

**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**

COMMENTS AND RESPONSE REPORT

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

JULY 2020



NOTIFICATION TO STAKEHOLDERS AND I&APS DURING PUBLIC PARTICIPATION PHASE

COMMENTING PERIOD: 8 JULY – 11 AUGUST 2020

During the public participation process the stakeholders and I&AP's were informed of the project by means of background information documents that were sent to the contact persons. A 30-days commenting period was allowed which expired on 11 August 2020. The following table provides a list of the I&AP's and stakeholders that were informed of the project:

STAKEHOLDERS				
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Ms Matilda Gasela	Gauteng Department of Agricultural and Rural Development	izakmofokeng@gauteng.gov.za	8 July 2020	No Comments Received
Mr Bethuel Netshiswinzhe	Department of Infrastructure Development	Bethuel.Netshiswinzhe@gauteng.gov.za	8 July 2020	No Comments Received
Head of Department	Department of Labour	bonisile.majola@labour.gov.za	8 July 2020	No Comments Received
Mr Makhukhu Mampuru	Department of Roads and Transport	makhukhu.mampuru@gauteng.gov.za	8 July 2020	No Comments Received
Ms Thoko Didiza	Department of Rural Land Development and Reform	PA.Minister@daff.gov.za	8 July 2020	No Comments Received

STAKEHOLDERS				
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Ms Thembeni Mhlongo	Department of Social Development	thembeni.mhlongo@gauteng.gov.za	8 July 2020	No Comments Received
Ms Jeanette Monare	Department of Public Works	jeanette.monare@dpw.gov.za	8 July 2020	No Comments Received
Mr. Mbulelo Tshangana	Department of Water and Sanitation	tshanganam@dws.gov.za	8 July 2020	No Comments Received
Mr Michael Mkhari	Nokeng Tsa Taemane Local Municipality	marinabr@tshwane.gov.za	8 July 2020	No Comments Received
Councillor Ward 49	Nokeng Tsa Taemane Local Municipality Ward 49	marinabr@tshwane.gov.za	8 July 2020	No Comments Received
Mr Godfrey Mnguni	City of Tshwane Region 2	godfreymn@Tshwane.gov.za	8 July 2020	No Comments Received
Mr Frederick R. Lekwane	City of Tshwane Region 2 Section 49	Frederickl@tshwane.gov.za	8 July 2020	No Comments Received

STAKEHOLDERS				
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Mr MW Mkhize	Department of Economic Development and Tourism	MWMkhize@mpg.gov.za	8 July 2020	No Comments Received
Me Boniswa Belot	Department of Environmental Affairs	boniswa.belot@gauteng.gov.za	8 July 2020	No Comments Received
Upload onto South African Heritage Resource Agency on 8 July 2020				

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Mr Chico Martins	Branron Familie Trust – Landowner	chico@branron.co.za	8 July 2020	23 July 2020
Mr Johan Corneluis Grobler	Klopperbos 128JR- Landowner	grob.jc@gmail.com	8 July 2020	23 July 2020
Mr JQS Jardim	Jardim Familie Trust - Landowner	jardimj777@gmail.com	8 July 2020	23 July 2020
Mr Joubert	Joubert Trust - Landowner	joubertg@drstech.co.za	14 July 2020	23 July 2020

Response received from Glynnis Cohen Attorney on 23 July 2020 acting on behalf of

- Branron Familie Trust
- Joubert Trust
- Jardim Familie Trust
- Mr Johan Grobler

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
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Questions raised in letter from Glynnis Cohen Attorney were addressed by Greenmined Environmental on 31 July 2020.

Dear Sirs,

RE: MY CLIENTS: THE JOUBERT TRUST IT 4791/2001; THE BRANRON FAMILIE TRUST IT 3207/1997; JOUBERT TRUST IT 4791/2001; THE JARDIM FAMILY TRUST IT 9689/1999 AND JOHAN GROBLER OF THE FARM PORTION 5 KLOPPERBOS 128 JR

1. I act on behalf of:

1.1. The Branron Familie Trust, an inter vivos trust, registered under number IT3207/1997, herein represented by its authorised trustee Francisco Jose Rosa Martins.

1.2. The trustees for the time being of the Joubert Trust, an inter vivos trust, registered under number IT 4791/2001; herein represented by its authorised trustee Gerhardus Jakobus Joubert.

1.3. The Jardim Familie Trust, an inter vivos trust, registered under number IT 9689/1999, herein represented by its authorized trustee, Jacques Quintin Jardim.

1.4. Johan Grobler Of The Farm Portion 5 Klopperbos 128 Jr. ("my clients")

2. I refer to:

2.1. The notice of application in terms of the Mining and Petroleum Resources Development Act 28 of 2002 ("MPRDA") and the National Environmental Management Act 107 of 1998 ("NEMA") dated 8 July 2020 ("the notice"); an

2.2. Your email dated 17 July 2020 ("the letter").

3. I record that:

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
				<p>3.1. My client, the Branron Familie Trust is the registered owner of Portion 7, of the farm Ekuphumuleni, No. 716; Registration Division JR, Province Gauteng: Measuring 109,3777 hectares in extent, held by it under Deed of Title number T164969/2003 (“the farm”);</p> <p>3.2. My client, the Joubert Trust, is the registered owner of and Portion 1 of the Farm Ekuphumuleni, under Deed of Title number T164968/2003.</p> <p>3.3. My client, the Jardim Family Trust, is the registered owner of Portion 8 Ekuphumuleni, under Deed of Title number T164977/03.</p> <p>3.4. Johan Grobler of The Farm Portion 5 Klopperbos 128 Jr.</p> <p>3.5. My clients’ farms are situate within the Dinokeng Nature Reserve which either has been or is in the process of being declared a National Protected area in terms of the National Environment Management Protected Areas Act 57 of 2003.</p> <p>4. My clients:</p> <p>4.1. Are “interested and affected parties” for the purposes of Chapter 5 of NEMA as defined in section 1 thereof, who intends to participate in the public information and participation procedures as contemplated in section 24(4)(v) of NEMA.</p> <p>4.2. Requires to be registered as Interested and Affected parties and requests a copy of the Draft Basic Assessment Report (“DBAR”) referred to in the aforesaid notice forthwith.</p> <p>5.</p> <p>5.1. In the aforesaid notice, you record in the first paragraph thereof, that you, as the applicant, “intends to apply for a prospecting right on inter alia my clients’ farm”.</p> <p>5.2. You thereafter record in the third page of the notice that:</p> <p>“An application for a prospecting right in terms of section 16 of the MPRDA will be submitted to the Department of Mineral Resources and Energy (DMRE).”</p>

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5.3. You then record that an application for a prospecting right has been submitted;

5.4. It is accordingly unclear as to what the purpose of your letter is to my clients and what you intend thereby. On the assumption that you have made application in terms of section 16 of the MPRDA, for a prospecting right, your letter serves no purpose at all, other than an extra curial invitation to engage with my clients “to amicably resolve certain issues which were recently raised”. I deal with this below.

6. The first paragraph in the notice under the caption “Public Involvement” reads as follows:

“This document is to inform you about the proposed activity and to determine whether there are any concerns or objections from interested and affected parties (I and APs) that need to be considered.”

7. An application in terms of section 16 of the MPRDA does not require the recordal of such an invitation. My clients’ participation as an interested and affected person, arises only when the Regional Manager gives notice of the right which my clients have in terms of section 16(4) of that Act. This is because:

7.1. In terms of section 16(1) of the MPRDA you are required to simultaneously make application to both the Minister of Minerals and Energy; and

7.2. Apply for an Environmental Authorisation as defined in section 1 of NEMA, by lodging such application for Environmental Authorisation at the office of the Regional Manager in this region the land is situated.. (The term “Environmental Authorisation” in section 1 of NEMA is defined as follows:

“When used in chapter 5, means the authorisation by a competent authority of a listed activity or specified activity in terms of this Act, and includes a similar authorisation contemplated in a specific environmental management Act;”)

7.3. Accordingly, an application for a prospecting right can only be made if the Regional Manager accepts the application and gives notice to you in writing:

(a) To submit relevant environmental reports required in terms of chapter 5 of NEMA, within 60 days of the date of notice; and

(b) To consult in the prescribed manner with inter alia the landowner and any interested and affected party and include the result of the consultation in the relevant environmental reports.

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(c) It is not clear from your letter whether the Regional Manager has given you notice in terms of section 16(4) of the MPRDA and whether your letter constitutes an invitation to my client, to participate in your application and to give reasons why it opposes your application for a prospecting right.

8. It is further unclear whether the notice dated 8 July 2020 is a copy of your application for a prospecting right in terms of section 16 of the MPRDA together with an application to the Regional Manager for Environmental Authorisation (which appears not to be the case), or whether the notice dated 8 July 2020 is an intimation of what you intend to make application for to the Minister. This is because:

8.1. The notice dated 8 July 2020 is not addressed to the Minister and the Regional Manager;

8.2. The notice dated 8 July 2020 is headed at the top of the page with the words:

“BACKGROUND INFORMATION DOCUMENT”

8.3. Does not include the following:

(a) The Environmental Reports;

(b) The Environmental Impact Assessments;

(c) The Strategic Environmental Assessments;

(d) The Environmental Management Programs;

(e) The Environmental Implementation Plan, contemplated by section 11 of NEMA;

(f) The Environmental Management Plan, contemplated by section 11 of NEMA;

(g) Documentary proof of your budget;

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<p>(h) Documentary proof of your financial resources and your technical ability to conduct the proposed prospecting operation optimally, in accordance with the Prospecting Work Program in terms of section 17(1)(8) of the MPRDA.</p> <p>(i) Details of your estimated expenditure for the proposed prospecting operation;</p> <p>(j) Details of your estimate of the duration of the prospecting work program;</p> <p>(k) A report that such prospecting will not result in unacceptable pollution, ecological degradation or damage to the environment, as contemplated by section 17(1)(c) of the MPRDA.</p> <p>9. As such, there are three issues which require clarification:</p> <p>9.1. Whether the notice of application for a prospecting right dated 8 July 2020 is an application to the Minister for a Prospecting Right in terms of section 16 of the MPRDA; and</p> <p>9.2. Whether you have applied for an Environmental Authorisation at the office of the Regional Manager in whose region the land is situated and if so, when;</p> <p>9.3. Whether your invitation to consult arises from a written notice from the Regional Manager, having accepted your application to consult with my clients, for the purpose of including the result of such consultations in the relevant environmental reports.</p> <p>10. In the event that your invitation to consult with my clients is in terms of notification given by the Regional Manager in terms of section 16(4) then I require from you the following:</p> <p>10.1. The Environmental Impact Assessments;</p> <p>10.2. The Strategic Environmental Assessments;</p> <p>10.3. The Environmental Management Programs;</p>				

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<p>10.4. The Environmental Implementation Plan, contemplated by section 11 of NEMA;</p> <p>10.5. The Environmental Management Plan, contemplated by section 11 of NEMA;</p> <p>10.6. Full details of the financial provision. Section 24P of NEMA provides for financial provision for remediation of environmental damage. Section 24P reads as follows: “24P(1) An applicant for an Environmental Authorisation relating to prospecting, exploration, mining or production, must, before the Minister responsible for mineral resources issues the Environmental Authorisation, comply with the prescribed financial provision for the rehabilitation, closure and ongoing post decommissioning management of negative environmental impacts.”</p> <p>10.7. In terms of NEMA and the MPRDA, a ministerial decision is required for the rehabilitation, as well as a lodged financial provision and closure certificate. In other words, a Ministerial decision is required for the rehabilitation and for the lodged financial provision and closure certificate.</p> <p>10.8. Documentary proof of a budget, as well as documentary proof of your financial ability in respect thereof:</p> <p>(a) Details of your access to financial resources and your technical ability to conduct the proposed prospecting operation optimally, in accordance with the Prospecting Work Program in terms of section 17(1)(8) of the MPRDA.</p> <p>(b) Full details of your estimated expenditure for the proposed prospecting operation and duration of the prospecting work program.</p> <p>(c) The report that such prospecting will not result in unacceptable pollution, ecological degradation or damage to the environment, as contemplated by section 17(1)(c) of the in MPRDA.</p>				

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11. If no application has been made by you for a prospecting right, in terms of section 16 of the MPRDA then please advise what the purpose is of your letter dated 17 July 2020 and what you intend to achieve thereby. I am instructed that my clients will oppose your application for a prospecting right, as an interested and affected party, once it is invited to participate, consequent upon a lawful application being made by to the Minister and the Regional Manager. My clients' concerns at this juncture (which are by no means exhaustive) is the following:

11.1. You intend the drill site to be approximately 200 m². You do not state on whose land such drill site will be.

11.2. There is no evidence at all that there are coal deposits in the area and my client requires probative evidence as to the possible existence of coal deposits on his farm.

11.3. There exists no evidence of all that you have made application for a Water Use License in terms of section 40 of the National Water Act 36 of 1998.

11.4. There is no evidence at all that members of the community and other persons who may become interested and affected persons, other than my clients' farm and Portions 1 + 7 and 8 of the Farm Ekuphumulemi 716 JR have been invited to participate in your application and Johan Grobler Portion 5 Kloppersbos 128 JR

12. Please may I have a response to this letter as soon as possible so that the interests of my client can be protected.

13. If an initial meeting is to be held between yourself and my clients and should such meeting be held with a meaningful purpose, my clients agree to such meeting being held by virtual technology.

14. All my clients' rights are reserved.

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Yours faithfully,

GLYNNIS COHEN ATTORNEY

Acknowledgement of receipt send to Glynnis Cohen Attorney on 23 July 2020

Dear Madam,

RE: 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

1. The above matter as well as your letter dated 23 July 2020 refers.
2. Please note that we act on behalf of Lomezza Opencast Operations (Pty) Ltd (hereinafter referred to as “our client”), as environmental consultants, in this prospecting right application.
3. In clause 5 of your letter dated 23 July 2020 you note the following as vague: that our client intends to apply for a prospecting right, that the application will be submitted and that the application has been submitted. The purpose of the Background Information Document provided to your clients was to inform Interested and Affected Parties (hereinafter referred to as “the I&AP’s”) of our client’s intent to lodge an application with the Department of Mineral Resources and Energy (hereinafter referred to as “the DMRE”) . The document reached all I&AP’s, including your clients, on 08 July 2020, prior to submission of the prospecting right application, which application was submitted to the DMRE on 09 July 2020.
4. We are well aware that Section 16 of the MPRDA does not require pre-application public participation, but as a courtesy we always provide all I&AP’s with a notification of the application prior to submission thereof. This provides ample time to I&AP’s to peruse the information at hand, register on the I&AP database and lodge objections

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or request additional documentation.

5. During the Public Participation Process of such an application, the applicant will under normal circumstances meet with the landowners in person, in an attempt to personally discuss the application and the process to be followed. However, as you are aware, it was not possible in this case, due to the National State of Disaster and nationwide lockdown, hence our client's request for a virtual meeting.
6. In your clause 8 you find it unclear whether the Background Information Document is for information purposes or a copy of the application. If you had knowledge of prospecting right applications it will be clear that this document is not a copy of the application, but just a notification to I&AP's as to what the application and the actual prospecting operations will entail. Due to this document being for background purposes only the relevant environmental reports were not included, as these reports will form part of the public participation process at a later stage.
7. We would therefore like to clarify your clients' issues contained in your clause 9 as follows:
 - 7.1. The notice of application dated 08 July 2020 is not the actual application, which application was submitted to the DMRE on 09 July 2020;
 - 7.2. Application for the Environmental Authorization was submitted simultaneous with the prospecting right application; and
 - 7.3. Acceptance from the Regional Manager is still outstanding, which acceptance should be received soon.
8. Once acceptance of the application has been received the public participation process, as prescribed by the MPRDA and NEMA, will proceed. In the meantime, please find attached hereto the Prospecting Work Program, the application for Environmental Authorization as well as the Regulation 2.2 plan. All other environmental reports will be submitted to you and your clients, for comments when same is due.
9. On 20 July 2020 a reply email was sent to your clients in which our client's archaeologist was requested access to the properties, for a site walk-through during

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August 2020, to establish whether any signs of heritage importance exist. Will you kindly advise as to your clients' instructions in this regard?

10. We trust you will find the above in order and please do not hesitate to contact our office should you require any additional information or clarification.

Response received from Glynnis Cohen Attorney on 4 August 2020 acting on behalf of

- Branron Familie Trust
- Joubert Trust
- Jardim Familie Trust
- Mr Johan Grobler

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. I refer to your letter dated 31 July 2020.
2. Thank you for explaining the position. My initial understanding that the application which you sent me was a draft is correct.
3. Once I receive notification from the Department: Mineral Resources, and the Regional Manager of your application, my client will deal with a letter of Objection in due course.
4. Please advise whether the prospecting work program which you furnished me with is identical to the prospecting work program you lodged with the Department. I asked this question because the following appendixes have not been attached, being A, B, C, D, E and F.

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5. In response to your request in paragraph 9 of your letter under reply that your client's archaeologist have access to the properties, for the purpose of "a site walk through during August 2020" you are advised that my clients do not give their consent thereto. My clients will not make their properties available to you under any circumstances, pending the final determination of your application.

6. All my client's rights are reserved.

Letter received from Jordaan and Smit Attorneys on 5 August 2020

IN RE: LOMEZA OPENCAS T OPERATIONS / THE JOUBERT (FAMILY) TRUST AND JOHAN GROBLER

We refer to the abovementioned matter as well as your e-mail dated 8 July 2020 addressed to our clients, containing your client's "Background Information Document".

We confirm that we are acting on behalf of Mr Johan Grobler and the Joubert Family Trust (our clients) herein.

We further refer to your letter dated 31 July 2020, addressed to Glynnis Cohen Attorneys.

It is our instructions to lodge an objection against your client's application for a prospecting right on our clients' respective properties.

In terms of Section 10 of the Mineral and Petroleum Resources Development Act 28 of 2002

("the MPRDA"), the following time periods are prescribed:

"10. Consultation with interested and affected parties

(l) Within 14 days after accepting an application lodged in terms of section 76, 22 or

27, the Regional Manager must in the prescribed manner [in terms of the

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Regulations published]-

- (a) make known that an application for a prospecting right, mining right or mining permit has been accepted in respect of the land in question; and
- (b) call upon interested and affected persons to submit their comments regarding the application within 30 days from the date of the notice.

(2) If a person objects to the granting of a prospecting right, mining right or mining permit, the Regional Manager must refer the objection to the Regional Mining Development and Environmental Committee to consider the objections and to advise the Minister thereon.

Further, in particular, the Regulations published in terms of the MPRDA, provide as follows:

"Consultation with interested and affected persons

3. The Regional Manager or designated agency, as the case may be, must make known by way of a notice, that an application contemplated in regulation has been accepted in respect of the land or offshore area, as the case may be.

(2) The notice referred to in subregulation (1) must be placed on a notice board at the office of the Regional Manager or designated agency, as the case may be, that is accessible to the public.

(3) In addition to the notice referred to in subregulation the Regional

Manager or designated agency, as the case may be, must also make known the application by at least one of the following methods •

- (a) Publication in the applicable Provincial Gazette;
- (b) Notice in the Magistrate 's Court in the magisterial district applicable to the land in question; or
- (c) Advertisement in a local or national newspaper circulating in the a where the land or offshore area to which the application relates, is situated.

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

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(a) An invitation to members of the public to submit comments in writing on or before a date specified in the publication, notice or advertisement, which date may not be earlier than 30 days from the date of such publication, notice or advertisement;

(b) The name and official title of the person to whom any comments must be sent or delivered; and

(c) the —

- Work, postal and street address, and, if available, an electronic mail address,
- Work telephone number; and
- Facsimile number, if any, of the person contemplated in paragraph (b). "

We assume that the application for a prospecting right on our clients' respective properties has not yet been accepted, due to the fact that this was not disclosed to our clients in any correspondence, or other way whatsoever, that we are aware of (in particular having regard to paragraph 7.3 of your letter dated 31 July 2020).

Kindly therefore indicate whether the application, as submitted on 9 July 2020, has, in the interim, been accepted by the Regional Manager (appointed by the Director-General of the Department of Mineral Resources), and if so, we require the following:

1. The complete application, as submitted to the Department of Mineral Resources and Energy (the DMRE);
2. The DMRE's reference number;
3. The date on which the Regional Manager accepted the application, i.e. when it was accepted in terms of the MPRDA;

1. Full details of when the notice of acceptance was placed on the notice board, and at which office the notice may be found (as contemplated in paragraph 3 of the Regulations issued in terms of the MPRDA);

2. What alternative method of publication was used in respect of the notice of acceptance; publication in the Provincial Gazette, notice in the Magistrates Court, or advertisement in a local or national newspaper. In this regard, kindly provide us with copies of whichever form was used in compliance.

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<p>In the event that it, in fact, has not yet been accepted, a written undertaking from yourselves that our office will be informed of the acceptance, without any delay. (This is, obviously, over and above the statutory notice requirements).</p> <p>Further, kindly find attached hereto the forms attached to your "Background Information Document", that was duly completed by our clients, being Interested and Affected Parties.</p> <p>We look forward to your response herein.</p>				
<p>Follow up letter received from Jordaan and Smit Attorneys on 2 September 2020</p> <p>We refer to the abovementioned matter as well as our letter dated 5 August 2020.</p> <p>We look forward to your response herein.</p> <p>We trust you find the above in order.</p>				
Mr JDS Jardim	Manyane Lodge Sanctuary Area	jardimconstruction@gmail.com	14 July 2020	11 August 2020
<p align="center">Letter received from Ivan Pauw and Partners on 11 August 2020 on behalf of the Manyane Lodge Sanctuary Area</p> <ul style="list-style-type: none"> • Dean Francois de Kock and Riani de Kock • Domingos Sardinha Jardim • Joelwin Domingos Sardinha Jardim 				

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- Ubusika Umlimi (Pty) Ltd
- Mantaray Trading 101 (Pty) Ltd
- Gev Property Trust
- Armanda Investments 001 CC
- V D S Property Trust

RE: NOTICE OF 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)

We act in this matter on behalf of the following property owners:

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.

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
<p>The above properties are known (collectively) as the Manyane Lodge Sanctuary Area and the above persons hereinafter referred to as “our clients”.</p> <p>We refer to your background information document (BID), dated 8 July 2020, forwarded to, inter alia, Mr Joelwin Domingos Sardinha Jardim, one of the property owners referred to above.</p> <p>Kindly note that we have been instructed by our above clients to give notice to yourselves and to ensure the proper registration of our abovementioned clients, as interested and affected parties, as well as, where applicable, Objectors to the application for a prospecting right, as well as the application for Environmental Authorisation, contemplated in the BID. Kindly confirm our clients’ registration as such.</p> <p>We have noted that our clients have been invited to, at this point in time, already, provide you with comments or concerns. Kindly note that our clients hereby reserve their right to comment and make representations, once the comprehensive draft Basic Assessment Report has been received, as they will prefer to do so on a more informed basis.</p> <p>As a preliminary issue, we are indeed concerned about the fact that only one of our clients i.e. Mr Jardim, was notified of the applicable application processes and, despite the fact that the properties of all our other clients are also located in close proximity, if not adjacent, to the subject property, none of them, nor any of the occupants, were advised of the process. In the aforesaid regard, kindly allow us to refer you to the provisions of the Guideline Document on Public Participation, issued by the National Department of Environmental Affairs, as well as the provisions of, inter alia, Section 16 of the MPRDA.</p> <p>Kindly acknowledge receipt hereof and confirm that our clients have been duly registered as Interested and Affected Parties.</p>				
<p>Acknowledgement of receipt send to Ivan Pauw and Partners on 17 August 2020</p>				
Mr Bezuidenhout	Surrounding Landowner	mjbez@telkom.net	16 July 2020	No Comments Received

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Mr Isaac Mthombeni	CSIR Kloppersbos & Paardefontein Research Center	imthombe@csir.co.za	8 July 2020	23 July 2020
Request to include Ms Bongsi Ntsoelengoe, Executive Manager for CSIR Future production in correspondence.				
Acknowledgement of receipt send to CSIR Kloppersbos & Paardefontein Research Center.				
The Directors	Eksderde Trust	kantoor@eksderde.co.za	8 July 2020	No Comments Received
Mr Johann Gelderblom	Full Swing Trading	hendri@dgconsult.co.za	16 July 2020	No Comments Received
Mr Theuns Loubser	HC Loubser Testamentere Trust	theuns@blf.co.za	16 July 2020	No Comments Received

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Me Jay-Ann Jacobs	Pioneer Foods Pty Ltd	jay-ann.jacobs@pioneerfoods.co.za	8 July 2020	No Comments Received

SUMMARY OF PARTICIPATION PROCESS

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

- ❖ telephonic discussions;
- ❖ direct communication with background information documents (email, registered mail);
- ❖ placement of on-site notices and
- ❖ placement of an advertisement in The Beeld on 8 July 2020

To date the following I&AP's and stakeholders were registered on the project:

Glynnis Cohen Attorney acting on behalf of:

- Branron Familie Trust
- Joubert Trust
- Jardim Familie Trust
- Mr Johan Grobler

Jordaan and Smit Attorneys acting on behalf of:

- Joubert Trust
- Mr Johan Grobler

Ivan Pauw and Partners acting on behalf of the Manyane Lodge Sanctuary Area

- Dean Francois de Kock and Riani de Kock
- Domingos Sardinha Jardim

SUMMARY OF PARTICIPATION PROCESS

- 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

The Draft basic assessment report will be published and a 30-days commenting period will be allowed. Comments received on the BID will be incorporated into the DBAR.

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

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NOTIFICATION TO STAKEHOLDERS AND I&APS DURING PUBLIC PARTICIPATION PHASE

COMMENTING PERIOD: 7 SEPTEMBER – 8 OCTOBER 2020

Notification of the Draft Basic Assessment Report send to stakeholders and I&AP's. A 30-days commenting period was allowed which expired on 8 October 2020. The following table provides a list of the I&AP's and stakeholders that were informed of the project:

STAKEHOLDERS				
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Ms Matilda Gasela	Gauteng Department of Agricultural and Rural Development	izakmofokeng@gauteng.gov.za	7 September 2020	7 December 2020
<p>Response received from Gauteng Department of Agricultural and Rural Development on 7 December 2020</p> <p>Dear Sonnette</p> <p>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.</p> <p>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.</p> <p>Covering letter highlighting the background and the future land use. Copy Deeds of Transfer 1:50 000 Locality map Power of attorney</p>				
<p>Response send to Gauteng Department of Agricultural and Rural Development on 3 February 2021</p> <p>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.</p>				

STAKEHOLDERS				
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
<p>  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 an 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. </p> <p> 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 </p> <p>  Copy Deeds of Transfer Please find attached to this response the title deed documents for the properties involved </p> <p>  1:50 000 Locality map Please find attached to this response the 1:50 000 Locality map </p> <p>  Power of attorney To date land owner consent has not yet been obtained. The applicant is still in consultation with the land owners. </p>				
Mr Bethuel Netshiswinzhe	Department of Infrastructure Development	Bethuel.Netshiswinzhe@gauteng.gov.za	7 September 2020	No Comments Received
Head of Department	Department of Labour	bonisile.majola@labour.gov.za	7 September 2020	No Comments Received
Mr Makhukhu Mampuru	Department of Roads and Transport	makhukhu.mampuru@gauteng.gov.za	7 September 2020	No Comments Received

STAKEHOLDERS				
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Ms Thoko Didiza	Department of Rural Development and Land Reform	PA.Minister@daff.gov.za	7 September 2020	No Comments Received
Ms Thembeni Mhlongo	Department of Social Development	thembeni.mhlongo@gauteng.gov.za	7 September 2020	No Comments Received
Ms Jeanette Monare	Department of Public Works	jeanette.monare@dpw.gov.za	7 September 2020	No Comments Received
Mr. Mbulelo Tshangana	Department of Water and Sanitation	tshanganam@dws.gov.za	7 September 2020	No Comments Received
Mr Michael Mkhari	Nokeng Tsa Taemane Local Municipality	marinabr@tshwane.gov.za	7 September 2020	No Comments Received
Councillor Ward 49	Nokeng Tsa Taemane Local Municipality Ward 49	marinabr@tshwane.gov.za	7 September 2020	No Comments Received
Mr Godfrey Mnguni	City of Tshwane Region 2	godfreymn@Tshwane.gov.za	7 September 2020	No Comments Received

STAKEHOLDERS				
TITLE, NAME AND SURNAME	AFFILIATION/KEY STAKEHOLDER STATUS	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Mr Frederick R. Lekwane	City of Tshwane Region 2 Section 49	Frederickl@tshwane.gov.za	7 September 2020	No Comments Received
Mr MW Mkhize	Department of Economic Development and Tourism	MWMkhize@mpg.gov.za	7 September 2020	No Comments Received
Me Boniswa Belot	Department of Environmental Affairs	boniswa.belot@gauteng.gov.za	7 September 2020	No Comments Received
Upload onto South African Heritage Resource Agency on 7 September 2020				

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Mr Chico Martins	Branron Familie Trust – Landowner	chico@branron.co.za	7 September 2020	18 October 2020

FORMAL OBJECTION BY BRANRON FAMILIE TRUST (113207/1997) TO THE ENVIRONMENTAL IMPACT ASSESSMENT AND FOR THE PROSPECTING RIGHT APPLICATION

1. This is a formal objection to the proposed prospecting right application by Lomeza Opencast Operations Pty Ltd ("Lomeza" alternatively "the Applicant"), on Portion 5 of Farm Klopperbos 128 JR and Portions 1, 7 and 8 of 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 prospecting rights application").

2. The objection opposes two administrative processes currently underway, and will be submitted to the relevant authorities: -

2.1 It objects to the environmental impact assessment and opposes that an environmental authorisation ("RoD") should be issued, which would be in terms of Section 24 of the National Environmental Management Act 107 of 1998 ("the 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 OBAR 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 0327. 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

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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 240(1) of NEMA imposes peremptory requirements. The decision makers who grant such authorization must consider all relevant factors stated in that section.

12.Section 240(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;
 (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).

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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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: "The objective of the exploration drilling is to confirm the presence of cold 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.

20.1The 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 "OBAR" being the draft basic assessment report. The "OBAR" (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 O).
 (e)The details regarding the financing arrangements in terms of Appendix E.

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(f)Evidence of available funding and/or financing arrangements referred to as Appendix F.

GROUND 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 ("OBAR") and various Appendices.

24.The OBAR 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 OBAR 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 Lomezha have failed to exhaust these mechanisms. These include inter a/ia Section 10, specifically Section 10(2) and a referral to the Regional Mining Development and Environmental Committee.

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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24.7 Since there are no relevant specialist studies, at all, considered and attached to the OBAR, the OBAR 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 OBAR 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 OBAR are entirely unhelpful (Appendix 4 (Reg 1), thus the OBAR 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 OBAR 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 OBAR. 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 OBAR 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

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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 4 7 to 7 4 of the OBAR 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 OBAR 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 OBAR 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 MPROA 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.

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<p>24.21 The Applicant has not undertaken a Climate Change Impact Assessment, more particularly, under circumstances when coal is an emission - 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 OBAR.</p> <p>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.</p> <p>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.</p> <p>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</p> <p>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").</p> <p>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.</p> <p>28.1 Mining does not form part of this definition.</p> <p>28.2 The uses of such zoning are described as follows in the Scheme:</p> <p>29. The prospecting right application cannot be granted until the Applicant has obtained the correct zoning on the respective properties.</p> <p>30. The EAP indicates in the OBAR 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.</p>				

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CONCLUSION

- 31. The application for a prospecting right as well as the OBAR 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.

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.

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

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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.

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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.

Letter from Gynn Cohen Attorney

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.

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<p>Response from Greenmined Environmental</p> <p>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:</p> <p>Mr Sunday Mabaso</p> <p>011 358 9700/9758</p> <p>sunday.mabaso@dmre.gov.za</p> <p>P/A Ms C Khanyile</p> <p>Carol.Khanyile@dmre.gov.za</p>				
Mr Johan Corneluis Grobler	Klopperbos 128JR- Landowner	grob.jc@gmail.com	7 September 2020	8 October 2020
Mr Joubert	Joubert Trust - Landowner	joubertg@drstech.co.za		
<p>Minutes of meeting held on 29 September 2020</p> <p>Attendees:</p> <ul style="list-style-type: none"> • Mrs Ina Joubert (Joubert Trust) • Mr Gerhard Joubert (Joubert Trust) • Mr Johan Grobler (Neighbour of Joubert Trust) 				

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TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
<ul style="list-style-type: none"> • 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) 	<ol style="list-style-type: none"> 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 	<ol style="list-style-type: none"> 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. 		<p>Concerns:</p> <ol style="list-style-type: none"> 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 how deep the coal reserve is and how viable the coal reserve is.

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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.

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- 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.

Response received from Jordaan Smit Attorneys on behalf of Mr Johan Cornelis Grobler and the Joubert Family Trust on 8 October 2020

We are acting on behalf of Mr Johan Cornelis Grobler and the Joubert Family Trust.

Mr Grobler is the registered owner of the property known as portion 5, Kloppersbos 128 JR ("Mr Grobler's Property").

The Joubert Family Trust is the registered owner of the property known as portion 1, Ekuphumuleni 716 JR ("Trust's Property").

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 Lomeza 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.

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".

Furthermore, this objection is lodged timeously, inter alia, for the following reason:

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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 he "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 entrances to the properties.

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)

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

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

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 a/ia, 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.

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

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.

The closest coal mining operations are more than 50 kilometres away from the Property.

Clearly the existence of coal in the proposed prospecting area is purely speculation, having no factual basis.

3.AD MR GROBLER'S PROPERTY

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.

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).

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.

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.

It follows, that same will infringe on Mr Grobler's and his employees' Constitutional Rights.

1. AD THE JOUBERT FAMILY TRUST'S PROPERTY

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<p>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. 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. 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. It also follows that same infringes on various rights (legal and other) of the Joubert Family Trust, and its employees.</p> <p>5 RESERVATION OF RIGHTS AND RIGHT TO SUPPLEMENT</p> <p>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</p>				
<p>Response from Joubert Trust on 28 October 2020</p> <p>We refer to the abovementioned matter as well as our meeting held on Tuesday, 29Th September 2020 @ 9:00. We hereby provide you with the information as per our meeting in order to reach an agreement:</p> <ol style="list-style-type: none"> 1) We are not able to reach an agreement with our neighbours as they are going to oppose the application. 2) We realize that the 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 application. 7) We will negotiate with Lomeza about the exact location of the boreholes. 8) We also want to confirm that the drilling contractors will have to operate according to our rules. <p>We look forward to your response herein.</p>				
<p>Response by Greenmined Environmental</p> <p>The above matter, as well as your letter which was received on 28 October 2020 refers. We would also like to refer to the objection to the prospecting right application, dated 06 October 2020, received from Jordaan Smit Inc., on your behalf.</p> <p>Please clarify whether Mr. Johan Jordaan from Jordaan Smit Inc. is still your legal representative or whether you will attend to this matter in your personal capacity. Please also clarify whether the objection which was submitted on your behalf, dated 06 October 2020, is still valid or whether said objection should be disregarded.</p>				

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From your letter under reply it seems that you do not wish to object to this prospecting right application, which is contradictory to the objection from Jordaan Smit Inc., and that you are willing to assist the applicant by providing access to your properties for the prospecting right activities.

We understand that you liaised with your neighbors in this regard and that they are not willing to reach an agreement with regards to this application and/or access to their properties, which application they intent to oppose.

We take note that you are willing to negotiate with the applicant with regards to the location of the boreholes, once the prospecting right application has been granted, on the condition that only water boreholes be drilled.

We have been advised by our client that the drilling for water boreholes alone will not render sufficient prospecting samples to enable the applicant to fully determine the mineral deposits in the area, and therefore this will not be an option for our client.

However, our client is amenable to drill water boreholes for you, once prospecting activities commence on site. The location of the boreholes will be discussed on site when such time arrives.

We take note that you will strongly oppose a mining right application, but please keep in mind that the current application is a prospecting right application, not a mining right application.

We trust you will find the above in order and please do not hesitate to contact writer should you require any additional information.

Response received From Jordaan Smit Attorneys on behalf of Mr Johan Cornelis Grobler and the Joubert Family Trust on 8 October 2020

We are acting on behalf of Mr Johan Cornelis Grobler and the Joubert Family Trust.

Mr Grobler is the registered owner of the property known as portion 5, Kloppersbos 128 JR ("Mr Grobler's Property").

The Joubert Family Trust is the registered owner of the property known as portion 1, Ekuphumuleni 716 JR ("Trust's Property").

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 Lomeza Opencast

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
<p>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. 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".</p> <p>Furthermore, this objection is lodged timeously, inter alia, for the following reason: 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.</p> <p>2 INITIAL GROUNDS OF OBJECTION, INTER ALIA, COMPLIANCE AND IMPACT</p> <p>2.1 he "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 entrances to the properties.</p> <p>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) The advertisement placed in the Beeld only contains a postal address and no work and street address, as is required.</p> <p>Further, no documentary proof of the Applicant's financial ability or access thereto, was provided, as per Regulation 5(1)(j) of the MP RDA.</p> <p>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 a/ia, 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.</p> <p>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 particular, what impact the proposed prospecting will have on the environment. This statement is made having regard to the following: 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.</p> <p>The closest coal mining operations are more than 50 kilometres away from the Property. Clearly the existence of coal in the proposed prospecting area is purely speculation, having no factual basis.</p> <p>3.AD MR GROBLER'S PROPERTY</p> <p>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.</p> <p>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).</p> <p>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.</p>				

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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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.

It follows, that same will infringe on Mr Grobler's and his employees' Constitutional Rights.

1. AD THE JOUBERT FAMILY TRUST'S PROPERTY

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.

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.

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.

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.

Response from Greenmined Environmental

The above matter, as well as your letter which was received on 28 October 2020 refers. We would also like to refer to the objection to the prospecting right application, dated 06 October 2020, received from Jordaan Smit Inc., on your behalf.

Please clarify whether Mr. Johan Jordaan from Jordaan Smit Inc. is still your legal representative or whether you will attend to this matter in your personal capacity. Please also clarify whether the objection which was submitted on your behalf, dated 06 October 2020, is still valid or whether said objection should be disregarded.

From your letter under reply it seems that you do not wish to object to this prospecting right application, which is contradictory to the objection from Jordaan Smit Inc., and that you are willing to assist the applicant by providing access to your properties for the prospecting right activities.

We understand that you liaised with your neighbors in this regard and that they are not willing to reach an agreement with regards to this application and/or access to their properties, which application they intent to oppose.

We take note that you are willing to negotiate with the applicant with regards to the location of the boreholes, once the prospecting right application has been granted, on the condition that only water boreholes be drilled.

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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We have been advised by our client that the drilling for water boreholes alone will not render sufficient prospecting samples to enable the applicant to fully determine the mineral deposits in the area, and therefore this will not be an option for our client.

However, our client is amenable to drill water boreholes for you, once prospecting activities commence on site. The location of the boreholes will be discussed on site when such time arrives.

We take note that you will strongly oppose a mining right application, but please keep in mind that the current application is a prospecting right application, not a mining right application.

We trust you will find the above in order and please do not hesitate to contact writer should you require any additional information.

Response from Mr Johan Grobler on 11 November 2020

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.

2. 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.

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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<p>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.</p> <p>7 We can discuss what happens after a prospecting license is granted, if it is granted.</p> <p>8 We are aware of what we are busy with.</p>				
<p>Response from Greenmined Environmental</p> <p>Good day Mr Grobler,</p> <p>Your comments received in the email dated 11 November 2020 refers.</p> <p>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.</p>				
Mr JQS Jardim	Jardim Familie Trust - Landowner	jardimj777@gmail.com	7 September 2020	8 October 2020
<p>Letter from Ackerman Attorneys on behalf of Jardim Family Trust</p> <p>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.</p> <p>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 Your Section 102 notification to stakeholders and interested and affected persons during the public participation phase (specifically appendix G1, page 5); 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 The email correspondence from your M. Lingenfelder to "iardimi777@gmailcom" dated 08 July 2020 (specifically appendix G2, page 88).</p>				

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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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 "iardimconstruction@gma1lcom" 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 "jardimi777@gmailcom". 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. 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;

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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.

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.

Response from Greenmined Environmental:

The above matter as well as your correspondence dated 08 October 2020, of which we note the content, refers.

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.

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.

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.

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 to address most of your client's concerns.

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.

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<p>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.</p> <p>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.</p> <p>We trust you will find the above in order and we will keep you informed of the progress on this application.</p>				
Mr Bezuidenhout	Surrounding Landowner	mjbez@telkom.net	7 September 2020	No Comments Received
Mr Isaac Mthombeni	CSIR Kloppersbos & Paardefontein Research Center	imthombe@csir.co.za	7 September 2020	No Comments Received
The Directors	Eksderde Trust	kantoor@eksderde.co.za	7 September 2020	No Comments Received
Mr Johann Gelderblom	Full Swing Trading	hendri@dgconsult.co.za	7 September 2020	No Comments Received

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
Mr Theuns Loubser	HC Loubser Testamentere Trust	theuns@blf.co.za	7 September 2020	No Comments Received
Me Jay-Ann Jacobs	Pioneer Foods Pty Ltd	jay-ann.jacobs@pioneerfoods.co.za	7 September 2020	No Comments Received
Mr Kobus van der Schyff	Surrounding Landowner	kobus.vanderschyff@intendafs.net	1 October 2020	
Mr Jan Smit	Staalboer CC	jan@staalboer.co.za		
Vania van Wyk	Staalboer CC	vania@staalboer.co.za		

Response from Kobus van der Schyff, Jan Smit and Vania van Wyk

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.

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				<p>Noise pollution / Air pollution</p> <p>Water pollution</p> <p>Security concerns – form myself and that of my animals on both properties.</p> <p>The negative effect this will have on our property value.</p> <p>And the deterioration of an already deteriorated road.</p>
				<p>Response from Greenmined Environmental</p> <p>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.</p> <p>We take note of the following concerns:</p> <ul style="list-style-type: none"> ■ “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. <p><u>Mining Permit:</u> Please note that this is an application for a prospecting right. NO mining may take place with a prospecting right.</p>

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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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.

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<p>  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 and 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. </p>				
Mr Norman Landman	Surrounding Landowner	chairman@suneden.com	1 October 2020	

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Response received from Mr Landman
 Please tell me what is the expected life of the mine and how do we register as an interested and affected party?

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	

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Postal Address/Pos Adres	
Tel	
Fax/Faks	
E-mail/E-pos	

Comments/ Opmerkings:

No Objection:	
Request additional information:	
Concerns:	

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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Please do not hesitate to contact us should you require any additional information

Further response received from Mr Landman
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?

Response from Greenmined

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.

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TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
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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.

Nico Bezuidenhout	Surrounding Landowner	mrnico.dev@gmail.com	4 October 2020	
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Response received Mr and Mrs Bezuidenhout

We are neighbors of: The farm Ekuphumuleni 716 JR.

None of the neighboring landowners were contacted.

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

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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

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

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

Please see responses to your comments listed below:

Noted

█ 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:

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

█ 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 neighbor's 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 Klopperbos Pyramid Crossing) on the 7th July 2020.

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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■ 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.
■ 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 a 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.
■ 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.

Van Wyk Familie	Surrounding Landowners	vanwykriana99@gmail.com kobusvanwyk62@gmail.com rick041088@gmail.com kobus.vanderschyff@intendafs.net	8 October 2020	
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Response received from Ivan Pauw and Partners on behalf of the Manyane Lodge Sanctuary Area on 8 October 2020

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

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
(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.			
COMMENTS ON THE DBAR:				
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:				
Listing Notice 1 Activity 20				
Listing Notice 1 Activity 22				
Listing Notice 3 Activity 12				

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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:

Need and Desirability – Poorly addressed:

Specialist studies not conducted at all and/or conducted poorly

Environmental Management Programme:

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

Public participation: Flawed

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.

This is a summary of the submitted comments Please refer to the Comments and Response Report – Appendix G for the full document

Response from Greenmined Environmental

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.

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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- 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.

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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 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.

Mr Johan van Niekerk	Monateng Safari Lodge Pty Ltd	johan@ifins.co.za	6 October 2020	
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Response received from Johan van Niekerk on behalf of Monateng Safari Lodge Pty Ltd

- 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:

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
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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 effectively 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;

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
<p>5.2. listed mammal habitat;</p> <p>5.3. listed bird habitat;</p> <p>5.4. primary vegetation; and/or</p> <p>5.5. any other listed animals etc.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>10.On receipt of the above information, we will be able to partake in the public participation as required in legislation.</p> <p>11.We request that you forward your reply and information to the below email addresses.</p> <p>12.All our rights remain strictly reserved.</p>				

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
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Response from Greenmined Environmental

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.

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.

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

TITLE, NAME AND SURNAME	AFFILIATION /PROPERTY DESCRIPTION	CONTACT DETAILS	CONTACTED DATE	RESPONSE RECEIVED
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- 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.

LANDOWNER / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES

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<p>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.</p> <p>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.</p> <p>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.</p> <p>8. We trust you will find the above in order and we will keep you informed of the progress on this application.</p>				
Nsele Mining Pty Ltd	Interested and Affected Party	danie@nsele-co.co.za	7 September 2020	No Response Received
<p align="center">Response received from Gauteng Department of Agricultural and Rural Development on 7 December 2020</p>				

SUMMARY OF PARTICIPATION PROCESS

To date the following I&AP's and stakeholders were registered on the project:

Glynnis Cohen Attorney acting on behalf of:

- Branron Familie Trust
- Joubert Trust
- Jardim Familie Trust
- Mr Johan Grobler

Jordaan and Smit Attorneys acting on behalf of:

- Joubert Trust
- Mr Johan Grobler

Ivan Pauw and Partners acting on behalf of the Manyane Lodge Sanctuary Area

- 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

SUMMARY OF PARTICIPATION PROCESS

- Armanda Investments 001 CC
- V D S Property Trust

Mr Jan Smit

Monateng Safari Lodge (Pty) Ltd

Mr Nico Bezuidenhout

Mr Norman Landman

Mr van der Skyff

Van Wyk Family

Monateng Safari Lodge

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 Klopperbos Pyramid Crossing) on the 7th July 2020. A 30-days commenting period in terms of the initial public participation was provided which expired on 11th August 2020. Please refer to the comments and responses report Appendix G1 for a complete list of all comments received. In accordance with the timeframes stipulated in the EIA Regulations, 2014 (as amended by GNR 326 effective 7 April 2017) the Draft Basic Assessment Report (DBAR) was compiled and distributed for comment and perusal to the I&AP's and stakeholders. Another 30-day commenting period, ending 05 October 2020, was provided for perusal of the DBAR and submission of comments. The comments received on the DBAR was incorporated into the Final Basic Assessment Report (FBAR) to be submitted for decision making to DMRE. Most of the comments and/or objections received were from landowners and based on specialist studies that were not conducted. Although the landowners denied the applicant and its specialists access to the application areas, for the purpose of specialist studies to be conducted, the landowners are the same parties demanding specialist studies to be conducted, which is a total contradiction. In light hereof, a condition in the FBAR is hereby proposed that specialist

SUMMARY OF PARTICIPATION PROCESS

studies will have to be conducted prior to commencement of any prospecting activities. Comments were also received that the applicant should only drill boreholes for water on the properties in order to ascertain whether there are any coal deposits. This will however result in unauthorised prospecting activities, in the event that there are coal deposits in the water samples, which cannot be recommended. It should also be noted that the prospecting activities will not differ from activities associated with drilling for water, save for the bulk sampling of mineral deposits, therefore it seems to be it is clear the landowners have contrasting views, as they will approve the drilling for water but not drilling for coal.

-END OF PUBLIC PARTICIPATION PROCESS-