:37 PM
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - EKSDERDE TRUST

Your message

To:
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - EKSDERDE TRUST
Sent: 08 September 2020 07:58:56 AM (UTC+02:00) Harare, Pretoria

was read on 07 September 2020 04:37:24 PM (UTC+02:00) Harare, Pretoria.

**24. PROOF OF CORRESPONDENCE WITH MR
JOHANN GELDERBLOM FROM FULL SWING
TRADING FROM 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:17 AM
To: 'hendri@dgconsult.co.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Full Swing
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"

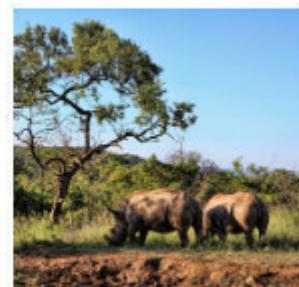


Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: hendri@dgconsult.co.za
Sent: 07 September 2020 03:16 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Full Swing

Your message has been delivered to the following recipients:

hendri@dgconsult.co.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Full Swing



Ekuphumuleni
GP30/5/1/1/2/10650PR...

**25. PROOF OF CORRESPONDENCE WITH MR
THEUNS LOUBSER FROM HC LOUBSER
TESTAMENTERE TRUST FROM 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:22 AM
To: 'theuns@blf.co.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Loubser
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



**26. PROOF OF CORRESPONDENCE WITH ME JAY-
ANN JACOBS FROM PIONEER FOODS PTY LTD
FROM 7 SEPTEMBER 2020**

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:20 AM
To: 'jay-ann.jacobs@pioneerfoods.co.za'
Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - PIONEER VOEDSEL PTY LTD
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



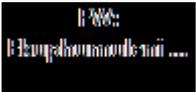
Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: jay-ann.jacobs@pioneerfoods.co.za
Sent: 07 September 2020 03:19 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - PIONEER VOEDSEL PTY LTD

Your message has been delivered to the following recipients:

jay-ann.jacobs@pioneerfoods.co.za

Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR - PIONEER VOEDSEL PTY LTD



**27. RESPONSE RECEIVED FROM SURROUNDING
LANDOWNER MR KOBUS VAN DER SCHYFF ON 29
SEPTEMBER 2020**



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Kobus van der Schyff [mailto:kobus.vanderschyff@intendafs.net]
Sent: Tuesday, September 29, 2020 4:17 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD REF No: GP30/5/1/1/2/10650PR Kloppersbos

Geagte Sonette

Met verwysing na bogemelde aangeleentheid, net die volgende vrae :

- 1) Indien n persoon die aansoek wil aanvaar, teenstaan of kommentaar wil lewer, is daar enige spesifieke vorm wat ingevul moet word – indien wel, kan u asb een aanstuur
- 2) Watter inligting seek julle as maatskappy van sodanige persoon vir die behoorlike aanvaarding, beswaarmaking en of lewering van kommentaar ?
- 3) Indien geen sodanige voorgeskrewe vorm verskaf word nie, kan sodanige persoon slegs per e-pos sy aanvaarding, beswaarmaking of kommentaar aan bogemelde e-pos adres stuur ?
- 4) Indien n persoon nie toegang het tot n rekenaar of n e-pos fasiliteit, en /of n faks fasiliteit, op watter basis kan sodanige persoon met julle kontak maak ?
- 5) Ek neem aan indien n persoon sy aanvaarding , beswaarmaking en of kommentaar wil lewer , julle n ontvangs erkenning terug sal stuur aan sodanige persoon ?

Hoor graag van u

Groete
Kobus van der Schyff

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

**27. PROOF OF CORRESPONDENCE WITH
SURROUNDING LANDOWNER MR KOBUS VAN DER
SCHYFF FROM 29 SEPTEMBER 2020**

Marlene Lingenfelder

From: Sonette Smit
Sent: 29 September 2020 07:15 PM
To: Kobus van der Schyff
Cc: Marlene Lingenfelder
Subject: RE: APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD REF No: GP30/5/1/1/2/10650PR Kloppersbos
Attachments: BID for Ekuphumuleni.pdf

Goeie dag mnr. Van der Schyff,

Baie dankie vir u deelname in die publieke deelname van hierdie projek. Ons bevestig hiermee ontvangs van u navra asook dat u voortaan geregistreer is as 'n geïntreseedde en affekteerde party.

Sien onder die antwoorde op u vrae.

- 1) Indien n persoon die aansoek wil aanvaar, teenstaan of kommentaar wil lewer, is daar enige spesifieke vorm wat ingevul moet word – indien wel, kan u asb een aanstuur
✚ Enige vorm van kommentaar sal aanvaarbaar wees. U is welkom om die aangehegte vorm ook net te voltooi.
- 2) Watter inligting soek julle as maatskappy van sodanige persoon vir die behoorlike aanvaarding, beswaarmaking en of lewering van kommentaar ?
✚ Volledige besonderhede sodat die persoon geregistreer kan word. Naam, kontakbesonderhede asook die verwantskap van die persoon.
- 3) Indien geen sodanige voorgeskrewe vorm verskaf word nie, kan sodanige persoon slegs per e-pos sy aanvaarding, beswaarmaking of kommentaar aan bogemelde e-pos adres stuur ?
✚ 'n epos sal aanvaarbaar wees.
- 4) Indien n persoon nie toegang het tot n rekenaar of n e-pos fasiliteit, en /of n faks fasiliteit, op watter basis kan sodanige persoon met julle kontak maak ?
✚ Geïntreseedde en affekteerde partye kan ons per pos, epos, fax, telefonies selfs sms of whatsapp kontak.
- 5) Ek neem aan indien n persoon sy aanvaarding , beswaarmaking en of kommentaar wil lewer , julle n ontvangs erkenning terug sal stuur aan sodanige persoon ?
✚ Dit is korrek, indien 'n persoon wou registreer op die projek sal ons bewys van ontvangs erkenning terug stuur.

Kontak my gerus indien iets onduidelik is.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579

Unit MO1, No 37 AECI site
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"

Marlene Lingenfelder

From: Kobus van der Schyff <kobus.vanderschyff@intendafs.net>
Sent: 30 September 2020 07:48 AM
To: Sonette Smit
Cc: Marlene Lingenfelder
Subject: RE: APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD REF No: GP30/5/1/1/2/10650PR Kloppersbos

Met dank

Neem kennis van die inhoud hiervan

Groete
Kobus van der Schyff

From: Sonette Smit <Sonette.S@greenmined.co.za>
Sent: Tuesday, 29 September 2020 19:15
To: Kobus van der Schyff <kobus.vanderschyff@intendafs.net>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD REF No: GP30/5/1/1/2/10650PR Kloppersbos

Goeie dag mnr. Van der Schyff,

Baie dankie vir u deelname in die publieke deelname van hierdie projek. Ons bevestig hiermee ontvangs van u navra asook dat u voortaan geregistreer is as 'n geintreseerde en affekteerde party.

Sien onder die antwoorde op u vrae.

- 1) Indien n persoon die aansoek wil aanvaar, teenstaan of kommentaar wil lewer, is daar enige spesifieke vorm wat ingevul moet word – indien wel, kan u asb een aanstuur
 - ✚ Enige vorm van kommentaar sal aanvaarbaar wees. U is welkom om die aangehegte vorm ook net te voltooi.
- 2) Watter inligting soek julle as maatskappy van sodanige persoon vir die behoorlike aanvaarding, beswaarmaking en of lewering van kommentaar ?
 - ✚ Volledige besonderhede sodat die persoon geregistreer kan word. Naam, kontakbesonderhede asook die verwantskap van die persoon.
- 3) Indien geen sodanige voorgeskrewe vorm verskaf word nie, kan sodanige persoon slegs per e-pos sy aanvaarding, beswaarmaking of kommentaar aan bogemelde e-pos adres stuur ?
 - ✚ 'n epos sal aanvaarbaar wees.
- 4) Indien n persoon nie toegang het tot n rekenaar of n e-pos fasiliteit, en /of n faks fasiliteit, op watter basis kan sodanige persoon met julle kontak maak ?
 - ✚ Geintreseerde en affekteerde partye kan ons per pos, epos, fax, telefonies selfs sms of whatsapp kontak.
- 5) Ek neem aan indien n persoon sy aanvaarding , beswaarmaking en of kommentaar wil lewer , julle n ontvangs erkenning terug sal stuur aan sodanige persoon ?
 - ✚ Dit is korrek, indien 'n persoon wou registreer op die projek sal ons bewys van ontvangs erkenning terug stuur.

Kontak my gerus indien iets onduidelik is.

Kind Regards/Vriendelike Groete
Sonette Smit
Managing Director

**28. RESPONSE RECEIVED FROM MR JAN SMIT
FROM STAALBOER CC ON 1 OCTOBER 2020**

From: vania@staalboer.co.za [<mailto:vania@staalboer.co.za>]

Sent: Thursday, October 1, 2020 4:27 PM

To: Sonette Smit <Sonette.S@greenmined.co.za>; kobus.vanderschyff@intendafs.net

Cc: 'Jan Smith' <jan@staalboer.co.za>

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR

Importance: High

Goeie dag Sonette,

Sien asseblief aangehegte dokument van Jan Smith, eienaar van Plot 64 en 40 Kloppersbos.

Dankie

Vania van Wyk

STAALBOER

076 983 0637 

www.staalboer.co.za



Virus-free. www.avast.com



Registration Nr.
2007/158423/23



Import / Export Nr.
21437441



+27 (0)82 210 0999



jan@staalboer.co.za



PO Box 602, Derdepark,
0035



Plot 64, Kloppersbos
Pretoria



VAT Nr.
4610246029



ABSA Branch # 632005
Account # 4070424161

1 October 2020

Jan Andries Smith

ID 550215 5150 089

Cell 076 983 0637

Plot 64 Kloppersbos and Plot 40 Kloppersbos

I would like to raise my concerns and disapproval regarding the prospecting permit for coal.

It is understood that this may be just a permit, but with this comes the same problems as a mine.

Noise pollution

Air pollution

Water pollution

Security concerns – form myself and that of my animals on both properties.

The negative effect this will have on our property value.

And the deterioration of an already deteriorated road.

Thank you.

J.A. SMITH

**28. PROOF OF CORRESPONDENCE WITH MR JAN
SMIT FROM STAALBOER CC FROM 1 OCTOBER
2020**

Marlene Lingenfelder

From: Sonette Smit
Sent: 17 November 2020 10:45 AM
To: vania@staalboer.co.za; 'Jan Smith'; kobus.vanderschyff@intendafs.net
Cc: Marlene Lingenfelder
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR

Good day Mr Jan Smith,

Your comments received in the email dated 1 October 2020 refers.

All comments received from you as well as our response will be incorporated in the Final Basic Assessment Report. Please note that the final BAR, including all comments and objections from all I&AP's, will be submitted to the DMRE during this week, for its consideration and determination, after which the DMRE has 107 days to evaluate and make a decision on this application.

We take note of the following concerns:

- "It is understood that this may be just a permit, but with this comes the same problems as a mine."
- Noise pollution
- Air pollution
- Water pollution
- Security concerns – form myself and that of my animals on both properties.
- The negative effect this will have on our property value
- And the deterioration of an already deteriorated road.

Mining Permit:

Please note that this is an application for a prospecting right. NO mining may take place with a prospecting right. This is only a prospecting right application which may allow Lomeza Opencast Operations (Pty) Ltd to survey or investigate the application area for the purpose of identifying an actual or probable coal deposit. No mining may be conducted prior to a mining right / permit which is a complete new application with its own public participation process should that be required in future.

Noise pollution / Air pollution

Should the prospecting activities be approved the potential dust and noise impacts associated with the proposed activity will be of very low significance. If the proposed mitigation measures and monitoring programs, as proposed in this document, is implemented, it is believed that no environmental rights of the surrounding residents/public will be affected by the ecological impacts associated with the proposed activity.

Water pollution:

- The proposed project does not require a Water Use Authorisation in terms of Section 39 of the National Water Act, 1998 (Act No 36 of 1998). As mentioned in the draft basic assessment report, the prospecting activities will be done by drilling prospecting boreholes in phases. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in this document as well as in consultation with the landowner / landowners, and no activity will take place in any water bodies.
- Potable water will daily be transported to site. The solid waste produced during the operational phase of the project will be transported from site to the nearest recognised landfill site.
- Prospecting will be conducted only in accordance with the Best Practice Guideline for small scale prospecting that relates to storm water management, erosion and sediment control and waste management, developed by the Department of Water and Sanitation (DWS), and any other conditions which that Department may impose:

- Clean water (e.g. rainwater) must be kept clean and be routed to a natural watercourse by a system separate from the dirty water system. You must prevent clean water from running or spilling into dirty water systems.
- Dirty water must be collected and contained in a system separate from the clean water system.
- Dirty water must be prevented from spilling or seeping into clean water systems.
- A storm water management plan must apply for the entire life cycle of the prospecting activity and over different hydrological cycles (rainfall patterns).

Security concerns:

The following mitigation measures are proposed to minimise the potential health and safety impacts:

- Adequate ablution facilities and water for human consumption must daily be available on site.
- Workers must have access to the correct personal protection equipment (PPE) as required by law.
- All operations must comply with the Mine Health and Safety Act, 1996 (Act No 29 of 1996).
- No trespassing on private property outside the approved area will be allowed

Property value:

As per previously mentioned this is an application for a prospecting right. Prospecting activities will be done by drilling prospecting boreholes in phases of 4 areas consisting of a total of 9 drilling prospecting boreholes comprising an area of less than 400 square meters per site with a total of less than 0.4 ha disturbed at any given time. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in the Draft Basic Assessment as well as in consultation with the landowner / landowners. Should a coal source be found it will only diversify the income of the property and not negatively impact the property value.

Deterioration of roads:

As per previously mentioned this is an application for a prospecting right no trucks / increased traffic will be associated with this activities. Site vehicles (LDV) will access the site, this will be similar traffic along roads in the vicinity, currently operational in the area. Site vehicles will use the existing gravel farm roads in consultation with the land owners

The prospecting site will contain the following:

- Surveying Equipment;
- Drilling equipment;
- Geophysical logging equipment;
- Field Vehicles (LDV);
- Sample Analysis equipment; and
- Other relevant field equipment.

We trust that the response will address your concerns, please do not hesitate to contact me should you have any further questions.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



Tel: 021 851 2673
 Cell: 084 5855706
 Fax: 086 546 0579
 www.greenmined.com

Unit MO1, No 37 AECI site
 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”

**29. RESPONSE RECEIVED FROM SURROUNDING
LANDOWNER MR NORMAN LANDMAN ON 1
OCTOBER 2020**

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



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Chairman [<mailto:chairman@suneden.com>]
Sent: Thursday, October 1, 2020 4:19 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR

Good day

Please tell me what is the expected life of the mine and how do we register as an interested and affected party?

Kind regards

Norman Landman
Chairman
SunEden Share Block (PTY) Ltd

**29. PROOF OF CORRESPONDENCE WITH
SURROUNDING LANDOWNER MR NORMAN
LANDMAN FROM 1 OCTOBER 2020**

Marlene Lingenfelder

From: Sonette Smit
Sent: 01 October 2020 05:10 PM
To: Chairman
Cc: Marlene Lingenfelder
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR

Good day Mr Landman,

Please note that a prospecting right is valid for a period of 5 years with a possible extension of another 3 years.

Please do not hesitate to contact us should you require any additional information,

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579

Unit MO1, No 37 AECl site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Sonette Smit
Sent: Thursday, October 1, 2020 4:27 PM
To: 'Chairman' <chairman@sunedn.com>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR

Good day Mr Landman,

Thank you for taking part in the public participation process for the proposed prospecting right application. You will be registered as an interested and affected party.

A register of interested and affected parties (I&AP's) was opened and is maintained containing the names, contact details and address of all persons who have submitted written comments, attended meetings or have in writing requested to be registered.

You are welcome to use the table below to should you need more information, have concerns or comments that need to be considered or if you want to be registered as an interested and / or affected party.

Contact details:

Name/Naam	
Organisation/Instansie	
Interest/Belange	
Postal Address/Pos Adres	
Tel	
Fax/Faks	
E-mail/E-pos	

Comments/ Opmerkings:

No Objection:	
Request additional information:	
Concerns:	

Please do not hesitate to contact us should you require any additional information

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579

Unit MO1, No 37 AECl site
Baker Square, Paardevlei
De Beers Avenue
Somerset West, 7130

Suite 62, Private Bag x15



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Chairman [mailto:chairman@suneden.com]
Sent: Thursday, October 1, 2020 4:55 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR

Good day

Thank you for that info.

Please explain to me, is this application for the right to explore the property for potential coal and only then they will apply for a mining right, am I correct? Therefore this is not a mining rights application?

Kind regards

Norman Landman

From: Sonette Smit [mailto:Sonette.S@greenmined.co.za]
Sent: 1 October, 2020 16:30
To: Chairman <chairman@suneden.com>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR

Good day Mr Landman,

Thank you for taking part in the public participation process for the proposed prospecting right application. You will be registered as an interested and affected party.

A register of interested and affected parties (I&AP's) was opened and is maintained containing the names, contact details and address of all persons who have submitted written comments, attended meetings or have in writing requested to be registered.

You are welcome to use the table below to should you need more information, have concerns or comments that need to be considered or if you want to be registered as an interested and / or affected party.

Contact details:

Name/Naam	
-----------	--

Marlene Lingenfelder

From: Sonette Smit
Sent: 01 October 2020 05:37 PM
To: Chairman
Cc: Marlene Lingenfelder
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR

Good day,

This is correct. This is only a prospecting right application which may allow Lomeza Opencast Operations (Pty) Ltd to survey or investigate the application area for the purpose of identifying an actual or probable coal deposit. No mining may be conducted prior to a mining right / permit which is a complete new application with its own public participation process should that be required in future.

MAIN PROSPECTING ACTIVITIES:

Drill site establishment:

A drill site of approximately 200 m² (per site) will be established that will require:

- Clearing of vegetation for sumps and the drill entrance point – a maximum of three sumps, with each sump not measuring more than 1 m² will be operation at a time, a total of 3 m² will be cleared per site.
- Laydown area for drill rods,
- Fuel and chemical will be stored in a field vehicle;
- Chemical toilets will be placed in the vicinity of the site.
- Drilling and removal of geological cores:
- Drilling a hole of approximately 67 mm in diameter and removing of rock core. Number of boreholes will be finalised once non-invasive prospecting is completed in consultation with the landowners.

Please do not hesitate to contact us should you require any additional information or clarity.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579

Unit MO1, No 37 AECI site
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"

**30. RESPONSE RECEIVED FROM SURROUNDING
LANDOWNER MR NICO BEZUIDENHOUT ON 4
OCTOBER 2020**

Marlene Lingenfelder

From: Sonette Smit
Sent: 01 October 2020 05:37 PM
To: Chairman
Cc: Marlene Lingenfelder
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR

Good day,

This is correct. This is only a prospecting right application which may allow Lomeza Opencast Operations (Pty) Ltd to survey or investigate the application area for the purpose of identifying an actual or probable coal deposit. No mining may be conducted prior to a mining right / permit which is a complete new application with its own public participation process should that be required in future.

MAIN PROSPECTING ACTIVITIES:

Drill site establishment:

A drill site of approximately 200 m² (per site) will be established that will require:

- Clearing of vegetation for sumps and the drill entrance point – a maximum of three sumps, with each sump not measuring more than 1 m² will be operation at a time, a total of 3 m² will be cleared per site.
- Laydown area for drill rods,
- Fuel and chemical will be stored in a field vehicle;
- Chemical toilets will be placed in the vicinity of the site.
- Drilling and removal of geological cores:
- Drilling a hole of approximately 67 mm in diameter and removing of rock core. Number of boreholes will be finalised once non-invasive prospecting is completed in consultation with the landowners.

Please do not hesitate to contact us should you require any additional information or clarity.

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579

Unit MO1, No 37 AECI site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Chairman [mailto:chairman@suneden.com]
Sent: Thursday, October 1, 2020 4:55 PM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR

Good day

Thank you for that info.

Please explain to me, is this application for the right to explore the property for potential coal and only then they will apply for a mining right, am I correct? Therefore this is not a mining rights application?

Kind regards

Norman Landman

From: Sonette Smit [mailto:Sonette.S@greenmined.co.za]
Sent: 1 October, 2020 16:30
To: Chairman <chairman@suneden.com>
Cc: Marlene Lingenfelder <admin@greenmined.co.za>
Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR

Good day Mr Landman,

Thank you for taking part in the public participation process for the proposed prospecting right application. You will be registered as an interested and affected party.

A register of interested and affected parties (I&AP's) was opened and is maintained containing the names, contact details and address of all persons who have submitted written comments, attended meetings or have in writing requested to be registered.

You are welcome to use the table below to should you need more information, have concerns or comments that need to be considered or if you want to be registered as an interested and / or affected party.

Contact details:

Name/Naam	
-----------	--

Organisation/Instansie	
Interest/Belange	
Postal Address/Pos Adres	
Tel	
Fax/Faks	
E-mail/E-pos	

Comments/ Opmerkings:

No Objection:	
Request additional information:	
Concerns:	

Please do not hesitate to contact us should you require any additional information

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



Tel: 021 851 2673
 Cell: 084 5855706
 Fax: 086 546 0579

Unit MO1, No 37 AECI site
 Baker Square, Paardevelei
 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"

**30. PROOF OF CORRESPONDENCE WITH
SURROUNDING LANDOWNER MR NICO
BEZUIDENHOUT FROM 4 OCTOBER 2020**

Marlene Lingenfelder

From: Elsaine Costerus Mohr
Sent: 05 October 2020 07:45 AM
To: Sonette Smit
Cc: Marlene Lingenfelder
Subject: FW: Public participation: The farm Ekuphumuleni 716 JR

From: Nico Bezuidenhout [mailto:mrnico.dev@gmail.com]
Sent: Sunday, 04 October 2020 10:35
To: Elsaine Costerus Mohr <Elsaine.CM@greenmined.co.za>
Subject: Public participation: The farm Ekuphumuleni 716 JR

Dear Madam,

Landowners: Johannes Nicolaas Bezuidenhout
Susara Johanna Dorothea Bezuidenhout

Portion 47 (a
portion of
portion 22) of
the farm
Paardefontein
282-JR

We are neighbors of: The farm
 Ekuphumuleni
 716 JR

- None of the neighbouring landowners were contacted.
- Notices were placed at locations where we do not pass during the national lock down period.

CornerShop:



Not all the landowners have access to internet, they should be able to meet with the parties involved to know more of what is planned. In this way neighbours can participate in the public participation process.

We are against the mining activities on The farm Ekuphumuleni 716 JR

Multiple families are living on these farms and can't just be relocated.

Mining activities will have a major impact on the environment as it is a small farm that will be mined.

The amount and profitability of the coal at stake needs to be determined to make sure that the environment will not be disturbed for a small amount of coal.

There is no need to mine for coal as even a big company as ESCOM are moving over to renewable energy sources to phase out coal.

Regards

JN Bezuidenhout.

Marlene Lingenfelder

From: Sonette Smit
Sent: 12 November 2020 11:26 AM
To: mrnico.dev@gmail.com
Cc: Elsaine Costerus Mohr; Marlene Lingenfelder
Subject: RE: Public participation: The farm Ekuphumuleni 716 JR
Attachments: Response Bezuidenhout.pdf

Good day Mr Bezuidenhout,

RE: COMMENTS RECEIVED ON THE APPLICATION FOR PROSPECTING RIGHT APPLICATION IN TERMS OF SECTION 16 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002) AND THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO 107 OF 1998 NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED BY GNR 326 EFFECTIVE 7 APRIL 2017) BY Lomeza Opencast Operations (Pty) Ltd, FOR THE PROSPECTING OF COAL, on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR (409.7979 ha), which falls in Magisterial District of Cullinan (Nokeng Tsa Taemane Local Municipality), City of Tshwane, Gauteng Province.

The above matter as well as email received from you dated 4 October 2020 refers.

Please find attached response to your comments received.

All comments received for you as well as our response will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for consideration.

Kind Regards/Vriendelike Groete

Sonette Smit

Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579
www.greenmined.com

Unit MO1, No 37 AECL site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

**31. RESPONSE RECEIVED FROM THE VAN WYK
FAMILIE ON 8 OCTOBER 2020**

Marlene Lingenfelder

From: Sonette Smit
Sent: 08 October 2020 08:40 AM
To: Marlene Lingenfelder
Subject: FW: Ekuphumuleni Kloppersbos

FYI

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579

Unit MO1, No 37 AECl site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Vanica Van Wyk [mailto:hitfreakgirl@gmail.com]
Sent: Thursday, October 8, 2020 7:57 AM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: Riana van Wyk <vanwykriana99@gmail.com>; kobusvanwyk62@gmail.com; Babes <rick041088@gmail.com>; kobus.vanderschyff@intendafs.net
Subject: Ekuphumuleni Kloppersbos

Herewith

Riana van Wyk - 6112170081084
Kobus van Wyk - 6210085036084
Ricard van Wyk - 8810045053083
Vania van Wyk - 8610030060089

Plot 33 Kloppersbos

Would like to enter our grievance regarding the prospecting for coal in our area.

This will definitely destroy our water table and disturb the natural wildlife in this area, and also the wildlife on our farms. And lets not forget the pollution of our clean air!

Thank you

Van Wyk family

**31. PROOF OF CORRESPONDENCE WITH THE VAN
WYK FAMILIE FROM 8 OCTOBER 2020**

Marlene Lingenfelder

From: Sonette Smit
Sent: 17 November 2020 10:37 AM
To: hitfreakgirl@gmail.com
Cc: vanwykriana99@gmail.com; kobusvanwyk62@gmail.com; rick041088@gmail.com; kobus.vanderschyff@intendafs.net; Marlene Lingenfelder
Subject: RE: Ekuphumuleni Kloppersbos

Good day Van Wyk Family,

The comments received from you in email dated 8th October 2020 refers.

All comments received from you as well as our response will be incorporated in the Final Basic Assessment Report to be submitted to DMRE for consideration this week.

We take note of the following concerns:

- This will definitely destroy our water table and disturb the natural wildlife in this area, and also the wildlife on our farms.
- And let's not forget the pollution of our clean air!

As access to the site was denied at this stage no resident protected or red data faunal species could be identified within the earmarked footprint, and the project is expected to have a negligible impact in this regard as prospecting activities will be done by drilling prospecting boreholes in phases of 4 areas consisting of a total of 9 drilling prospecting boreholes comprising an area of less than 400 square meters per site with a total of less than 0.4 ha disturbed at any given time.

Based on the above a site walk through will have to be conducted by relevant specialists in order to eliminate any impacts the prospecting activities might have on the proposed drilling sites. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in this document and specialist findings as well as in consultation with the landowner / landowners.

Areas that should be regarded as no – go areas will be identified in consultation with the landowner/s in order to prevent any negative impact that might be of concern.

Noise pollution / Air pollution

Should the prospecting activities be approved the potential dust and noise impacts associated with the proposed activity will be of very low significance. If the proposed mitigation measures and monitoring programs, as proposed in this document, is implemented, it is believed that no environmental rights of the surrounding residents/public will be affected by the ecological impacts associated with the proposed activity.

Water pollution:

- The proposed project does not require a Water Use Authorisation in terms of Section 39 of the National Water Act, 1998 (Act No 36 of 1998). As mentioned in the draft basic assessment report, the prospecting activities will be done by drilling prospecting boreholes in phases. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in this document as well as in consultation with the landowner / landowners, and no activity will take place in any water bodies.
- Potable water will daily be transported to site. The solid waste produced during the operational phase of the project will be transported from site to the nearest recognised landfill site.

- Prospecting will be conducted only in accordance with the Best Practice Guideline for small scale prospecting that relates to storm water management, erosion and sediment control and waste management, developed by the Department of Water and Sanitation (DWS), and any other conditions which that Department may impose:
 - Clean water (e.g. rainwater) must be kept clean and be routed to a natural watercourse by a system separate from the dirty water system. You must prevent clean water from running or spilling into dirty water systems.
 - Dirty water must be collected and contained in a system separate from the clean water system.
 - Dirty water must be prevented from spilling or seeping into clean water systems.
 - A storm water management plan must apply for the entire life cycle of the prospecting activity and over different hydrological cycles (rainfall patterns).

We trust that the response will address your concerns, please do not hesitate to contact me should you have any further questions.

Kind Regards/Vriendelike Groete
Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579
www.greenmined.com

Unit MO1, No 37 AECL site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Vanica Van Wyk [<mailto:hitfreakgirl@gmail.com>]
Sent: Thursday, October 8, 2020 7:57 AM
To: Sonette Smit <Sonette.S@greenmined.co.za>
Cc: Riana van Wyk <vanwykriana99@gmail.com>; kobusvanwyk62@gmail.com; Babes <rick041088@gmail.com>; kobus.vanderschyff@intendafs.net
Subject: Ekuphumuleni Kloppersbos

Marlene Lingenfelder

From: Sonette Smit
Sent: 17 November 2020 10:46 AM
To: Marlene Lingenfelder
Subject: FW: Ekuphumuleni GP30/5/1/1/2/10650PR

fyi

Kind Regards/Vriendelike Groete

Sonette Smit
Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579
www.greenmined.com

Unit MO1, No 37 AECI site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Mail Delivery System [mailto:Mailer-Daemon@smtpcorp.com]
Sent: Tuesday, November 17, 2020 10:46 AM
To: Sonette Smit
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR

Your message has been delivered to the following recipients:

vania@staalboer.co.za

jan@staalboer.co.za

kobus.vanderschyff@intendafs.net

Subject: RE: Ekuphumuleni GP30/5/1/1/2/10650PR

**32. RESPONSE RECEIVED FROM MR JOHAN VAN
NIEKERK FROM MONATENG SAFARI LODGE (PTY)
LTD ON 6 OCTOBER 2020**



MONATENG SAFARI LODGE
Share Block (Pty) Ltd

Reg. No.: 1994/002952/07
Vat. No.: 4580191940

Mooikloof Office Park East
Corner of Atterbury and Jollify Main Road
Mooikloof
0059

P. O. Box 35580
Menlo Park
0102

Tel: +27(0) 12 492 1232
Fax: +27(0) 12 996 0556
E-mail: propertyadmin@vrs.co.za

Lomezza Opencast Operations (Pty) Ltd
C/O Greenmined Environmental (Pty) Ltd
Office No. 37, Baker Square Block 1
De Beers Avenue, Paardevlei,
Sommerset West
7130
Per Email: sonette.s@greenmined.co.za / simon@lomezza.co.za

06.10.2020

RE: GP 30/5/1/1/2/10650 PR

1. We refer you to the above mentioned and confirm we have received information that you are busy with a BAR in relation to the prospecting right as referred to above.
2. We wish to place the following on record:
 - 2.1. As far as we are aware there is a pending prospecting application for Coal over portions in your application, which are under reference: GP30/5/1/1/2 (10336) PR as well as GP30/5/1/1/2 (10255) PR. As this is currently the case, the department of minerals (DMR) erred in granting your client acceptance and as such has no choice but to withdraw your client's approval as it has erred in its administration and the legislation to which it is bound. As you are aware the DMR cannot grant a PR if someone else has been granted one, as is the current scenario.
 - 2.2. As a responsible Environmental consultant as set out in your mission and vision, you should notify the DMR of the pending applications as brought to your attention, which should first be handled/finalized before your client can continue with their application. Alternatively, we will have no choice but to appeal the application should it be approved after submitted the BAR and the entire process will have to restart with public participation again.
3. As we can at this stage not effectly partake in the public participation as we do not know if your application is valid, we have to reserve our right to partake once clarity has been obtained from the DMR on who currently holds the valid PR application and who we as interest and affected party should consult with.
4. However, despite the flaw, we request that you provide us with the date, time and full name of the person that conducted your assessment on the properties to identify the Fauna and various species that may be found:
 - 4.1. Portion 5 of the farm Klopperbos 128 JR;

- 4.2. Portion 1 of the farm Ekuphumleni 716 JR;
 - 4.3. Portion 7 of the farm 716 JR; and
 - 4.4. Portion 8 of the farm 716 JR.
5. We request that you confirm that in terms of GDARD Conservation Plan that the area is not an irreplaceable area for:
 - 5.1. listed plant habitat;
 - 5.2. listed mammal habitat;
 - 5.3. listed bird habitat;
 - 5.4. primary vegetation; and/or
 - 5.5. any other listed animals etc.
 6. We also understand that there are various boreholes on the properties in question and the surrounding properties that could be affected by the drilling of the holes. As such a geohydrological study should be undertaken before any decisions can be taken on drilling holes and the impact these holes will have on the current supply of water in these boreholes, as the drilling can drastically change the flow of water and water pockets for agriculture and domestic use.
 7. In addition, the proposed drilling should not have any impact on any existing trees whether on servitudes or the property and any existing trees should be taken into consideration and integrated in the planning of the drilling.
 8. Would an engineer not be required to be appointed to supervise soil conditions prevalent on the site to ensure structural integrity when drilling the holes.
 9. It is also our understanding that although notice was placed, it was strategically placed at only once entrance which is not used by the majority of the public and should have been placed at all entrances and on each property entrance which the prospecting right is being applied for. Should this have been the case, we would have received notice earlier and have been able to partake.
 10. On receipt of the above information, we will be able to partake in the public participation as required in legislation.
 11. We request that you forward your reply and information to the below email addresses.
 12. All our rights remain strictly reserved.



Johan van Niekerk

johan@ifins.co.za / jacquesdr@ddlaw.co.za

Marlene Lingenfelder

From: Elsaine Costerus Mohr
Sent: 21 October 2020 10:35 AM
To: Sharon Ferreira; Sonette Smit; Marlene Lingenfelder; simon@lomenza.co.za
Cc: 'Jacques Du Randt'; J van Niekerk
Subject: RE: PENDING PROSPECTING APPLICATION FOR COAL - GP 30/5/1/1/2/10650 PR

Importance: High

Good day,

The above matter as well as your correspondence dated 06 October 2020 refers.

In the meantime we have liaised with the DMRE regarding the alleged pending prospecting right applications, with reference numbers GP30/5/1/1/2 (10336) PR and GP30/5/1/1/2 (10255) PR over certain portions of our client's application. However, the DMRE informed us that there are no other applications over our client's application area.

Will you kindly provide us with the property descriptions of the abovementioned prospecting right applications, to enable us to fully investigate this matter. In the event that you have copies of the application documentation and/or granted rights please provide us with same.

Kindly note that your concerns regarding our client's application will be addressed in due course.

Kind Regards/Vriendelike Groete

Mrs. Elsaine Costerus-Möhr

Legal Adviser

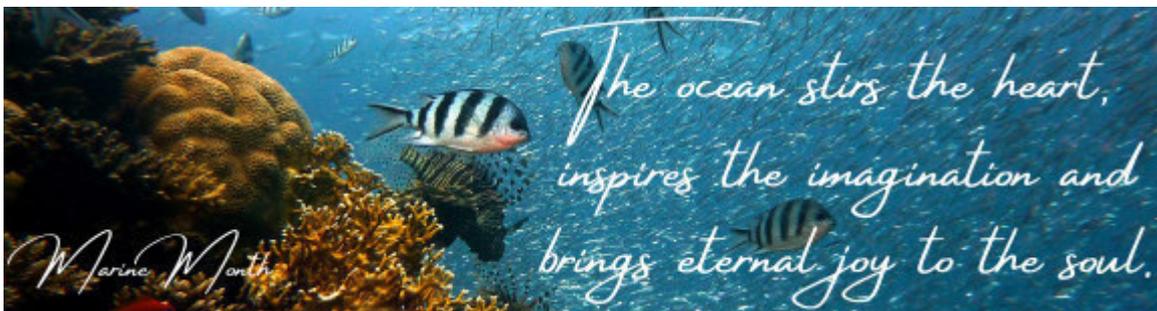


Tel: 021 851 2673
Cell: 082 875 1415
Fax: 086 546 0579
www.greenmined.com

Unit MO1, No 37 AECl site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

Marlene Lingenfelder

From: Sonette Smit
Sent: 17 November 2020 12:21 PM
To: Sharon Ferriera; Marlene Lingenfelder; simon@lomenza.co.za
Cc: 'Jacques Du Randt'; J van Niekerk
Subject: RE: PENDING PROSPECTING APPLICATION FOR COAL - GP 30/5/1/1/2/10650 PR

Good day,

RE: COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT SUBMITTED IN RESPECT OF THE APPLICATION IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002) AND THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO 107 OF 1998 – NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED BY GNR 326, EFFECTIVE 7 APRIL 2017) – LOMEZA OPENCAST OPERATIONS (PTY) LTD

The above matter as well as your correspondence dated 06 October 2020, of which the content is noted, refers.

1. In response to your concerns regarding the following please see clause 2 to 7 below:
2. Assessments done on properties as per 4.1 - 4.4
 - 2.1. Request that you confirm that in terms of GDARD Conservation Plan that the area is not an irreplaceable area for as per 5.1 – 5.5:
 - 2.1.1. listed plant habitat;
 - 2.1.2. listed mammal habitat;
 - 2.1.3. listed bird habitat;
 - 2.1.4. primary vegetation; and/or
 - 2.1.5. any other listed animals etc.
 - 2.2. Various boreholes on the properties in question and the surrounding properties that could be affected by the drilling of the holes. As such a geohydrological study should be undertaken before any decisions can be taken on drilling holes and the impact these holes will have on the current supply of water in these boreholes, as the drilling can drastically change the flow of water and water pockets for agriculture and domestic use.
 - 2.3. The proposed drilling should not have any impact on any existing trees whether on servitudes or the property and any existing trees should be taken into consideration and integrated in the planning of the drilling.
 - 2.4. If an engineer would not be required to be appointed to supervise soil conditions prevalent on the site to ensure structural integrity when drilling the holes.

- 2.5. It is also our understanding that although notice was placed, it was strategically placed at only once entrance which is not used by the majority of the public and should have been placed at all entrances and on each property entrance which the prospecting right is being applied for. Should this have been the case, we would have received notice earlier and have been able to partake.
3. We do not dispute the fact that specialist studies are required for the DMRE to make an informed decision with regards to this application. It is however unreasonable to demand specialist studies to be conducted, and then refuse our client and/or its appointed specialists access to the properties for the purpose of these specialist studies to be conducted. Not only will these specialist studies benefit to all the participants involved but it will also ensure that the DMRE make the appropriate decision under the circumstances.
 4. As access to the site has been denied by the landowners and with only the desktop studies conducted to date, no resident protected or red data faunal species could be identified within the earmarked footprint. The project is expected to have an insignificant impact in this regard as prospecting activities will be done by drilling prospecting boreholes in phases of 4 areas consisting of a total of 9 drilling prospecting boreholes comprising an area of less than 400 square meters per site with a total of less than 0.4 ha disturbed at any given time. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in the Basic Assessment Report ("BAR"), as well as in consultation with the landowners. The study area falls over properties that is noted to be operational game farms. Should this prospecting right be granted farm owners will be consulted prior to commencement of any activities to ensure that safety of animals and workers.
 5. Based on the above a site walk through will have to be conducted by the specialists prior to the commencement of prospecting activities, in order to eliminate any impacts, the prospecting activities might have on the proposed drilling sites. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in the BAR, including specialist findings, as well as in consultation with the landowner / landowners.
 6. Areas that should be regarded as no – go areas will be identified in consultation with the landowner/s in order to prevent any negative impact that might be of concern.
 7. Please note that the final BAR, including all comments and objections from all I&AP's, will be submitted to the DMRE during this week, for its consideration and determination, after which the DMRE has 107 days to evaluate and make a decision on this application.
 8. We trust you will find the above in order and we will keep you informed of the progress on this application.

Kind Regards/Vriendelike Groete
Sonette Smit

Managing Director



Tel: 021 851 2673
Cell: 084 5855706
Fax: 086 546 0579
www.greenmined.com

Unit MO1, No 37 AECl site
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"



DISCLAIMER: This e-mail, the information that it contains and any files transmitted with it are confidential and are intended solely for the individuals or entity to which it has been addressed. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or use of the content in any way is strictly prohibited and may give rise to claims against you. Please notify the sender of the error immediately. Any views contained herein are those of the sender unless specifically stated to be those of Greenmined Environmental (Pty) Ltd. It is not represented, warranted or guaranteed that the integrity of this communication has been maintained, nor that it is free of errors, viruses, interception or interference.

From: Elsaine Costerus Mohr

Sent: Wednesday, October 21, 2020 10:35 AM

To: Sharon Ferreira <sharonf@vrs.co.za>; Sonette Smit <Sonette.S@greenmined.co.za>; Marlene Lingenfelder <admin@greenmined.co.za>; simon@lomenza.co.za

Cc: 'Jacques Du Randt' <jacquesdr@ddlwa.co.za>; J van Niekerk <johan@ifins.co.za>

Subject: RE: PENDING PROSPECTING APPLICATION FOR COAL - GP 30/5/1/1/2/10650 PR

Importance: High

Good day,

The above matter as well as your correspondence dated 06 October 2020 refers.

In the meantime we have liaised with the DMRE regarding the alleged pending prospecting right applications, with reference numbers GP30/5/1/1/2 (10336) PR and GP30/5/1/1/2 (10255) PR over certain portions of our client's application. However, the DMRE informed us that there are no other applications over our client's application area.

Will you kindly provide us with the property descriptions of the abovementioned prospecting right applications, to enable us to fully investigate this matter. In the event that you have copies of the application documentation and/or granted rights please provide us with same.

Kindly note that your concerns regarding our client's application will be addressed in due course.

Kind Regards/Vriendelike Groete

Mrs. Elsaine Costerus-Möhr

Legal Adviser

32. PROOF OF CORRESPONDENCE WITH IVAN PAUW AND PARTNERSON 7 SEPTEMBER 2020 ACTING ON BEHALF OF

- 1. DEAN FRANCOIS DE KOCK AND RIANI DE KOCK, THE REGISTERED CO-OWNERS OF PORTION 70 OF THE FARM KLOPPERSBOS 128 JR;**
- 2. DOMINGOS SARDINHA JARDIM, THE REGISTERED OWNER OF PORTION 52 AND 82 OF THE FARM KLOPPERSBOS 128 JR;**
- 3. JOELWIN DOMINGOS SARDINHA JARDIM, THE REGISTERED OWNER OF PORTION 51 AND 79 OF THE FARM KLOPPERSBOS 128 JR;**
- 4. UBUSIKA UMLIMI (PTY) LTD, THE REGISTERED OWNER OF PORTION 71 OF THE FARM KLOPPERSBOS 128 JR;**
- 5. MANTARAY TRADING 101 (PTY) LTD, THE REGISTERED OWNER OF PORTION 77 OF THE FARM KLOPPERSBOS 128 JR;**
- 6. THE TRUSTEES FOR THE TIME BEING OF THE GEV PROPERTY TRUST, THE REGISTERED OWNER OF PORTION 69 OF THE FARM KLOPPERSBOS 128 JR;**
- 7. ARMADA INVESTMENTS 001 CC, THE REGISTERED OWNER OF PORTION 53 OF THE FARM KLOPPERSBOS 128 JR AND;**
- 8. THE TRUSTEES FOR THE TIME BEING OF THE V D S PROPERTY TRUST, MARTHA MAGDALENA VAN DER SCHYFF, FRANCOIS MARTHINUS VENTER AND JAN-HENDRIK VAN DER WALT, THE REGISTERED CO-OWNERS OF THE REMAINING EXTENT OF PORTION 75 OF THE FARM KLOPPERSBOS 128 JR.**



Ref No: **GP30/5/1/1/2/10650PR**

Ivan Pauw and Partners
Attention: Mr Ivan Pauw

07 September 2020

448C Sussex Ave

Lynnwood

Pretoria

YOUR CLIENTS:

1. **DEAN FRANCOIS DE KOCK AND RIANI DE KOCK, THE REGISTERED CO-OWNERS OF PORTION 70 OF THE FARM KLOPPERSBOS 128 JR;**
2. **DOMINGOS SARDINHA JARDIM, THE REGISTERED OWNER OF PORTION 52 AND 82 OF THE FARM KLOPPERSBOS 128 JR;**
3. **JOELWIN DOMINGOS SARDINHA JARDIM, THE REGISTERED OWNER OF PORTION 51 AND 79 OF THE FARM KLOPPERSBOS 128 JR;**
4. **UBUSIKA UMLIMI (PTY) LTD, THE REGISTERED OWNER OF PORTION 71 OF THE FARM KLOPPERSBOS 128 JR;**
5. **MANTARAY TRADING 101 (PTY) LTD, THE REGISTERED OWNER OF PORTION 77 OF THE FARM KLOPPERSBOS 128 JR;**
6. **THE TRUSTEES FOR THE TIME BEING OF THE GEV PROPERTY TRUST, THE REGISTERED OWNER OF PORTION 69 OF THE FARM KLOPPERSBOS 128 JR;**
7. **ARMADA INVESTMENTS 001 CC, THE REGISTERED OWNER OF PORTION 53 OF THE FARM KLOPPERSBOS 128 JR AND;**
8. **THE TRUSTEES FOR THE TIME BEING OF THE V D S PROPERTY TRUST, MARTHA MAGDALENA VAN DER SCHYFF, FRANCOIS MARTHINUS VENTER AND JAN-HENDRIK VAN DER WALT, THE**

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

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Office No 37, MO1 Baker Square Block, De Beers Avenue, Paardevlei, Somerset West, 7130
Postnet Suite 62, Private Bag x15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



REGISTERED CO-OWNERS OF THE REMAINING EXTENT OF PORTION 75 OF THE FARM KLOPPERSBOS 128 JR.

OUR CLIENT; LOMEZA OPENCAST OPERATIONS (PTY) LTD

Dear Sir

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

The draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments.

Acknowledgement of the application for an environmental authorisation for the proposed prospecting activities, lodged on the 9th of July 2020, in terms of Regulation 16 of the National Environmental Management Act, 1998 (Act no 107 of 1998 NEMA): Environmental Impact Assessment (EIA) Regulations, 2014, was received on the 6th of August 2020.

Acceptance in terms of Section 19 of the Minerals and petroleum Resources Development Act, 2002 (Act no 28 of 2002) for an application lodged on the 9th of July 2020 was received on the 20th of August 2020.

A copy of the document can also be obtained from Greenmined Environmental upon request, or downloaded from the company website at www.greenmined.com, from Monday 7th September 2020.

Your comments are herewith kindly requested on the DBAR & EMPR and a thirty (30)-day commenting period, ending on **08 October 2020**, will be allowed for comments. Your comments must be in writing and can be submitted via facsimile, e-mail and/or post. Please do not hesitate to contact us in the event of any uncertainties and please ensure that your contact details are included with your comments.

If we do not receive any comments from you before the end of the commenting period it will be accepted that you do not have any additional objections/comments with regard to the project. We trust that you find it in order and kindly await your comments on this report.



Please contact Sonette Smit at 084 585 5706 (Cell) or 021 851 2673 (Tel), 086 546 0579 (Fax), or sonette.s@greenmined.co.za should you require any additional information.

A handwritten signature in black ink, appearing to read "Smit", is written over a light grey rectangular background.

Kind Regards

Sonette Smit

Greenmined Environmental

sonette.s@greenmined.co.za

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 04:43 AM
To: 'khensani@ippartners.co.za'; 'ivan@ippartners.co.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Ivan Pauw and Partners
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



DON'T DESTROY
WHAT YOU CAME
TO ENJOY

Tourism Month



Marlene Lingenfelder

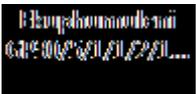
From: Mail Delivery System <Mailer-Daemon@smtpcorp.com>
To: khensani@ippartners.co.za; ivan@ippartners.co.za
Sent: 07 September 2020 04:43 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Ivan Pauw and Partners

Your message has been delivered to the following recipients:

khensani@ippartners.co.za

ivan@ippartners.co.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Ivan Pauw and Partners





448C Sussex Ave, Lynnwood, Pretoria
(Cnr Sussex Ave & Rodericks Rd)

P O Box 3922, Pretoria, 0001, South Africa

Tel: +27 (0)12 369 9180

Fax: +27 (0)12 361 5591

Website: www.ippartners.co.za

Email: ivan@ippartners.co.za

OUR REF / ONS VERW : I W PAUW/kg/IJ0126
YOUR REF / U VERW :
DATE / DATUM : 8 OCTOBER 2020

GREENMINED ENVIRONMENTAL (PTY) LTD

FOR ATTENTION: MS SONETTE SMIT

**VIA E-MAIL: sonette.s@greenmined.co.za
admin@greenmined.co.za**

Dear Madam

RE: COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT SUBMITTED IN RESPECT OF THE APPLICATION IN TERMS OF SECTION 16 OF THE MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT NO 28 OF 2002) AND THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO 107 OF 1998 NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED BY GNR 326 EFFECTIVE 7 APRIL 2017)

As you are aware, we act in this matter on behalf of the following property owners:

- (a) Dean Francois de Kock and Riani de Kock, the registered co-owners of Portion 70 of the Farm Kloppersbos 128 JR;
- (b) Domingos Sardinha Jardim, the registered owner of Portion 52 and 82 of the Farm Kloppersbos 128 JR;
- (c) Joelwin Domingos Sardinha Jardim, the registered owner of Portion 51 and 79 of the Farm Kloppersbos 128 JR;
- (d) Ubusika Umlimi (Pty) Ltd, the registered owner of Portion 71 of the Farm Kloppersbos 128 JR;
- (e) Mantaray Trading 101 (Pty) Ltd, the registered owner of Portion 77 Kloppersbos 128 JR;
- (f) The trustees for the time being of the GEV Property Trust, the registered owner of Portion 69 of the Farm Kloppersbos 128 JR;

-
- (g) Armada Investments 001 CC, the registered owner of Portion 53 Kloppersbos 128 JR, and
- (h) The trustees for the time being of the V D S Property Trust, Martha Magdalena van der Schyff, Venter Francois Marthinus and Jan Hendrik van der Walt, the registered co-owners of the Remaining Extent of Portion 75 of the Farm Kloppersbos 128 JR.

The above properties are known (collectively) as the Manyane Lodge Sanctuary Area and the above persons are hereinafter referred to as “*our clients*”.

We have been instructed by our clients to, on their behalf submit comments on the draft Basic Assessment Report , inclusive of specialist reports prepared in respect of the application for prospecting right on Portion 5 of the Farm Kloppersbos 128 JR and Portions 1, 7 and 8 of the Farm Ekuphumuleni 716 JR (“*subject property*”) by Lomezza Opencast Operations (Pty) Ltd (and prepared by Greenmined Environmental (Pty) Ltd) (*the applicant*). A copy of a plan, depicting the location of the subject property in relation to our clients’ properties is attached hereto as Annexure “**A**”.

1. **INTRODUCTION**

- 1.1 From the outset it is important to highlight that our clients were not properly notified of the application in terms of section 16 of the Minerals and Petroleum Resources Development Act, Act 28 of 2002 and the National Environment Management Act, Act 107 of 1998 (“*application*”) on the subject property and that only one of our clients was notified of the applicable application processes. The aforesaid demonstrates that potential interested and affected parties who will be impacted by the proposed prospecting may have been denied an opportunity to participate in the application process. There are many other land owners who will find themselves in the position that our clients would have founded themselves in, had they not been alerted of the pending BA process by the single land owner who indeed received notice of such process.
- 1.2 Be the above as it may, our clients became aware of the application and, on 11 August 2020 our office addressed a letter to yourselves in terms of which we requested that our clients be registered as interested and affected parties. A copy of the aforesaid letter is attached hereto as Annexure “**B**”.
- 1.3 On 7 September 2020, your office confirmed that our clients have been registered as interested and affected parties (“*IAP’s*”) and further confirmed that the draft Basic Assessment Report (“*dBAR*”) is available for comments until 8 October 2020. We attach hereto, a copy of the letter attesting to the aforesaid as Annexure “**C**”.

2. **COMMENTS ON THE DBAR:**

- 2.1 From the application documentation, it is stated that the applicant has applied for environmental authorisation (“*EA*”) and a prospecting right for coal on



Portion 5 of the Farm Kloppersbos 128 JR and Portions 1, 7 and 8 of the Farm Ekuphumuleni 716 JR. The activities that will be triggered are as follows:

2.1.1 Listing Notice 1 Activity 20:

“Any activity including the operation of that activity which requires a prospecting right in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including -

- (a) associated infrastructure, structures and earthworks, directly related to prospecting of a mineral resource[,] ; or [including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)]***
- (b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing;***

but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in Listing Notice 2 applies.”

2.1.2 Listing Notice 1 Activity 22:

“The decommissioning of any activity requiring –

- (i) a closure certificate in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002); or***
- (ii) a prospecting right, mining right, mining permit, production right or exploration right, where the throughput of the activity has reduced by 90% or more over a period of 5 years excluding where the competent authority has in writing agreed that such reduction in throughput does not constitute closure; but excluding the decommissioning of an activity relating to the secondary processing of a –***
 - (a) mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource; or***
 - (b) petroleum resource, including the refining of gas, beneficiation, oil or petroleum products; – in which case activity 31 in this Notice applies.***

2.1.3 Listing Notice 3 Activity 12:

“The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.

- i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;***
- ii. Within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans; or***
- iii. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.”***

We must make it clear that, on face value, it appears that substantially more activities than only those quoted above will be triggered, but due to the rather skimpy nature of the information and, more specifically, the actual impacts of the prospecting operations that will be undertaken, it is not possible to identify those at this point in time. Our clients’ rights in the aforesaid regard are nevertheless reserved.

Hereunder, are our clients’ comments:

2.2 **Need and Desirability:**

2.2.1 The applicant has applied for a prospecting right for coal over 4 (four) properties. In order to consider and assess the geographical, physical, biological, social, economic and cultural aspects of the environment that will be affected by the proposed activity, the applicant needed to gain access to the properties in which the application relates. The landowners’ refused to grant access to the subject property.

2.2.2 In the above regard, the Guideline on Need and Desirability, Department of Environmental Affairs DEA (2017) provides that:

“During the assessment stages of an EIA process need and desirability must be specifically assessed and evaluated, including specialist input/studies as required. The EIA Regulations call for the consideration of how the “geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity”, “need and desirability” relates to all of

these considerations and not only to socio-economic considerations.”

Specialist studies must be conducted in order to consider and assess the geographical, physical, biological, social, economic and cultural aspects of the environment that will be affected by the proposed activity. The applicant cannot have succinctly proven need and desirability as contemplated in National Environmental Management Act, Act 107 of 1998 (“NEMA”) and Environmental Impact Assessment Regulations 2017 (“EIA Regulations”) and the abovementioned Guideline on Need and Desirability without access to the subject property.

- 2.2.3 Additionally, the concept of “need and desirability” relates to, amongst others, the nature, scale and location of development being proposed, as well as the wise use of land. It was indicated in the dBAR that the current land uses can be classified as agricultural land, chicken farming, grazing, game farming and tourism. The area adjacent to the application property is protected. A report by the South African Human Rights Commission states that:

“mining of necessity occurs on land, irrespective of whether it takes the form of surface or underground operations. The phases of exploration, mine development, mine operation, and rehabilitation and closure, all significantly affect economic, social and environmental land relations. Mining is not a temporary use of land: its effects are long-term and are often environmentally detrimental.”¹

- 2.2.4 Considering the above, it is clear that the proposed departure from the general land uses in the area cannot be taken lightly. The phases of exploration and mine development significantly affect socio-economic and environmental relations. A balance must be struck between mining related activities and other land use functions such as agriculture and tourism. Considering the surrounding land uses, it is clear that the preferred site for the prospecting of coal is not suitable and therefore cannot support the need and desirability for prospecting and mining related activities in the proposed area.
- 2.2.5 Need and desirability must consider the IDP (and its sector plans’ vision, objectives, strategies, indicators and targets) and any other strategic plans, frameworks of policies applicable to the area and spatial characteristics (e.g. existing land uses, planned land uses, cultural landscapes, etc.). The applicant failed to illustrate that in its

¹ South African Human Rights Commission Report (2016): National Hearing on the Underlying Socio-economic Challenges of Mining-affected Communities in South Africa at page 12.

consideration for need and desirability it considered the Municipality's IDP, and planning policies.

2.2.6 NEMA principles specifically, inter alia, require that environmental management must:

- (a) place people and their needs at the forefront of its concern and equitably serve their interests;
- (b) be integrated, acknowledging that all elements of the environment are linked and interrelated, and it must take into account the effects of decisions on all aspects of the environment and all people in the environment by pursuing the selection of the best practicable environmental option;
- (c) ensure that decisions take "into account the interests, needs and values of all interested and affected parties".

Having noted the above NEMA principles, the needs and values of all interested and affected parties must be taken into account when a decision that affects the environment is taken.

2.3 **Specialist studies not conducted at all and/or conducted poorly**

2.3.1 Section 24(1) of NEMA provides as follows:

“(1) In order to give effect to the general objectives of integrated environmental management laid down in this Chapter, the potential consequences for or impacts on the environment of listed activities or specified activities must be considered, investigated, assessed and reported on to the competent authority or the Minister responsible for mineral resources, as the case may be, except in respect of those activities that may commence without having to obtain an environmental authorisation in terms of this Act.”

Section 24(1A) provides that –

“(1A)Every applicant must comply with the requirements prescribed in terms of this Act in relation to –

- (a) steps to be taken before submitting an application, where applicable;***
- (b) any prescribed report;***
- (c) ...***

**(d) any environmental management programme;
 (e) the submission of an application for an environmental authorisation and any other relevant information; and
 (f) the undertaking of any specialist report, where applicable.**

2.3.2 Regulation 19 of the EIA Regulations also requires that where a Basic Assessment Report must be applied, the applicant must submit to the competent authority a basic assessment report inclusive of specialist reports.

“A Basic Assessment Report must contain² the information that is necessary for the competent authority to consider and come to a decision of the application...”

2.3.3 The following specialist assessments, *inter alia*, were not conducted but were identified as necessary to obtain an environmental authorisation:

- (i) Agricultural impact assessment.
- (ii) Heritage Impact Assessment.
- (iii) Hydrology.
- (iv) Plant Species Assessment.
- (v) Animal Species Assessment.
- (vi) Aquatic Biodiversity Impact Assessment.
- (vii) Terrestrial Biodiversity Impact Assessment.

2.3.4 The applicant submits in the dBAR that:

“all documentation, to date, was based on preliminary data, surrounding information and desktop studies. Access to the study area was denied by the landowners, resulting in limited information being provided to all commenting parties. Greenmined is unable to provide the I&AP’s and stakeholders with material information with regard to this prospecting right application and it is therefore clear that the

² Regulation 3, Appendix 1 of the EIA Regulations.



relevant authorities will not be able to provide informed comments³.

Due to the import of the above quotation, a copy of the extract is attached hereto as Annexure “D”.

- 2.3.5 It is manifest that NEMA envisages and requires specialists investigations and reports to be provided in order to substantiate the socio-economic and environmental impacts of the proposed activity on the surrounding environment. In the absence of such reports, it is inconceivable how the competent authorities will carry out their obligations to consider, assess and evaluate these factors.
- 2.3.6 In this regard, the competent authority will not be in a position to consider, assess and evaluate the social, economic and environmental impacts of the proposed activity in the absence of any evidence or information having been provided in respect thereof. By way of example a hydrological study was not provided, however, the dBAR mentions the potential negative impacts during planning and design phase as well as operational phase as potential hydrocarbon contamination from leaks or spills leeching into the water table. It is manifest that this evidence can only be provided by specialists in the form of a reports as contemplated under NEMA.
- 2.3.7 In view of the above, there is insufficient information before the competent authority to arrive at an informed decision and therefore, the application should be dismissed on this basis. To the aforesaid must be added the fact that the applicant/s for environmental authorisation have, at all relevant times, had legal mechanisms at their disposal that could have been employed in order that detailed studies and assessments (as prescribed by law) could have been conducted. The fact that access to the study areas could not be gained, may not in law (or otherwise) be used as grounds upon which the Environmental Assessment Practitioner (“EAP”) should be relieved or excused from the duties imposed by NEMA and its regulations to **properly** and with due care investigate, assess and report on the impacts brought about by specified listed activities.

2.4 **Environmental Management Programme:**

- 2.4.1 Section 24N(2) of NEMA provides that an environmental management plan must contain information on any proposed management, mitigation, protection or remedial measures that will be undertaken to address the environmental impacts that have been identified in a

³ Page 100 of the dBAR



report contemplated in subsection 24(1A), including environmental impacts or objectives in respect of –

- (i) planning and design;
- (ii) pre-construction and construction activities;
- (iii) the operation or undertaking of the activity in question;
- (iv) the rehabilitation of the environment; and
- (v) closure, if applicable;

2.4.2 The proposed management, mitigation, protection and/or remedial measures as proposed in the applicant's EMPr are insufficient because the specified activities were not properly considered, investigated, assessed and reported.

2.4.3 The above is premised on the fact that studies were not conducted at all and/or were poorly conducted as ***“all documentation, to date, was based on preliminary data, surrounding information and desktop studies”***. Consequently, the proposed mitigation, protection and remedial measures to be utilised to remedy environmental impacts are not definitive as there were no specialist studies to provide evidence of real environmental impacts. The considered environmental impacts, by way of a desktop assessment, without specialist studies by specialists can only be viewed as a fictional consideration of the environment and cannot be perceived as having adequately considered, investigated, assessed and reported environmental consequences

2.5 **Public participation:**

2.5.1 Regulation 41(2)(a) of the EIA Regulations, 2017 provides as follows:

“(2) The person conducting a public participation process must take into account any relevant guidelines applicable to public participation as contemplated in section 24J of the Act and must give notice to all potential interested and affected parties of an application or proposed application which is subjected to public participation by -

(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -

-
- (i) ***the site where the activity to which the application or proposed application relates is or is to be undertaken; and***
 - (ii) ***any alternative site;”***

2.5.2 Considering the above, the following is to be noted regarding the flawed public participation undertaken by the applicant:

- (a) Due to our clients’ location in relation to the subject property, it was required that the applicant provide our clients with a direct notice of the proposed activity.
- (b) Guideline 4 of the Public Participation guideline in terms of NEMA and EIA Regulations (2017) provides that all potential and I&APs have a right to be informed early and in an informative and proactive way regarding proposals that may affect their lives or livelihoods. It was submitted in the preceding paragraphs and, in our letter of 11 August 2020 (attached hereto as Annexure B) that the public participation process was flawed in that, our clients, as property owners in the same vicinity as the proposed site, some being adjacent property owners, were not given proper notice of the proposed activity and only became aware of the proposed application from other property owners. The aforesaid, does not align with the principles in NEMA with respect to interested and affected parties having a right to be informed early about the prospecting application that will certainly affect their lives and livelihoods.
- (c) The person conducting a public participation process must affix a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -
 - (i) the site where the activity to which the application or proposed application relates is or is to be undertaken.

It has been noted that the proposed application for prospecting right relates to more than 1 (one) property (i.e, Portion 5 of the Farm Kloppersbos 128 JR, Portion 1 of the Farm Ekuphumuleni 716 JR, Portion 7 of the Farm Ekuphumuleni 716 JR and Portion 8 of the Farm 716 JR).

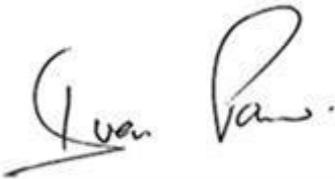
As such, the site notices, attached hereto as Annexure “E”, had to be placed not only at the Spaza shop in the area and at the entrance of one of the aforesaid farm portions but on all of the farm portions as required by the EIA Regulations, specifically, that the notice must be affixed at a place conspicuous and the site where the activity to which the proposed application relates. The application relates to more than

1 (one) property. It is submitted that the aforesaid was not complied with and as such the application ought to be refused.

In conclusion and further to the above, it is our respectful submission that the application for EA should be refused on the bases as set out above, alternatively, the Controlling Authority should refuse to accept the BA and instruct the EAP to recommence with the process and remedy the defects in the current process, referred to above. Our clients' rights to consider any additional submissions received, elaborate upon these submissions and raise any additional issues, are reserved.

Yours faithfully

IVAN PAUW & PARTNERS

A handwritten signature in black ink, appearing to read "Ivan Pauw". The signature is written in a cursive style with a large, looping initial "I".

I W PAUW



Your Ref: IW Pauw/kg/IJ0126

Our Ref: Lomezza

17 November 2020

Ivan Pauw and Partners

Attention: Mr. Ivan Pauw

By email: ivan@ippartners.co.za

Dear Sir,

RE: COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT SUBMITTED IN RESPECT OF THE APPLICATION IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002) AND THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO 107 OF 1998 – NEMA) AS WELL AS THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED BY GNR 326, EFFECTIVE 7 APRIL 2017) – LOMEZA OPENCAST OPERATIONS (PTY) LTD

1. The above matter as well as your correspondence dated 08 October 2020, of which the content is noted, refers.
2. Herewith we would like to confirm that your clients have been registered as Interested and Affected Parties (I&AP's) to this application and that all comments and/or objections received will form part of the Final Basic Assessment Report to be submitted to the Department of Mineral Resources and Energy ("DMRE") for consideration.
3. With regards to the Public Participation Process ("PPP") all landowners and I&AP's known at the time were contacted prior to commencing with the application process to procure relevant contact details as well as additional details should the I&AP's wish us to contact additional I&AP's. No additional information was received from any of the landowners nor the I&AP's.

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



4. Our client does not dispute the fact that specialist studies is required for the DMRE to make an informed decision with regards to this application. It is however unreasonable for your clients to demand specialist studies to be conducted, and then refuse our client and/or its appointed specialists access to the properties for the purpose of these specialist studies to be conducted. Not only will these specialist studies benefit your clients but it will also ensure that the DMRE make the appropriate decision under the circumstances.
5. As access to the site has been denied by the landowners and with only the desktop studies conducted to date, no resident protected or red data faunal species could be identified within the earmarked footprint. The project is expected to have an insignificant impact in this regard as prospecting activities will be done by drilling prospecting boreholes in phases of 4 areas consisting of a total of 9 drilling prospecting boreholes comprising an area of less than 400 square meters per site with a total of less than 0.4 ha disturbed at any given time. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in the Basic Assessment Report ("BAR"), as well as in consultation with the landowners. The study area falls over properties that is noted to be operational game farms. Should this prospecting right be granted farm owners will be consulted prior to commencement of any activities to ensure that safety of animals and workers.
6. Based on the above a site walk through will have to be conducted by the specialists prior to the commencement of prospecting activities, in order to eliminate any impacts, the prospecting activities might have on the proposed drilling sites. Prior to moving to the next drill block these sites will have to be fully rehabilitated as per the mitigation measures set out in the BAR, including specialist findings, as well as in consultation with the landowner / landowners.
7. Throughout your letter under reply you aver that our client will be conducting mining activities. It should once again be noted that this application is for a prospecting right and not a mining right.

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



8. Your statement in clause 2.3.7 that legal mechanisms were at the applicant's disposal, which could have been utilized in order for detailed studies and assessments to be conducted, is not accurate. Section 54(1) of the MPRDA provides as follows:

*"The **holder** of a prospecting right must notify the relevant Regional Manager if the **holder** is prevented from commencing or conducting any prospecting operations because the owner or the lawful occupier of the land in question-*

*(a) Refuses to allow such **holder** to enter the land;"*

It should be noted that the applicant only becomes the holder of the prospecting right once the right has been granted and executed. Therefore, this option is not available to the applicant at this stage, hence its requests directly addressed to the landowners for access to the properties. However, the relevant Regional Manager has been notified of the refusal by the landowners to grant access to the properties to the specialists.

9. Please note that the final BAR, including all comments and objections from all I&AP's, will be submitted to the DMRE during this week, for its consideration and determination, after which the DMRE has 107 days to evaluate and make a decision on this application. Please note that our client's rights remain reserved at all times.
10. We trust you will find the above in order and we will keep you informed of the progress on this application.

Kind Regards,

A handwritten signature in black ink, appearing to be "E.C.", written over a light blue horizontal line.

Elsaine Costerus-Mohr
Legal Advisor
Greenmined Environmental
Elsaine.cm@greenmined.co.za

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

33. PROOF OF CORRESPONDENCE WITH NSELE MINING ON 7 SEPTEMBER 2020

Marlene Lingenfelder

From: Marlene Lingenfelder
Sent: 07 September 2020 03:29 AM
To: 'danie@nsele-co.co.za'; 'info@nsele-co.co.za'
Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Nsele Mining Pty Ltd
Attachments: DBAR Notice.pdf

Good day

RE: DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT FOR PUBLIC COMMENTS FOR THE PROSPECTING RIGHT APPLICATION ON PORTION 5 OF THE FARM KLOPPERSBOS 128 JR AND PORTIONS 1, 7 AND 8 OF THE FARM EKUPHUMULENI 716 JR, MAGISTERIAL DISTRICT OF CULLINAN, GAUTENG PROVINCE - APPLICANT: LOMEZA OPENCAST OPERATIONS (PTY) LTD

Please find attached notification that the draft Basic Assessment Report (DBAR) and Environmental Management Programme Report (EMPR) for the proposed prospecting for coal on portion 5 of the farm Kloppersbos 128 JR and portions 1, 7 and 8 of the farm Ekuphumuleni 716 JR, Magisterial District of Cullinan, Gauteng Province is now available for your perusal and comments. Ref No: GP30/5/1/1/2/10650PR

Kind Regards/Vriendelike Groete

Marlene Lingenfelder
Project Administrator



Tel: 021 851 2673
Cell: 067 417 2654
Fax: 086 546 0579

Unit MO1, No 36 AECl site
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"



Please consider the environment before printing this e-mail



**DON'T DESTROY
WHAT YOU CAME
TO ENJOY**

Tourism Month



Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@spe2.ucebox.co.za>
To: danie@nsele-co.co.za
Sent: 07 September 2020 03:29 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Nsele Mining Pty Ltd

Your message has been delivered to the following recipients:

danie@nsele-co.co.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Nsele Mining Pty Ltd



Ekuphumuleni
GP30/5/1/1/2/10650PR...

Marlene Lingenfelder

From: Mail Delivery System <Mailer-Daemon@spe2.ucebox.co.za>
To: info@nsele-co.co.za
Sent: 07 September 2020 03:29 PM
Subject: Delivered: Ekuphumuleni GP30/5/1/1/2/10650PR - Nsele Mining Pty Ltd

Your message has been delivered to the following recipients:

info@nsele-co.co.za

Subject: Ekuphumuleni GP30/5/1/1/2/10650PR - Nsele Mining Pty Ltd



Ekuphumuleni
GP30/5/1/1/2/10650PR...

Marlene Lingenfelder

From: info@nsele-co.co.za
To: Marlene Lingenfelder
Sent: 07 September 2020 04:31 PM
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - Nsele Mining Pty Ltd

Your message

To:
Subject: Read: Ekuphumuleni GP30/5/1/1/2/10650PR - Nsele Mining Pty Ltd
Sent: 08 September 2020 07:59:02 AM (UTC+02:00) Harare, Pretoria

was read on 07 September 2020 04:30:56 PM (UTC+02:00) Harare, Pretoria.

-END OF PUBLIC PARTICIPATION PROCESS-